



Deschutes County Board of Commissioners  
1300 NW Wall St., Suite 200, Bend, OR 97701-1960  
(541) 388-6570 - Fax (541) 385-3202 - [www.deschutes.org](http://www.deschutes.org)

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## **AGENDA REQUEST & STAFF REPORT**

### **For Board Business Meeting of October 28, 2015**

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*Please see directions for completing this document on the next page.*

**DATE:** October 13, 2015

**FROM:** James Lewis                      Property and Facilities                      541-385-1414

**TITLE OF AGENDA ITEM:**

Consideration of Board Signature of Document 2015-667 an Addendum/Extension to a Lease between Deschutes County, Lessor, and the State of Oregon Department of Administrative Services, Lessee.

**PUBLIC HEARING ON THIS DATE?** No

**BACKGROUND AND POLICY IMPLICATIONS:**

In 2009 Deschutes County leased approximately eight (8) square feet of space within Deschutes County's Computer Center (a "server rack") to the State of Oregon, Department of Consumer and Business Services (DCBS) for their remote back-up system. DCBS is a regulatory agency that administers State laws and rules. DCBS integrated with the State Data Center and the agency is now called Enterprise Technologies Services, within the Department of Administrative Services. Since 2009, there have been five addendums to the lease; one to reflect the change in agency name (to correct the name of the actual Lessee), and four to extend the term of the lease. According to the terms of the lease, this is an authorized one-year extension.

**FISCAL IMPLICATIONS:**

Annual Rent is \$41,160.00

**RECOMMENDATION & ACTION REQUESTED:**

Staff recommends Board signature on Document 2015-667

**ATTENDANCE:** James Lewis

**DISTRIBUTION OF DOCUMENTS:**

Return original document to James Lewis for County records and copy to Lessee.

## DESCHUTES COUNTY DOCUMENT SUMMARY

(NOTE: This form is required to be submitted with ALL contracts and other agreements, regardless of whether the document is to be on a Board agenda or can be signed by the County Administrator or Department Director. If the document is to be on a Board agenda, the Agenda Request Form is also required. If this form is not included with the document, the document will be returned to the Department. Please submit documents to the Board Secretary for tracking purposes, and not directly to Legal Counsel, the County Administrator or the Commissioners. In addition to submitting this form with your documents, please submit this form electronically to the Board Secretary.)

Please complete all sections **above** the Official Review line.

**Date:**

**Department:**

**Contractor/Supplier/Consultant Name:**

**Contractor Contact:**

**Contractor Phone #:**

**Type of Document:** Fifth Lease Addendum

**Goods and/or Services:** N/A

**Background & History:** In 2009 Deschutes County leased approximately eight (8) square feet of space within Deschutes County's Computer Center (a "server rack") to the State of Oregon, Department of Consumer and Business Services (DCBS) for their remote back-up system. DCBS is a regulatory agency that administers State laws and rules. DCBS integrated with the State Data Center and the agency is now called Enterprise Technologies Services, within the Department of Administrative Services. Since 2009, there have been five addendums to the lease; one to reflect the change in agency name (to correct the name of the actual Lessee), and four to extend the term of the lease. According to the terms of the lease, this is an authorized one-year extension.

**Agreement Starting Date:**

**Ending Date:**

**Annual Value or Total Payment:**

**N/A - Statutory**

Insurance Certificate Received (check box)

Insurance Expiration Date:

**N/A**

Check all that apply:

RFP, Solicitation or Bid Process

Informal quotes (<\$150K)

Exempt from RFP, Solicitation or Bid Process (specify – see DCC §2.37)

**N/A**

**Funding Source:** (Included in current budget?  Yes  No

If **No**, has budget amendment been submitted?  Yes  No

**Is this a Grant Agreement providing revenue to the County?**  Yes  No

Special conditions attached to this grant:

10/13/2015

Deadlines for reporting to the grantor:

If a new FTE will be hired with grant funds, confirm that Personnel has been notified that it is a grant-funded position so that this will be noted in the offer letter:  Yes  No

Contact information for the person responsible for grant compliance: Name:  
Phone #:

Departmental Contact and Title: James Lewis Phone #: 541-385-1414

Department Director Approval:  \_\_\_\_\_  
Signature Date

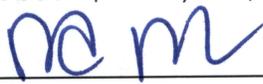
**Distribution of Document:**

Original to James Lewis for County records and Lessee.

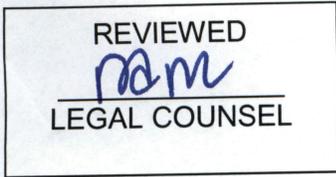
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**Official Review:**

County Signature Required (check one):  BOCC  Department Director (if <\$25K)  
 Administrator (if >\$25K but <\$150K; if >\$150K, BOCC Order No. \_\_\_\_\_)

Legal Review  Date 10/21/15

Document Number 2015-667



SIXTH ADDENDUM TO LEASE

Parties:

LESSOR: DESCHUTES COUNTY, a political subdivision of the State of Oregon

LESSEE: STATE OF OREGON, acting by and through its DEPARTMENT of ADMINISTRATIVE SERVICES, ENTERPRISE TECHNOLOGIES SERVICES

WHEREAS, Lessor and Lessee entered into a Lease (DC 2009-664) with an effective date of December 10, 2009, ("the Lease") covering space described as approximately eight (8) square feet of space within the Computer Center of the building located at 14 NW Kearney Avenue Bend, Deschutes County, Oregon 97701 (the "Premises"); and

WHEREAS, Lessor and Lessee amended the Lease January 1, 2011 (DC 2010-683), April 11, 2012 (DC 2012-168), January 1, 2013 (DC 2012-659); September 16, 2013 (DC 2013-334); and, September 24 2014 (DC 2014-486), and;

WHEREAS, the parties desire to renew the Lease;

NOW, THEREFORE, the parties agree that the Lease is hereby amended as follows:

- 1. Term and Renewal: The effective date of this Lease shall be January 1, 2011 and shall continue until December 31, 2016. This Lease may be terminated by either party upon thirty (30) days' prior written notice. If this Lease is not terminated and Lessee is not in default, Lessee shall have the option to renew this lease for successive terms of twelve (12) months each (from January 1, to December 31). This option, if exercised, shall be made by written notice to lessor given not less than sixty (60) days prior to the last day of the expiring term. This Lease shall not be considered renewed for the additional twelve months unless and until Lessor agrees in writing.

Except as otherwise provided in this Addendum, the terms and conditions of the Lease remain in effect.

LESSOR: DATED this \_\_\_ day of \_\_\_\_\_, 2015

BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON

ANTHONY DEBONE, CHAIR

ATTEST:

ALAN UNGER, VICE CHAIR

Recording Secretary

TAMMY BANEY, COMMISSIONER

**LESSEE:**

STATE OF OREGON acting by and through its  
Department of Administrative Services,  
Enterprise Technologies Services

By: \_\_\_\_\_

DATED this \_\_\_\_ day of \_\_\_\_\_, 2015

**APPROVAL:**

STATE OF OREGON acting by and through its  
Department of Administrative Services

By: \_\_\_\_\_

DATED this \_\_\_\_ day of \_\_\_\_\_, 2015