

# **Memorandum of Understanding Between Lewis County and The Port of Chehalis Amending the Distressed County Funds Grant Agreement**

**WHEREAS**, Lewis County ("County"), a political subdivision of the state of Washington, and the Port of Chehalis ("Port"), a municipal corporation (collectively the "Parties") entered into a grant agreement (hereinafter "Agreement") on April 8, 2019 by resolution 19-101 to release distress county funds pursuant to RCW 82.14.970 for the "Rail Transload and Grain Facility" project which would replace a rail spur serving the economic development of the County; and

**WHEREAS**, the Agreement would release \$800,000 after semi-annual progress reports were provided to the County with proof of expenditures related to said project; and

**WHEREAS**, the County may, if it wishes fund projects that meet the conditions pursuant to RCW 82.14.970 in any manner; and

**WHEREAS**, the Port and County recognize that, upon receipt of the scope of work on the project, it would not require a phased approach and release of the balance of the grant funds in one lump sum is necessary; and

**WHEREAS**, the County continues to desire to fund the project for the same amount; and

**WHEREAS**, the Port desires to complete the project as applied, and

**WHEREAS**, the Parties jointly desire to modify the Agreement to accommodate the change necessary to fund and to complete this project.

**THEREFORE, IT IS AGREED AND UNDERSTOOD** that the following amendments shall be made to the original agreement, while keeping all other clauses in the Agreement remaining in full force and effect:

1. Strike the phrase "semi-annual progress report" in ¶2 and replace with "report";
2. Strike the phrase "semi-annual updates" in ¶4 and replace with "report"; and
3. Strike the phrase "reimbursement claims voucher" in ¶5 and replace with "invoicing and other documents related to the project"

Dated this \_\_\_\_ day of June, 2020

BOARD OF COUNTY COMMISSIONERS  
LEWIS COUNTY, WASHINGTON

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PORT OF CHEHALIS  
CHEHALIS, WASHINGTON

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