

RESOLUTION NO. _____

BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

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**RESOLUTION AUTHORIZING THE COUNTY MANAGER OR HIS DESIGNEE TO
EXECUTE AN AMENDMENT TO THE PROPERTY MANAGEMENT SERVICES
AGREEMENT WITH ORCHARD COMMERCIAL, INC., FOR CIRCLE STAR PLAZA,
AUTHORIZING ADDITIONAL SERVICES, CLARIFYING THE CALCULATION OF
FEES AND INCREASING THE ANNUAL NOT TO EXCEED AMOUNT BY
\$1,970,000 TO \$2,500,000**

RESOLVED, by the Board of Supervisors of the County of San Mateo, State of California, that

WHEREAS, on September 11, 2012, the Board entered into a contract with Orchard Commercial Inc, for management services at Circle Star Plaza that included an initial not to exceed amount of \$180,000; and

WHEREAS, on February 26, 2013, the Board entered into an amendment to the contract increasing the annual not to exceed amount to \$530,000 in preparation of leasing the buildings and maintaining them in an occupancy ready condition; and

WHEREAS, the County has entered into leases for the entire property and the ongoing monthly costs of maintenance and operations is estimated to increase to approximately \$2,500,000 per year, which costs will be offset by rent and operating expense payments from the tenant, and

WHEREAS, the County desires to authorize Orchard to provide tenant improvement coordination services and to modify the calculation of Orchard's fees, and

WHEREAS, there has been presented to this Board of Supervisors for its consideration and acceptance a Second Amendment to the Property Management Agreement with Orchard Commercial, Inc, reference to which is hereby made for further particulars, increasing the not-to-exceed amount from \$530,000 to \$2,500,000 per year, authorizing Orchard to provide construction management and coordination services, and clarifying the calculation of Orchard's fees, in accordance with the terms and conditions contained in the Amendment, and

WHEREAS, this Board has been presented with the Second Amendment to Property Management Services Agreement and has examined and approved same as to both form and content and desires to enter into same.

NOW THEREFORE, IT IS HEREBY DETERMINED AND ORDERED that the County Manager or his designee is authorized to execute the Second Amendment to the Property Management Services Agreement with Orchard Commercial, Inc. for Circle Star Plaza for and on behalf of the County of San Mateo; and

IT IS FURTHER DETERMINED AND ORDERED that the County Manager or his designee is hereby authorized to accept or execute on behalf of the County, any and all notices, consents, approvals, terminations and other documents in connection with the Second Amendment and Agreement that further the intent of the Resolution and the Board.

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