



CITY OF BEND

AMENDMENT TO THE AGREEMENT BETWEEN CITY OF BEND AND BEND VISITOR AND CONVENTION BUREAU, INC. DOING BUSINESS AS VISIT BEND, FOR TOURISM PROMOTION SERVICES

Amendment No. 1 Contract No. 31700335

This **Amendment No. 1 to the Agreement** is entered into effective July 1, 2017 between the City of Bend, Oregon ("City") and Bend Visitor And Convention Bureau, Inc., doing business as Visit Bend ("Contractor") and amends the Agreement between City and Contractor dated November 13, 2014 for tourism promotion services.

The City and Consultant ("parties") agree to amend the Agreement to modify the funding language and to extend the termination date of the agreement. The Agreement is revised as follows:

3. Business Plan.

Section 3 - Business Plan is amended as follows:

i. Delete Section 3.a and replace with:

"a. Contractor's budget should be prepared assuming a total budget for services provided by this Agreement that represents no more than 31.2% of the projected Gross Lodging Tax collections less City overhead (administrative and audit expenses)."

ii. Delete Section 3.d and replace with:

"d. If actual collections exceed the approved budget amount by no more than 10%, Contractor agrees to invest the additional funds in accordance with approved Business Plan. If actual collections exceed the approved budget by more than 10%, the City will hold the excess amount above 10% in the Tourism Fund. Contractor may request allocation of the excess amount as part of the following year's business plan presentation.

4. City Funding.

Delete Section 4 – City Funding and replace with:

"City agrees to provide proceeds from the City's Room Tax to Contractor for services provided under this Agreement. The city will provide up to 31.2 percent of the proceeds from room tax, less the City's overhead (administrative and audit expenses). The amount will be paid monthly in the month following the month proceeds are remitted to the City."

9. Term.

The term of the agreement is amended to extend the agreement expiration date to June 30, 2022 unless terminated for default or material breach as set forth in the agreement.

In all other respects the Agreement shall remain in full force and effect.

Approved and authorized for signature by City Council, acting as the Local Contract Review Board on May 3, 2017.

THE PARTIES SIGNING BELOW WARRANT, REPRESENT AND AGREE THAT THEY HAVE THE AUTHORITY TO SIGN THIS AGREEMENT AND AGREE TO ALL TERMS

Bend Visitor and Convention Bureau KI
7/24

CITY OF BEND, OREGON

~~BEND CONVENTION AND VISITORS BUREAU, INC. dba VISIT BEND~~

BY: _____
Eric King

BY: *[Signature]*
Kevney Dugan

TITLE: City Manager

TITLE: President/CEO

DATE: _____

DATE: 7/24/17

APPROVED AS TO LEGAL FORM:

[Signature]
City Attorney's Office

City of Bend Contracting & Funding Authorizations:

BY: *[Signature]*
Jon Skidmore, Assistant City Manager
City of Bend, Oregon

7/20/17
Date

BY: *[Signature]*
Carolyn Eagan, Economic Development Director
City of Bend, Oregon

7/14/17
Date

BY: *[Signature]*
Gwen Chapman, Purchasing Manager
City of Bend, Oregon

7/13/17
Date