

**MODIFICATION OF AGREEMENT NUMBER 5
TO
INTERLOCAL AGREEMENT BETWEEN
WHATCOM TRANSPORTATION AUTHORITY
AND
WHATCOM COUNCIL OF GOVERNMENTS
FOR
THE WHATCOM SMART TRIPS PROGRAM**

WHEREAS, the Whatcom Transportation Authority ("WTA") and the Whatcom Council of Governments ("WCOG"), collectively referred to as the "Parties", entered into an agreement regarding the Whatcom Smart Trips Program ("Smart Trips") on March 15, 2017 (Agreement); and,

WHEREAS, the Agreement has been previously modified four times, the most recent (Modification Number 4), extending the term to July 1, 2023; and,

WHEREAS, the Parties wish to extend the Agreement's term an additional time through September 30, 2023 to enable the Parties to enter into a new Agreement to refresh Smart Trips based upon new circumstances such as being awarded a State grant and to provide time for the grant documents to be signed and incorporated into a new Smart Trips agreement; and,

WHEREAS, the Parties acknowledge the strategic value of Smart Trips to the community, the environment and the Parties themselves;

NOW, THEREFORE, in exchange of mutual consideration, which is acknowledged herein, the Parties agree as follows:

1. **TERM:** The Parties agree to amend Section 4 of the Agreement to extend the term of the Agreement through September 30, 2023.
2. **REMAINING TERMS:** The remaining terms and conditions of the Agreement and subsequent Modifications remain the same and are unchanged except as specifically outlined herein.
3. **COUNTERPARTS:** The Parties may sign this Modification in counterparts. To that end, original signatures transmitted and received via electronic transmission of a scanned document (e.g. PDF) are deemed true and valid signatures for all purposes of this Agreement and shall bind the parties to the same extent as an original signature.

For the Whatcom Council of Governments

DocuSigned by:

C24CB5DED6984E0

Robert H. Wilson, Executive Director

5/26/2023

Date: _____

For the Whatcom Transportation Authority


Les Reardanz, General Manager

Date: 6/16/23