

State of Washington  
Contracts & Procurement Division  
Department of Enterprise Services  
P.O. Box 41411  
Olympia, WA 98504-1411

Herman Miller, Inc.  
855 East Main Ave.  
Zeeland, MI 49464

**FIRST AMENDMENT  
TO  
PARTICIPATING ADDENDUM CONTRACT 14422  
FOR  
OFFICE FURNITURE**

This First Amendment (“Amendment”) to Contract No. 14422 is made and entered into by and between the State of Washington acting by and through the Department of Enterprise Services, a Washington State governmental agency (“State”) and Herman Miller, Inc., a Michigan corporation (“Contractor”) and is dated as of July 29, 2022.

**RECITALS**

- A. State and Contractor (collectively the “Parties”) entered into that certain Contract No. 14422 for Office Furniture dated effective as of March 1, 2022 (“Contract”).
- B. The Parties have not previously amended the Contract 14422.
- C. The amendment set forth herein is within the scope of the Contract.
- D. The Parties now desire to amend the Contract as set forth herein.

**AGREEMENT**

NOW THEREFORE, in consideration of the mutual covenants and agreements set forth herein, the Parties hereby agree to amend the Contract, as previously amended, as follows:

- 1. **SERVICE CATEGORIES.** As per Exhibit B Office Furniture Scope of Work, Section 2 General Provisions of the Cooperative Purchasing Master Agreement MA147, each Participating Entity has the option to select one or more product categories or services from the resulting Master Agreement.
  - a. Design and Installation Services have been added. See attached *Exhibit A* for service schedules and rates.
  - b. Knowledgeable & Compliant with Prevailing Wage Requirements. Bidder understands Washington’s Prevailing Wage on Public Works Act, RCW 39.12 (Act) and the rules promulgated by the Washington State Department of Labor and Industries (L&I Rules) and, if awarded a Master Contract pursuant to this Competitive Solicitation, unless exempt, Bidder (including any subcontractors) will pay all workers employed in the performance of any part of the work resulting from such Master Contract in accordance with the Act and the L&I Rules.

- c. Bidder certifies they (including any subcontractors) have NOT been cited by the Washington State Department of Labor and Industries (L&I) for violations of the Act and/or L&I Rules within the five (5) years preceding the date of this Competitive Solicitation.
2. NO CHANGE OTHER THAN AMENDMENT. Except as amended herein, the Contract is unaffected and remains in full force and effect.
  3. INTEGRATED AGREEMENT; MODIFICATION. This Amendment constitutes the entire agreement and understanding of the Parties with respect to the subject matter and supersedes all prior negotiations and representations. In the event of any conflict between this Amendment and the Contract or any earlier amendment, this Amendment shall control and govern. This Amendment may not be modified except in writing signed by the Parties.
  4. AUTHORITY. Each party to this Amendment, and each individual signing on behalf of each party, hereby represents and warrants to the other that it has full power and authority to enter into this Amendment and that its execution, delivery, and performance of this Amendment has been fully authorized and approved, and that no further approvals or consents are required to bind such party.
  5. ELECTRONIC SIGNATURES. A signed copy of this Amendment or any other ancillary agreement transmitted by facsimile, email, or other means of electronic transmission shall be deemed to have the same legal effect as delivery of an original executed copy of this Amendment or such other ancillary agreement for all purposes.
  6. COUNTERPARTS. This Amendment may be executed in one or more counterparts, each of which shall be deemed an original, and all of which counterparts together shall constitute the same instrument which may be sufficiently evidenced by one counterpart. Execution of this Amendment at different times and places by the parties shall not affect the validity thereof so long as all the parties hereto execute a counterpart of this Amendment.

EXECUTED AND EFFECTIVE as of the day and date first above written.

**HERMAN MILLER, INC.**  
**A MICHIGAN CORPORATION**

**STATE OF WASHINGTON**  
**DEPARTMENT OF ENTERPRISE SERVICES**

By: *Jay Lanenga*  
Jay Lanenga (Jul 27, 2022 11:07 EDT)  
 Name: Jay Lanenga  
 Title: Director of Commercial Contracts  
 Date: 7/27/2022

By: *Nick Ioanna*  
 Name: Nicholas Ioanna  
 Title: Procurement Supervisor  
 Date: 7/27/2022

## EXHIBIT A

### SUBCONTRACTOR DEALER SERVICE RATES Effective July 29, 2022

<b>Subcontractor</b>	<b>Design Hourly Rate</b>	<b>Project Management Hourly Rate</b>	<b>Installation Hourly Rate</b>	<b>Overtime Hourly Rate</b>
Business Interiors NW dba Catalyst Workplace Activation <i>(Seattle Area-Western WA)</i>	\$70	\$70	\$55	\$85
MBI Systems <i>(Seattle Area-Western WA)</i>	\$75	\$75	\$54	\$85
HMI dba PacificWRO <i>(SW Washington)</i>	\$75	\$75	\$56.50	\$85
Contract Design Associates <i>(Spokane-Eastern WA)</i>	\$55	\$60	\$65	\$97.50
Chandler Business Interiors, Inc. <i>Wenatchee-Eastern WA)</i>	\$65	\$65	\$65	\$97.50

# 14422 Amendment 1

Final Audit Report

2022-07-27

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