

**AMENDMENT NUMBER 01**  
**INTERGOVERNMENTAL AGREEMENT**  
**Americans with Disabilities Act Curb Ramp Project Agreement**  
Umatilla/Morrow County Curb Ramps Phase 2A  
Umatilla/Morrow County Curb Ramps Phase 2B  
OR 207, US 395

This is Amendment No. 01 to the Agreement between the **State of Oregon**, acting by and through its Department of Transportation, hereinafter referred to as “State,” and “ODOT,” and the **CITY OF HERMISTON**, acting by and through its elected officials, hereinafter referred to as “Agency,” entered into on February 13, 2024.

It has now been determined by State and Agency that the Agreement referenced above shall be amended to update highways cited, curb ramp locations identified in Exhibit A maps and funding.

1. **Effective Date.** This Amendment shall become effective on the date it is fully executed and approved as required by applicable law.

2. **Amendment to Agreement.** (Additions are shown in *italics* and underlined, deletions are shown as ~~strikethrough~~):

a. The name of the Project has been changed from Umatilla/Morrow County Curb Ramps Phase 2A, Umatilla/Morrow County Curb Ramps Phase 2B, OR 207, ~~US 730~~, US 395 to reflect changes in Project scope and location.

b. **Exhibit A shall be deleted in its entirety and replaced with the attached Revised Exhibit A. All references to “Exhibit A” shall hereinafter be referred to as “Revised Exhibit A.”**

c. **Recitals, Paragraph 1, Page 1, is revised as follows:**

1. OR 207, and US 395 ~~and US 730~~ are part of the state highway system under the jurisdiction and control of the Oregon Transportation Commission (OTC). OR 207 is known within the limits of this project as 11<sup>th</sup> Street and Elm Street. ~~US 730 is known within the limits of this project as 6<sup>th</sup> Street.~~ All city streets impacted by this project are a part of the city street system under the jurisdiction and control of Agency.

d. **Terms of Agreement, Paragraphs 1 and 2, Page 2, are revised as follows:**

1. Under such authority, State and Agency agree that State shall design and construct ADA-compliant curb ramp improvements at various locations along OR 207, and US 395 ~~and US 730~~, hereinafter referred to as “Project.” The Project includes construction or rehabilitation of curb ramps, crosswalks and existing RRFB. The location of the Project is approximately as shown on the

sketch map attached hereto, marked Revised Exhibit A, and by this reference made a part hereof.

2. The Project will be financed at an estimated cost of ~~\$1,996,176.78~~ \$6,930,000.00 in federal and state funds. The estimate for the total Project cost is subject to change. State shall be responsible for any Project costs beyond the estimate.
3. **Counterparts.** This Amendment may be executed in two or more counterparts (by facsimile or otherwise) each of which is an original and all of which when taken together are deemed one agreement binding on all Parties, notwithstanding that all Parties are not signatories to the same counterpart.
4. **Original Agreement.** Except as expressly amended above, all other terms and conditions of the original Agreement are still in full force and effect. Agency certifies that the representations, warranties, and certifications in the original Agreement are true and correct as of the effective date of this Amendment and with the same effect as though made at the time of this Amendment.
5. **Electronic Signatures.** The Parties agree that signatures showing on PDF documents, including but not limited to PDF copies of the Agreement and amendments, submitted, or exchanged via email are "Electronic Signatures" under ORS Chapter 84 and bind the signing Party and are intended to be and can be relied upon by the Parties. State reserves the right at any time to require the submission of the hard copy originals of any documents.

**THE PARTIES**, by execution of this Agreement, hereby acknowledge that their signing representatives have read this Agreement, understand it, and agree to be bound by its terms and conditions.

This Project is in the 2024-2027 Statewide Transportation Improvement Program (STIP), (Key Numbers 23429 and 23430) that was adopted by the Oregon Transportation Commission on July 13, 2023 (or subsequently by amendment to the STIP).

**Signature Page Follows**

**CITY OF HERMISTON**, by and through  
its designated

By \_\_\_\_\_  
Assistant City Manager

Date \_\_\_\_\_

**LEGAL REVIEW APPROVAL**  
(If required in Agency's process)

By \_\_\_\_\_  
Agency's Counsel

Date \_\_\_\_\_

**Agency Contact:**

Mark Morgan, Assistant City Manager  
City of Hermiston  
180 NE 2<sup>nd</sup> Street, Suite 220  
Hermiston, Oregon 97838  
(541) 567-5521  
[mmorgan@hermiston.or.us](mailto:mmorgan@hermiston.or.us)

**State Contact:**

Erin Winterton  
Transportation Project Manager  
3012 Island Avenue  
La Grande, Oregon 97850  
(541) 963-3177  
[Erin.Winterton@odot.oregon.gov](mailto:Erin.Winterton@odot.oregon.gov)

**STATE OF OREGON**, by and through  
its Department of Transportation

By \_\_\_\_\_  
Delivery and Operations Division  
Administrator

Date \_\_\_\_\_

**APPROVAL RECOMMENDED**

By \_\_\_\_\_  
ODOT ADA Program Director

Date \_\_\_\_\_

By \_\_\_\_\_  
Region 5 Manager

Date \_\_\_\_\_

By \_\_\_\_\_  
District 12 Manager

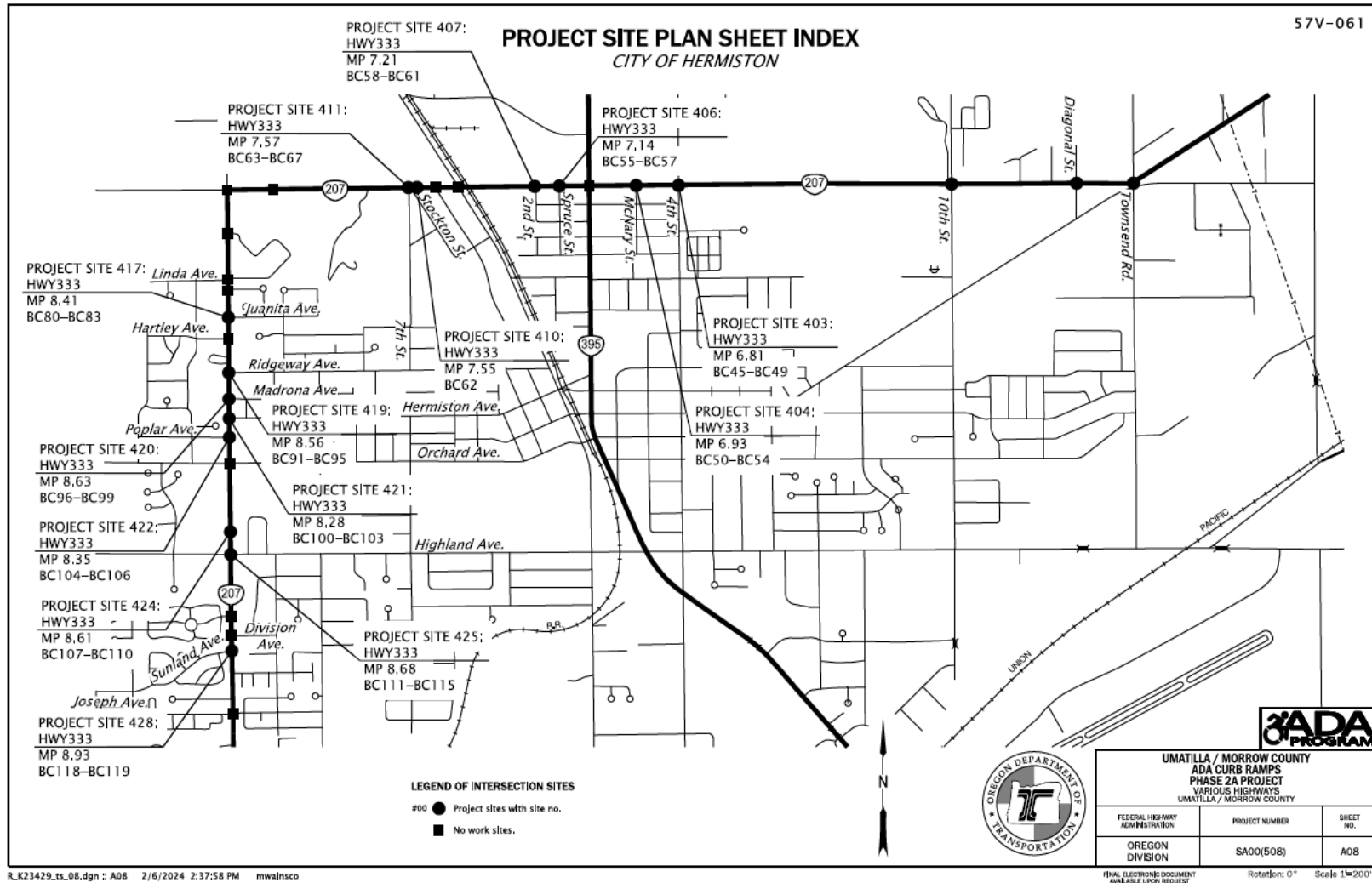
Date \_\_\_\_\_

**APPROVED AS TO LEGAL  
SUFFICIENCY**

By Janet C. Borth via email  
Assistant Attorney General

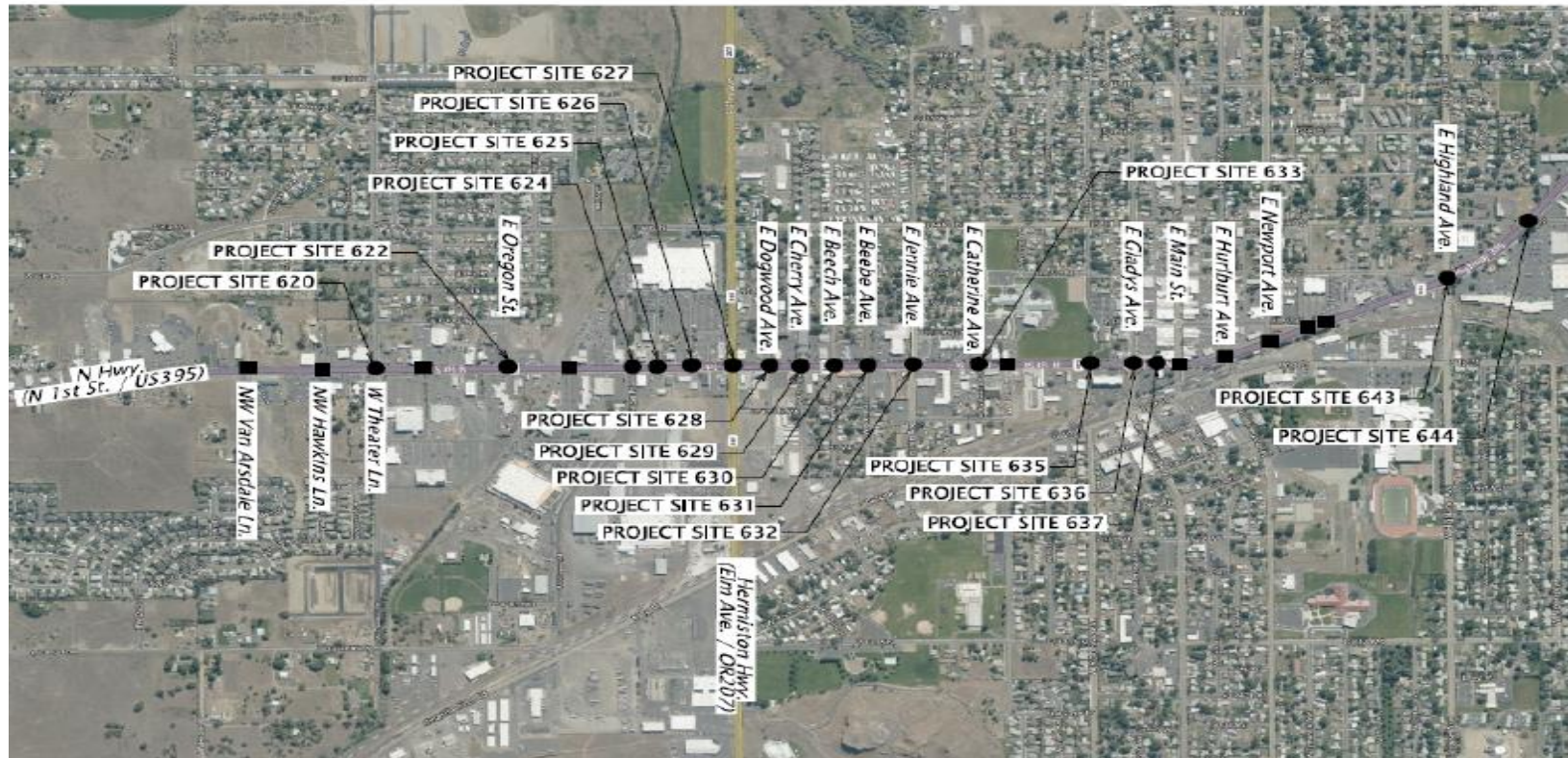
Date: May 14, 2024

Revised Exhibit A, Page 1



Revised Exhibit A, Page 2

**PROJECT SITE PLAN SHEET INDEX**  
 CITY OF HERMISTON (US395)



**LEGEND**  
 ● Work being done.  
 ■ No work to be done.



UMATILLA / MORROW COUNTY ADA CURB RAMPS PHASE 2 PROJECT VARIOUS HIGHWAYS UMATILLA / MORROW COUNTY		
FEDERAL HIGHWAY ADMINISTRATION	PROJECT NUMBER	SHEET NO.
OREGON DMSION	SAC0506	A16