FOR DNRC USE ONL	Y		
Maximum Amount under this Grant:		\$155,526.00	Approved No. <u>AC-22-0158</u>
	Source of Funds		
Fund Name ARPA State Reco	overy Section 602	Fund No. 03920	Amend No. 1 Division F.S.O Legal
Subclass 54040	Org. No. 34225089C	Amount \$155,526.00	DINRC
Appropriation Au	uthority: 67th Legisla	ature 2021 HB632	

AMENDMENT NO. 1

THIS AMENDMENT is made and entered into by and between the Montana Department of Natural Resources and Conservation's (DNRC) Conservation and Resource Development Division hereinafter called "DNRC", and SIDNEY, CITY OFhereinafter called the "Recipient" and represented by Rick Norby, Mayor, and successors, 115 2nd Street Southeast, Sidney, MT 59270, clerktreasurer@cityofsidneymt.com, (406) 433 - 2809.

The parties to this Agreement in consideration of the mutual covenants and stipulations set out herein hereby agree as follows:

THAT because After further model development of the hydraulics and hydrology in the watershed for the Sidney-Anderson Subdivision Stormwater Improvements project, it appears that a detention pond in the upper portion of the basin will not alleviate flooding as it was anticipated in concept design. The scope of work is proposed to change to improving culvert near where flooding is known to occur to increase capacity.

SECTION 4. PROJECT SCOPE. The scope of work for this project is amended as described in <u>Attachment A</u> and incorporated herein by this reference. Supporting documents and attachments from the **American Rescue Plan Act** Program Application dated **January 2022** are also incorporated herein by this reference. In the event content in the application differs from or conflicts with terms presented elsewhere in this Agreement, this Agreement text takes precedence.

	terms and conditions remain unchanged and continue in full force and effect. This Amendment consists (3) pages.				
To express the parties' intent to be bound by the terms of this Agreement they have executed this document on the dates set out below.					
	ile, photocopy or electronic copy of the signature below shall have the same force and effect as an signature and an electronic signature shall be regarded as an original signature.				
Recipier	ıt:				
By:	Recipient Signature				
	Rick Norby Mayor				
	Recipient Print Name and Title				
For:	Sidney, City of Entity Name				
	Entity Tax ID #				
	Date In Process				
Department of Natural Resources and Conservation:					
By:	DNRC Signature				
	Print Name and Title				
For:	The Montana Department of Natural Resources and Conservation				
	Date				

Attachment A - Scope of Work Sidney, City of - Anderson Subdivision Storm Water Improvements

Background

There is no limiting stormwater infrastructure in the City of Sidney Anderson Subdivision and the conveyance is undersized. Runoff flows compile as they progress through the drainage. As peak flows reach the storm collection system, the entrance inlet is surcharged, causing the open channel drainage to fill with backwater and breach residential yards and floods basements in the Anderson Subdivision. Some homeowners have built retaining walls to keep flood waters from impacting their property. The runoff carries debris, sediment, and nutrients which ultimately end up in the Yellowstone River.

Scope of Work

The Anderson Subdivision Storm Water Improvements project will help buffer and reduce peak flows through the Subdivision. This will result in increased safety and lesser risk of surcharged flows inundating the neighborhood. The project will benefit public safety and water quality in the Yellowstone River by conveying runoff in a controlled and protected environment.

The project scope includes preliminary and final engineering design, construction, grant management by a consultant, and construction administration.

ARPA Competitive Grant Funds will be utilized to fund Preliminary Engineering Design, Final Engineering Design, Construction Inspection Engineering, a portion of Construction, and Grant Management costs by a consultant on behalf of the City of Sidney.

Revised Construction activities include:

- Install new inlet structure and storm drain under 22nd Ave NW to increase drainage capacity
- Remove the existing undersized on-grade culvert
- Install pipe under the drainage to safely contain and convey runoff through the neighborhood
- Install a trash rack at the entrance to the pipe to prevent debris from entering
- · Connect the pipe directly into the storm system to prevent surcharge
- Capture and convey runoff from a 10-year event and prevent flooding in nearby homes and yards
- Procure temporary and permanent easements for the new stormwater infrastructure

Schedule

Project Planning and Design Phase completed October 2023. Project Bidding Phase estimated to be completed November 2023. Project Construction Phase estimated to be completed October 2024

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Certificate Of Completion Envelope Id: 1D6EB6434D9A461E8749184E70BC7705 Status: Sent Subject: Complete with DocuSign: Sidney_City of_AC-22-0158_Amend 1.pdf Source Envelope: Document Pages: 3 Envelope Originator: Signatures: 0 Certificate Pages: 5 Initials: 0 Amy Personette AutoNav: Enabled 1539 11th Avenue Helena, MT 59601 Envelopeld Stamping: Enabled Time Zone: (UTC-08:00) Pacific Time (US & Canada) apersonette@mt.gov IP Address: 161.7.114.20 **Record Tracking** Status: Original Holder: Amy Personette Location: DocuSign apersonette@mt.gov 11/14/2023 7:55:14 AM Security Appliance Status: Connected Pool: StateLocal Storage Appliance Status: Connected Pool: Montana Dept of Natural Resources & Location: DocuSign Conservation Signer Events Signature Timestamp **Rick Norby** Sent: 11/14/2023 7:56:35 AM clerktreasurer@cityofsidneymt.com Viewed: 11/14/2023 8:11:08 AM Mayor Security Level: Email, Account Authentication (None) **Electronic Record and Signature Disclosure:** Accepted: 11/14/2023 8:11:08 AM ID: 099bffbb-d4dc-4106-adea-5c95974e2ce2 Anna Miller annam@mt.gov Security Level: Email, Account Authentication (None) **Electronic Record and Signature Disclosure:** Accepted: 11/10/2023 9:59:06 AM ID: b6bb5ff0-5202-48f1-8d70-1e147ac849bf In Person Signer Events Signature Timestamp **Editor Delivery Events** Status Timestamp Agent Delivery Events Status Timestamn

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Certified Delivery Events	Status	Timestamp
Carbon Copy Events	Status	Timestamp

Rick Norby

clerktreasurer@cityofsidneymt.com

Security Level: Email, Account Authentication (None)

Electronic Record and Signature Disclosure: Accepted: 11/14/2023 8:11:08 AM ID: 099bffbb-d4dc-4106-adea-5c95974e2ce2

Carbon Copy Events	Status	Timestamp			
Cid Sivils					
Cid.Sivils@mt.gov					
Security Level: Email, Account Authentication (None)					
Electronic Record and Signature Disclosure: Not Offered via DocuSign					
DNR HQT FSO AP					
DNRHQTFSOAP@MT.GOV					
Security Level: Email, Account Authentication (None)					
Electronic Record and Signature Disclosure: Not Offered via DocuSign					
Witness Events	Signature	Timestamp			
Notary Events	Signature	Timestamp			
Envelope Summary Events	Status	Timestamps			
Envelope Sent	Hashed/Encrypted	11/14/2023 7:56:35 AM			
Payment Events	Status	Timestamps			
Electronic Record and Signature Disclosure					

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Unless you tell us otherwise in accordance with the procedures described herein, we will provide electronically to you through the DocuSign system all required notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you during the course of our relationship with you. To reduce the chance of you inadvertently not receiving any notice or disclosure, we prefer to provide all of the required notices and disclosures to you by the same method and to the same address that you have given us. Thus, you can receive all the disclosures and notices electronically or in paper format through the paper mail delivery system. If you do not agree with this process, please let us know as described below. Please also see the paragraph immediately above that describes the consequences of your electing not to receive delivery of the notices and disclosures electronically from us.

How to contact Montana Dept of Natural Resources & Conservation:

You may contact us to let us know of your changes as to how we may contact you electronically, to request paper copies of certain information from us, and to withdraw your prior consent to receive notices and disclosures electronically as follows: To contact us by email send messages to: kgermaine@mt.gov

To advise Montana Dept of Natural Resources & Conservation of your new email address

To let us know of a change in your email address where we should send notices and disclosures electronically to you, you must send an email message to us at kgermaine@mt.gov and in the body of such request you must state: your previous email address, your new email address. We do not require any other information from you to change your email address.

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- Until or unless you notify Montana Dept of Natural Resources & Conservation as described above, you consent to receive exclusively through electronic means all notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you by Montana Dept of Natural Resources & Conservation during the course of your relationship with Montana Dept of Natural Resources & Conservation.