

**AMENDMENT TO INTERGOVERNMENTAL AGREEMENT
BETWEEN
CLEAN WATER SERVICES AND CITY OF TUALATIN**

This Amendment, dated effective December 7, 2021 is between Clean Water Services (District) and the City of Tualatin (City), and amends the parties' Intergovernmental Agreement dated March 29, 2021 (IGA).

RECITALS

1. City and District entered into the IGA for construction of the Martinazzi Sanitary Sewer Upsizing Phase 1 (Project) to provide sufficient hydraulic capacity in the sewer system.
2. An additional line segment required upsizing due to a flatter than expected slope.
3. During Project engineering, City determined that water utilities required relocating due to conflicts with construction of the sewer upsizing.
4. A larger easement was necessary for construction due to the conflicting water utilities.
5. Project Costs need to be increased due to the additional sewer length, the cost to relocate water utilities, the easement to construct the sewer and conflicting utilities, and to provide a construction contingency.
6. City requested that District increase the not-to-exceed amount in the IGA by \$300,000.
7. The parties wish to amend the IGA to modify the Project scope and the not-to-exceed amount.

TERMS AND CONDITIONS

1. Project Description

Delete the first paragraph in Section B of the IGA and replace it with the following:

“The Project consists of replacing approximately 1,288 lineal feet of 12-inch diameter sanitary sewer line with 15-inch diameter sewer line at two locations on the Martinazzi Sanitary Sewer Trunk. The first location replaces approximately 684 linear feet of sanitary sewer located at the intersection of Martinazzi Avenue and Blake Street and crossing through residential lots to Makah Court, commencing at Clean Water Services Manhole 22121 and ending at Manhole 22125. The second location replaces approximately 604 linear feet of sanitary sewer located at the intersection of Martinazzi Avenue and Chelan Street and north to Seminole Trail commencing at Clean Water

Services Manhole 22108 and ending at Manhole 22111. Both locations require relocation of water systems including water mains, fire hydrants, valves, and residential meters. See attached Exhibit A for the Project location.”

2. Project Location Map

Delete Exhibit A of the IGA and replace it with the attached Exhibit A.

3. Not-to-Exceed Amount

The total not-to-exceed amount to be paid by the Financial Partner to the Managing Partner for the Project in Exhibit B of the IGA is increased from \$841,800 to \$1,141,800.

4. Electronic Signature.

This document may be executed in several counterparts, each of which will be an original, all of which will constitute one and the same instrument. An electronic signature will be considered an original. The individuals signing this document certify that they are authorized to execute this document on behalf of the City and District respectively.

5. Effect of Amendment

This Amendment is effective upon the date of the last signature affixed below. Except as modified by this Amendment, the original IGA remains in full force and effect.

CLEAN WATER SERVICES

CITY OF TUALATIN

By: _____
Chief Executive Officer or Designee

By: _____
City Manager or Designee

Date: _____

Date: _____

APPROVED AS TO FORM

APPROVED AS TO FORM

District Counsel

City Counsel

