

**RESOLUTION NO. 5655-22**

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN AMENDMENT TO AN INTERGOVERNMENTAL AGREEMENT WITH CLEAN WATER SERVICES FOR THE 65th/NYBERG SANITARY SEWER REHABILITATION PROJECT**

WHEREAS, Clean Water Services is a county service district formed under Oregon Revised Statutes Chapter 451;

WHEREAS, ORS 190 authorizes Tualatin and Clean Water Services to enter into an intergovernmental agreement and to delegate to each other authority to perform their respective functions as necessary;

WHEREAS, on or about March 23, 2020 Clean Water Services and the City entered into an Intergovernmental Agreement with a not-to-exceed amount of \$700,000.00 for construction of the 65th/Nyberg Sanitary Sewer Rehabilitation Project to improve aging and damaged sanitary sewer infrastructure;

WHEREAS, during the project engineering design stage, the City determined that project costs were more than anticipated due to the addition of a manhole, rehabilitation of a second manhole, and bypass pumping and civil engineering; and

WHEREAS, the parties wish to amend the Intergovernmental Agreement to allow additional SDC funding from Clean Water Services to be used to complete the revised scope of work for a revised not-to-exceed amount of \$1,400,000.00.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TUALATIN, OREGON, that:

**Section 1.** The City Manager is authorized to execute an Amendment to the Intergovernmental Agreement with Clean Water Services for the 65th/Nyberg Sanitary Sewer Rehabilitation Project, which is attached as Exhibit 1, and incorporated by reference.

**Section 2.** The City Manager is authorized to make administrative modifications to the Intergovernmental Agreement to fully implement its intent.

**Section 3.** This resolution is effective upon adoption.

Adopted by the City Council this 28<sup>th</sup> day of November, 2022.

ATTEST:

CITY OF TUALATIN, OREGON

BY \_\_\_\_\_  
City Recorder

BY \_\_\_\_\_  
Mayor