

**AMENDMENT NO. 1 TO  
INTERGOVERNMENTAL AGREEMENT  
BETWEEN  
WASHINGTON COUNTY AND THE CITY OF TUALATIN**

**FOR PUBLIC UTILITY IMPROVEMENTS ON SW TUALATIN SHERWOOD ROAD**

This **Amendment No. 1** is made and entered between Washington County, acting by and through its Elected Officials, hereinafter referred to as “COUNTY”, and the City of Tualatin, a municipal corporation, acting by and through its City Council, hereinafter referred to as “CITY.” (collectively “the Parties”).

**WITNESSETH**

**ARTICLE 1 RECITALS**

1. COUNTY and CITY entered into an Intergovernmental Agreement (“IGA”) on or about May 27, 2022, that provided for the cooperative construction and inspection of various waterline and related improvements benefiting CITY as part of the County’s planned improvements to SW Tualatin Sherwood Road; and
2. Since the execution of the IGA, additional utility conflicts were identified which required updates to the overall scope and fee to include additional CITY waterline improvements as part of the Waterline Work, and the City Project Manager has changed; and
3. The Parties desire to enter into this Amendment No. 1 to the IGA to modify the scope of the Waterline Work and clarify the financial contributions for the Waterline Work to be paid by CITY.

NOW, THEREFORE, the premises being in general as stated in the foregoing recitals and in consideration of the terms, conditions and covenants set forth below, the Parties hereto agree as follows:

**ARTICLE 3 – CITY OBLIGATIONS**

Provision 3.1 is replaced in its entirety as follows:

- 3.1 CITY hereby designates Mike McCarthy as CITY Project Manager for the CITY PROJECTS and the CITY representative responsible for coordination of the CITY PROJECTS with COUNTY pursuant to this Agreement.

**ARTICLE 4 - COMPENSATION**

Provision 4.2 is replaced in its entirety as follows:

**4.2 CITY PROJECTS**

4.2.1 The CITY shall pay an estimated total of \$1,853,635 for the cost of construction of the WATERLINE PROJECT and SANITARY SEWER PROJECT, as described in Section 1.2 and Section 1.3. Specific WATERLINE PROJECT and SANITARY SEWER PROJECT costs are shown in Exhibit A and are estimated as follows:

i.	Waterline and Sanitary Sewer Construction Costs	\$ 1,519,373
ii.	Construction Administration and Management (10% of i)	\$ 151,937
iii.	<u>Mobilization &amp; Traffic Control (12% of i)</u>	<u>\$ 182,325</u>
	<b>TOTAL</b>	<b>\$ 1,853,635</b>

Items ii and iii shall be calculated as a lump sum calculation on the actual costs to the COUNTY after COUNTY makes final payment to the construction contractor for the CITY PROJECTS.

Except to the extent as modified by this Amendment No. 1, all other terms and conditions of the IGA remain valid, in full force and effect.

[SIGNATURES ON FOLLOWING PAGE]

IN WITNESS WHEREOF, the parties hereto have set their hands as of the day and year hereinafter written.

**WASHINGTON COUNTY, OREGON**

\_\_\_\_\_  
DEPUTY COUNTY ADMINISTRATOR

DATE: \_\_\_\_\_

\_\_\_\_\_  
RECORDING SECRETARY

APPROVED AS TO FORM:

\_\_\_\_\_  
COUNTY COUNSEL

**CITY OF TUALATIN, OREGON**

\_\_\_\_\_  
CITY MANAGER

DATE: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
CITY RECORDER