

**AMENDMENT NUMBER 01
COOPERATIVE IMPROVEMENT AGREEMENT
Oregon Route 18: Newberg-Dundee Bypass
Yamhill County**

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 YAMHILL COUNTY, acting by and through its elected officials, hereinafter referred to as "Agency," entered into on April 10, 2017.

It has now been determined by State and Agency that the Agreement referenced above shall be amended to change obligations.

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.**

STATE OBLIGATIONS, Paragraph 5, Page 6, which reads:

In consideration for the use of Agency's road system as detour and for construction equipment use during Project construction, State agrees to pay Agency \$230,804 for resurfacing said detour routes, upon Project completion.

Shall be deleted in its entirety and replaced with the following:

In consideration for the use of Agency's road system as detour and for construction equipment use during Project construction, State agrees to pay Agency \$230,804 for resurfacing said detour routes, when the Bypass is open to traffic. The \$230,804 is the full and complete amount owed for the use of Agency's road system as detour and for construction equipment use.

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.

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.

Agency/State
Agreement No. 28660, Amendment No. 01

This Project is in the 2015-2018 Statewide Transportation Improvement Program, (Key #17099 and #19803) that was adopted by the Oregon Transportation Commission on December 18, 2014 (or subsequently approved by amendment to the STIP).

YAMHILL COUNTY, by and through its
elected officials

By [Signature]
Chair

By [Signature]
Vice Chair

By [Signature]
Commissioner
Date 8/2/18

APPROVED AS TO LEGAL SUFFICIENCY

By [Signature]
Agency Counsel

Date 8/1/18

Agency Contact:

John Phelan, Public Works Director
2080 Lafayette Avenue
McMinnville, OR 97128
503-434-7515
jphelan@co.yamhill.or.us

State Contact:

Alvin Shoblom, Consultant Project Manager
ODOT Region 2, Area 3
455 Airport Road, Bldg B
Salem, OR 97301
503-986-2874
alvin.shoblom@odot.state.or.us

STATE OF OREGON, by and through
its Department of Transportation

By [Signature]
Highway Division Administrator

Date 10/10/18

APPROVAL RECOMMENDED

By [Signature]
Chief Engineer

Date 10-9-18

By [Signature]
State Traffic Roadway Engineer

Date 10-9-18

By [Signature]
State Right of Way Manager

Date 10/08/18

By [Signature]
Region 2 Manager

Date 10-3-18

APPROVED AS TO LEGAL SUFFICIENCY

By Bonnie Heitsch via email
Assistant Attorney General

Date: 7/26/2018

Accepted by Yamhill County
Board of Commissioners on
8/2/18 by Board Order
18-276