AMENDMENT NO.1 [FINAL EXTENSION]

TO

GRANT NO. G1200552

BETWEEN THE

STATE OF WASHINGTON DEPARTMENT OF ECOLOGY

AND

CITY OF EVERETT

PURPOSE: To amend the Agreement between the state of Washington Department of Ecology, hereinafter referred to as 'DEPARTMENT,' and the City of Everett, hereinafter referred to as 'RECIPIENT,' for the Brookridge Detention Facility Retrofit project.

IT IS MUTUALLY AGREED the agreement is amended as follows:

1) Is amended to read as follows:

The grant expiration date is changed from May 1, 2015, to September 30, 2015.

2) The following language will be added to Attachment II General Terms and Conditions:

W. FUNDING AVAILABILITY
The DEPARTMENT’s ability to make payments is contingent on availability of funding. In the event funding from state, federal, or other sources is withdrawn, reduced, or limited in any way after the effective date and prior to completion or expiration date of this agreement, the DEPARTMENT, at its sole discretion, may elect to terminate the agreement, in whole or part, or renegotiate the agreement, subject to new funding limitations or conditions. The DEPARTMENT may also elect to suspend performance of the agreement until the DEPARTMENT determines the funding insufficiency is resolved. The DEPARTMENT may exercise any of these options with no notification restrictions.

All other terms and conditions of the original Agreement including any Amendments remain in full force and effect, except as expressly provided by this Amendment.

This Amendment is signed by persons who represent that they have the authority to execute this Amendment and bind their respective organizations to this Amendment.

This Amendment is effective upon the signature date of the DEPARTMENT.
IN WITNESS WHEREOF: the parties have signed this Amendment.

**State of Washington**  
Department of Ecology

[Signature]  06/16/2015  
Heather R. Bartlett  
Water Quality Program Manager

**City of Everett**

[Signature]  06/26/2015  
Ray Stephanson  
Mayor

Approved as to form only.  
Assistant Attorney General

[Signature]  
JAMES D. JONES, City Attorney

ATTEST:

[Signature]  
City Clerk
PROJECT TITLE:
Amendment No. 1 to 2012 State Stormwater Grant Agreement No. G1200552 with the Washington State Department of Ecology

Briefing Proposed Action Consent Action First Reading Second Reading Third Reading Public Hearing Budget Advisory

COUNCIL BILL # Originating Department Contact Person Phone Number FOR AGENDA OF

Public Works Heather Griffin (425) 257-7206 May 13, 2015

Initialed by: Department Head CAA Council President

<table>
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<tr>
<th>Location</th>
<th>Preceding Action</th>
<th>Attachments</th>
<th>Department(s) Approval</th>
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<tr>
<td>Brookridge Blvd &amp; 1st Dr SE</td>
<td>10/31/2012 Authorized Agreement</td>
<td>Amendment No.1 to Ecology Agreement No. G1200552</td>
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DETAILED SUMMARY STATEMENT:
Amendment No. 1 to the Statewide Stormwater Grant Agreement for the Brookridge Detention Facility Retrofit provides for a time extension from May 1, 2015 to September 30, 2015, at no additional cost.

The Brookridge Detention Facility Retrofit will provide water quality treatment for stormwater runoff from Brookridge Boulevard prior to discharging into Pigeon Creek No. 2. This City-owned detention facility currently does not provide water quality treatment. The project is located in the Pigeon Creek No. 2 basin at Brookridge Boulevard and 1st Drive Southeast.

Ecology Grant Agreement No. G1200552 provides 75% of the total project costs in grant funding and requires a local 25% match. The total project cost estimate is $339,798, with Ecology funding $254,849 through the attached agreement. The required local match is $84,949.

RECOMMENDATION: Authorize the Mayor to sign Amendment No. 1 to the 2012 State Stormwater Grant Agreement No. G1200552 with the Washington State Department of Ecology to provide a time extension to September 30, 2015.