

**AMENDMENT NO. 1 TO
INTERLOCAL AGREEMENT BETWEEN PORT OF TACOMA AND
CITY OF TACOMA
PORT OF TACOMA ROAD RECONSTRUCTION PROJECT**

This Amendment Number 1 to that certain Interlocal Agreement ("Agreement") which relates to Port of Tacoma Reconstruction Project originally approved in January and March 2015, is made and entered into by the City of Tacoma, a municipal corporation of the State of Washington, hereinafter called the "City" and the Port of Tacoma, a port district organized under the laws of the State of Washington, hereinafter called the "Port." The Port and the City are also referred to in this Agreement collectively as "the Parties," and individually as a "Party."

WHEREAS, the City has received additional grant funding of Three Hundred Twenty Five Thousand (\$325,000) from the Washington State Transportation Improvement Board to expand the Port of Tacoma Reconstruction Project ("Project") from the current terminus of Marshall Avenue to SR 509, providing approximately 1,600 additional feet of roadway paving, contingent on the City and the Port providing funding for the remainder of the cost to expand the Project;

WHEREAS, the expansion of the Project provides mutual benefit to the City and the Port;

WHEREAS, Port agrees to provide One Hundred Eighty Thousand Dollars (\$180,000) of secured local match for the expanded Project, bringing the Port's total contribution to the Project to One Million Forty Five Thousand Nine Hundred Seventy Dollars (\$1,045,970);

WHEREAS, the City agrees to provide Six Hundred Sixty Two Thousand One Hundred Nineteen Dollars (\$662,119) for the expanded Project, bringing the City's total contribution to the Project to One Million Six Hundred Ninety One Thousand Five Hundred Eighty Nine Dollars (\$1,691,589);

NOW, THEREFORE, the Parties agree as follows:

1. **Amendments to the Agreement.** The Agreement is amended as follows:

A. Paragraph 1 of the Agreement is amended to add new sections 1.5 and 1.6 as follows:

1.5 Additional Pavement. The Scope of Work is hereby amended to add replacement of existing pavement from Marshall Avenue to SR 509 with cement concrete pavement to same design standards as the completed portion of the Project. ("Additional Pavement"). Construction of the Additional Pavement will commence in May 2016 with construction completion anticipated by the end of June 2016.

1.6. Cost Reimbursement and Funding. The Port agrees to contribute no more than One Hundred Eighty Thousand Dollars (\$180,000) toward the design and construction of the expanded Project. The Port shall make one payment of \$180,000 upon receipt of an invoice from the City after start of construction on the Project expansion.


2. **Remainder of Agreement In Full Force & Effect.** Except as expressly modified herein, all other terms of the original Agreement, together with all exhibits, are hereby ratified and shall remain in full force and effect, unaltered by this Amendment.

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement.

PORT OF TACOMA


John Wolfe, Chief Executive Officer Date 3/17/16

APPROVED AS TO FORM:


Carolyn Lake, Port Legal Counsel Date 3/21/16

CITY OF TACOMA

 Mark Sanchez, Acting CM Date 4/22/16
for T.C Broadnax, City Manager Date


Kurtis D. Kingsolver, P.E. Date 4/14/16
Public Works Director/City Engineer

APPROVED:

 Andrew Cherullo, Finance Director Date 4/22/16
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APPROVED AS TO FORM:


Jeff Capell, Deputy City Attorney Date 4-19-16


Doris Sorum, City Clerk Date 4-26-2016