

CONTRACT NO. 191-18

***FIRST ADDENDUM TO THE
INTERLOCAL AGREEMENT WITH THE CITY OF RICHLAND
RELATED TO THE COLUMBIA PARK TRAIL IMPROVEMENTS***

1. **AGREEMENT ADDENDUM.** This First Addendum (1st Addendum) to the Interlocal Agreement regarding the Columbia Park Trail Improvements and Spaulding Business Park is between the Port of Kennewick "Port" and the City of Richland "City". The City and Port are Washington Municipal corporations and each a "Party", and collectively the "Parties," to this 1st Addendum. The Parties agree as follows.

2. **RECITALS.**

2.1 The Agreement became effective on June 26, 2018.

2.2 It is the purpose of this 1st Addendum to amend the Agreement to extend the deadlines.

2.3 Except as otherwise stated in this 1st Addendum, the Agreement remains in full force and effect.

3. **SECTION 3. FUNDING**

Section 3 is amended to read as follows:

Section 3. Funding: The Port of Kennewick hereby commits to provide funding as set forth below:

(a) **\$800,000** to fund contract work, including engineering design, construction, and construction contract administration for the Columbia Park Trail Improvements. This funding shall be applied first to relocation of existing overhead cabled utility lines into an underground system, and second to other roadway improvement features. The Port's funds will be provided when invoiced by Richland and on a reimbursable basis for actual work performed in not more than three (3) installments at times mutually agreed to by the Parties.

i. Under no circumstance shall the Port's funding obligations increase beyond the \$800,000 identified herein for the Columbia Park Trail Improvements.

ii. The Port's commitment is subject to a successful application, and separate trilateral agreement with Benton County and the City under the Benton County Rural County Capital Fund. In the event an agreement with Benton County and the City is not reached by December 31, 2018, then the Jurisdictions agree to:

a. Negotiate an amendment to this agreement around a feasible funding partnership for the project; or

b. Terminate this agreement related to the Columbia Park Trail Improvements Project.

(b) **\$85,000** to fund the upgrades to the Spaulding Business Park street lighting system. These funds shall be reimbursed within (30) calendar days of the City delivering an invoice to the Port and the project is completed, which shall be no later than December 31, 2018.

IN WITNESS WHEREOF, the Parties have signed this 1st Addendum on the dated below shown.



Tim Arntzen
Chief Executive Officer
Port of Kennewick

8/29/18 Date
CReents
10/8/18 Date
Cynthia D. Reents
City Manager
City of Richland