

**FIRST AMENDMENT TO
MULLAN BUILD – INTERLOCAL AGREEMENT BETWEEN CITY OF MISSOULA
AND MISSOULA COUNTY**

THIS AMENDMENT (“Amendment”), signed this 23rd day of November, 2021 is intended to amend the Mullan Build – Interlocal Agreement Between City of Missoula and Missoula County (“Original Agreement”) entered into between the City of Missoula (the "City"), and Missoula County (the “County”) on February 18, 2020.

RECITALS

Whereas, the Parties previously entered into the Original Agreement with the understanding that the County would be responsible for a matching funding contribution of \$1,000,000 and the City would be responsible for a matching funding contribution of \$6,300,000 as identified in Section 4 of the Original Agreement; and

Whereas, due to a variety of factors the Project’s construction scope and cost has changed; and

Whereas, both Parties desire to amend their matching funding contributions as they relate to the initial phase of Mullan BUILD Project.

Now therefore, in consideration for the promises and covenants contained below, the Parties agree to amend the Original Agreement by replacing the following provisions in Section 4 in the Original Agreement:

4.5. The County is responsible for a matching funding contribution of \$800,000 plus an additional \$500,000 in contingency funds which may be used if the Federal BUILD Grant funding and City funding included in 4.6 below are not sufficient to cover the cost of construction. In addition to the matching and contingency contributions stated above, the County is committed to an additional \$500,000 of Trail Bond funding for future shared use path construction as the next phase of the Mullan BUILD Project. The Trail Bond funding is required to be used in open space, and the right-of-way will need to be dedicated and documented as open space.

4.6 The City is responsible for a matching funding contribution of \$5,800,000, consisting of \$2,575,000 for transportation improvements and \$3,225,000 for water and sewer utility improvements.

All other terms and conditions of the Original Agreement remain in full force and effect. This Amendment is effective upon execution by all of the parties.

IN WITNESS WHEREOF the parties have executed this Amendment on the date referenced beside each signature below.

Missoula Board of County Commissioners

David Strohmaier

A6ACE081F2505A3A08967F7E8BB8C312 readySign

By: Dave Strohmaier, Chair

Not available for signature

By: Josh Slotnick

Juanita Vero

6F45D36DCC41E9C2B2D512DC93A576B2 readySign

By: Juanita Vero

City of Missoula

John Engen

John Engen (Nov 24, 2021 17:45 MST)

By: John Engen, Mayor

Attest: *Marty Rehbein*

Marty Rehbein (Nov 26, 2021 09:18 MST)

City Clerk





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Final Audit Report

2021-11-26

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