

AMENDMENT TO
AGREEMENT REGARDING
MAINTENANCE OF DRAINAGE AND FLOOD CONTROL IMPROVEMENTS FOR
BRIGHTON SOUTH OUTFALL
Agreement No. 23-04.24A
Project No. 109727

THIS FIRST AMENDMENT TO AGREEMENT (hereinafter called "FIRST AMENDMENT"), by and between URBAN DRAINAGE AND FLOOD CONTROL DISTRICT D/B/A MILE HIGH FLOOD DISTRICT (hereinafter called "DISTRICT") and CITY OF BRIGHTON (hereinafter called "CITY") and collectively known as "PARTIES";

WITNESSETH:

WHEREAS, PARTIES have entered into "Agreement Regarding Regional Planning Studies Design, Construction and Maintenance of Drainage and Flood Control Improvements for Brighton South Outfall" (Agreement No. 23-04.24) dated May 21, 2023 (hereinafter called "AGREEMENT"); and

WHEREAS, PARTIES now desire to Maintain Drainage and Flood Control Improvements for Brighton South Outfall (hereinafter called "PROJECT"); and

WHEREAS, PARTIES desire to increase the level of funding by \$370,000; and

WHEREAS, the Governing Board of CITY and the Board of Directors of DISTRICT have authorized, by appropriation or resolution, all of PROJECT costs of the respective PARTIES.

NOW, THEREFORE, in consideration of the mutual promises contained herein, PARTIES hereto agree as follows:

1. Paragraph 4 PROJECT COSTS AND ALLOCATION OF COSTS Section C is deleted and replaced as follows:

Paragraph 4. PROJECT COSTS AND ALLOCATION OF COSTS

- C. Based on total PROJECT costs, the maximum percent and dollar contribution by each party shall be:

	<u>Percentage Share</u>	<u>Previously Contributed</u>	<u>Additional Contribution</u>	<u>Maximum Contribution</u>
DISTRICT	29.26%	\$4,999.15	\$185,000.00	\$189,999.15
CITY	70.74%	\$274,282.86	\$185,000.00	\$459,282.86
TOTAL	100.00%	\$279,282.01	\$370,000.00	\$649,282.01

3. All other terms and conditions of this AGREEMENT shall remain in full force and effect.

WHEREFORE, PARTIES hereto have caused this FIRST AMENDMENT to be executed by properly authorized signatories as of the date and year written below.

URBAN DRAINAGE AND
FLOOD CONTROL DISTRICT D/B/A
MILE HIGH FLOOD DISTRICT

Checked By

By_____

Name Laura A. Kroeger

Title Executive Director

Date

CITY

By_____

Name Michael P. Martinez

Title City Manager

Date_____