

## Amendment Number 4

**Project Name:** Wastewater System Improvements

This amendment is made and entered into by and between the State of Oregon, acting by and through the Oregon Infrastructure Finance Authority of the Oregon Business Development Department (“OBDD”), and the City of John Day, Oregon (“Recipient”), and amends the Grant Contract between Recipient and OBDD, Project Number P18011, dated 15 April 2019, (as amended, “Contract”) for the above-named Project. Capitalized terms not defined in this amendment have the meanings assigned to them by the Contract.

**Recital:** The purpose of this amendment is to extend the Project Completion Deadline and adjust budget line items and add a new budget line item for the Endangered Species Act (ESA) Study that is now required.

**The parties agree as follows:**

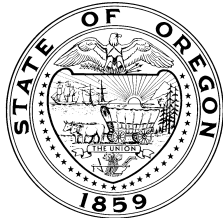
1. Amend Section 4.A (Effective Date; Project Completion Deadline) of the Contract as follows (deletion in ~~strike through~~, addition in double underline):
  - A. This Contract shall become effective on the date (“Effective Date”) this Contract is fully executed and approved as required by applicable law. The approved grant activities **must be completed** ~~31 July 2021~~ by 16 March 2024 (“Project Completion Deadline”).
2. Remove and replace Exhibit E (Project Budget and Special Conditions) in its entirety with the following:

EXHIBIT E - PROJECT BUDGET AND SPECIAL CONDITIONS			
Budget Line Items	OBDD CDBG P18001	OBDD Water/Wastewater Fund Y21006	Other Funds
Design / Engineering	\$235,500	\$60,000	\$138,500
Environmental Review	\$0	\$0	\$30,000
Endangered Special Act (ESA) Study	\$9,402	\$0	\$0
Grant Administration	\$0	\$0	\$25,000
Project Management	\$0	\$15,000	\$0
Legal Fees	\$0	\$30,000	\$6,500
Package Treatment* Plant Procurement	\$2,255,098	\$2,195,000	\$0
Hydrogeological Testing	\$0	\$200,000	\$0
<b>Total</b>	<b>\$ 2,500,000</b>	<b>\$ 2,500,000</b>	<b>\$ 200,000</b>

OBDD will have no obligation under this amendment, unless within 60 days after receipt, the Recipient delivers to OBDD the following items, each in form and substance satisfactory to OBDD and its Counsel:

- (i) this amendment duly executed by an authorized officer of the Recipient; and
- (ii) such other certificates, documents, opinions and information as OBDD may reasonably require.

Except as specifically provided above, this amendment does not modify the Contract, and the Contract shall remain in full force and effect during the term thereof. This amendment is effective on the date it is fully executed and approved as required by applicable law.



**STATE OF OREGON**  
 acting by and through its  
 Oregon Infrastructure Finance Authority  
 of the Business Development Department  
 775 Summer Street NE Suite 200  
 Salem OR 97301-1280  
 Phone 503-798-5076



**CITY OF JOHN DAY**

450 E Main Street  
 John Day OR 97845-1238  
 Phone 541-575-0028

By: \_\_\_\_\_  
 Edward Tabor, Manager  
 Programs & Incentives

By: \_\_\_\_\_  
 The Honorable Ron Lundbom  
 Mayor of John Day

Date: \_\_\_\_\_

Date: \_\_\_\_\_

**APPROVED AS TO LEGAL SUFFICIENCY IN ACCORDANCE WITH ORS 291.047:**

\_\_\_\_\_  
 Not required by OAR 137-045-0050