

Misc. Contracts and Agreements
No. 26192

AMENDMENT NUMBER 02
WALKWAY/BIKEWAY PROJECT AGREEMENT
2010-2011 Pedestrian and Bicycle Program Grant
NW Naito Parkway Mid-block Crossing Between Flanders and Glisan Street
City of Portland

The **State of Oregon**, acting by and through its Department of Transportation, hereinafter referred to as "State," and the **City of Portland**, acting by and through its elected officials, hereinafter referred to as "Agency," entered into an Agreement on November 10, 2009 and Amendment No. 01 on January 10, 2012. Said Agreement covers NW Naito Parkway Mid-block Crossing between Flanders and Glisan Street.

It has now been determined by State and Agency that the Agreement referenced above shall be amended to extend project completion date. Except as expressly amended below, all other terms and conditions of the Agreement are still in full force and effect.

TERMS OF AGREEMENT, Paragraph 3, Page 2, which reads:

3. The work is to begin upon execution of this Agreement by all Parties and shall be completed no later than October 31, 2012. This Agreement will terminate five (5) years after that date unless extended by a fully executed amendment. Maintenance responsibilities shall survive any termination of this Agreement.

Shall be deleted in its entirety and replaced with the following:

3. The work is to begin upon execution of this Agreement by all Parties and shall be completed no later than December 31, 2013. This Agreement will terminate five (5) years after that date unless extended by a fully executed amendment. Maintenance responsibilities shall survive any termination of this Agreement.

This Amendment may be executed in several counterparts (facsimile or otherwise) all of which when taken together shall constitute one agreement binding on all Parties, notwithstanding that all Parties are not signatories to the same counterpart. Each copy of this Amendment so executed shall constitute an original.

THE PARTIES, by execution of this Agreement, hereby acknowledge that their signing representatives have read this Agreement, understand it, and agree to be bound by its terms and conditions.

Signature Page to follow

State/Agency
Agreement No. 26192-01

CITY OF PORTLAND, by and through
its elected officials

By _____

Title _____

Date _____

By _____

Title _____

Date _____

**APPROVED AS TO LEGAL
SUFFICIENCY**

APPROVED AS TO FORM

By James H. Van Dyke
Agency Attorney

CITY ATTORNEY

Date 5/31/13

Agency Contact:

Rich Newlands
Project Management Division
Portland Office of Transportation
1120 SW 5th Ave., Suite 800
Portland, OR 97204
503-823-7780
Rich.Newlands@portlandoregon.gov

STATE OF OREGON, by and through
its Department of Transportation

By _____

Technical Services Manager/Chief
Engineer

Date _____

APPROVAL RECOMMENDED

By _____

Pedestrian/Bicycle Program Manager

Date _____

State Contact:

Sheila Lyons
Bicycle & Pedestrian Program Manager
555 13th St. SE, Suite 2
Salem, OR 97302-4178
503-986-3555
Sheila.a.lyons@odot.state.or.us