

Misc. Contracts & Agreements No. 25,404
Cross Ref. Master Certification Agreement No. 21,492

AMENDMENT NUMBER 01
LOCAL AGENCY CERTIFICATION PROGRAM AGREEMENT
Supplemental Project Agreement No. 25,404

US 26: Adaptive Signal System

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 19, 2009. Said Agreement covers the design and implementation of an Adaptive Traffic Signal System on US 26 (Mount Hood Highway/Powell Boulevard) between the Ross Island Bridge and S.E. 82nd Avenue.

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

Insert new Terms of Agreement, Paragraph 17, to read as follows:

17. Agency, or its contractor's, electrical inspectors shall possess a current State Certified Traffic Signal Inspector certificate, in order to inspect electrical installations on State highways. The State District Permitting Office shall verify compliance with this requirement prior to construction. The permit fee should also cover the State electrician's supplemental inspection.

Terms of Agreement, Paragraphs 17 through 27, shall be hereinafter re-numbered as Paragraphs 18 through 28.

This Amendment may be executed in several counterparts (facsimile or otherwise) all of which when 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 each Party has read this Agreement, understands it, and agrees to be bound by its terms and conditions.

This Project is amended into the 2008-2011 Statewide Transportation Improvement Program, (Key #16377) that was approved by the Oregon Transportation Commission on April 10, 2009.

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The Oregon Transportation Commission on June 18, 2003, approved Delegation Order No. 2, which authorizes the Director to approve and execute agreements for day-to-day operations when the work is related to a project included in the Statewide Transportation Improvement Program or a line item in the biennial budget approved by the Commission.

On September 15, 2006, the Director of the Oregon Department of Transportation approved Subdelegation Order No. 2, Paragraph 1, in which authority is delegated to the Deputy Director, Highways; Deputy Director, Central Services and the Chief of Staff, to approve and sign agreements over \$75,000 when the work is related to a project included in the Statewide Transportation Improvement Program.

SIGNATURE PAGE TO FOLLOW

Agency/State
Agreement No.25,404-1

CITY OF PORTLAND, by and through
its elected officials

By _____
Mayor

Date _____

By _____
Auditor

Date _____

**APPROVED AS TO LEGAL
SUFFICIENCY**
APPROVED AS TO FORM

By *Andy Kreutz* ¹¹⁴
Agency Legal Counsel
CITY ATTORNEY

Date 5/24/10

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Portland, OR 97209
Phone: 503-731-8288
mark.a.foster@odot.state.or.us

STATE OF OREGON, by and through
its Department of Transportation

By _____
Deputy Director, Highways

Date _____

APPROVAL RECOMMENDED

By _____
Martin E. Andersen, PE
Local Government Section Manager

Date _____

By _____
State Traffic Engineer

Date _____

By _____
Region 1 Manager

Date _____

**APPROVED AS TO LEGAL
SUFFICIENCY**

By _____
Assistant Attorney General

Date: _____