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JUN 22 2017

Washington State Department of Ecology
Toxics Cleanup Program

**AMENDMENT NO. 1
TO AGREEMENT NO. TCPRA-2015-EverPW-00012
BETWEEN
THE STATE OF WASHINGTON DEPARTMENT OF ECOLOGY
AND
CITY OF EVERETT**

PURPOSE: To amend the above-referenced agreement (AGREEMENT) between the state of Washington Department of Ecology (ECOLOGY) and CITY OF EVERETT (RECIPIENT) for the Everett Landfill Tire Fire (PROJECT).

The purpose of this amendment is to change the expiration date of the agreement from June 30, 2017 to June 30, 2019. The scope of work in the agreement and all other terms and conditions remain the same.

IT IS MUTUALLY AGREED that the AGREEMENT is amended as follows:

Expiration Date:

Original: 06/30/2017 Amended: 06/30/2019

CHANGES TO THE BUDGET

Funding Distribution EG160040

Funding Title: Everett Landfill Tire Fire - Oversight

Funding Type: Grant

Funding Effective Date: 01/01/2015

Funding Expiration Date: 06/30/2019

Funding Source:

Title: Local Toxics Control Act (LTCA)

Type: State

Funding Source %: 100%

Description: Remedial action grants and loans are provided to local governments in Washington State to facilitate the cleanup of publicly owned lands contaminated with hazardous substances. Grants or Loans offered include those for initial investigations, site hazard assessments, independent cleanups, cleanups conducted under order or consent decree, safe drinking water actions, areawide groundwater investigations, and integrated

planning activities. The remedial action grant and loan program was created by the Model Toxics Control Act (MTCA), Chapter 70.105D RCW. MTCA directed Ecology to adopt rules for grant and loan issuance and performance. Those rules are in Chapter 173-322A WAC, Remedial Action Grants and Loans. Funds for remedial action grants and loans come from a tax on hazardous substances. MTCA directs 44% of the tax revenue into the Local Toxics Control Account (LTCA). Each biennium, the Legislature appropriates a portion of the funds in LTCA for remedial action grants and loans.

Approved Indirect Costs Rate: Approved Rate Negotiated Between ECOLOGY and RECIPIENT: 25%
 Recipient Match %: 50%
 InKind Interlocal Allowed: No
 InKind Other Allowed: No
 Is this Funding Distribution used to match a federal grant? No

Everett Landfill Tire Fire - Oversight	Task Total
ENGINEERING DESIGN OF ENVIRONMENTAL CONTROLS J005	\$ 450,000.00
OPERATIONS & MAINT OF LANDFILL GAS SYSTEM J007	\$ 100,000.00
GRANT AND PROJECT ADMINISTRATION J008	\$ 16,508.00
FS - SAMPLING AND ANALYSIS PLAN REVISIONS J004	\$ 60,000.00

Total: \$ 626,508.00

Funding Distribution Summary

Recipient / Ecology Share

Funding Distribution Name	Recipient Match %	Recipient Share	Ecology Share	Total
Everett Landfill Tire Fire - Oversight	50 %	\$ 313,254.00	\$ 313,254.00	\$ 626,508.00
Total		\$ 313,254.00	\$ 313,254.00	\$ 626,508.00

AUTHORIZING SIGNATURES

All other terms and conditions of the original Agreement including any Amendments remain in full force and effect, except as expressly provided by this Amendment.


The signatories to this Amendment represent that they have the authority to execute this Amendment and bind their respective organizations to this Amendment.

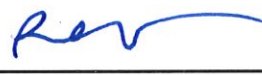
This amendment will be effective 05/01/2017.

IN WITNESS WHEREOF: the parties hereto, having read this Amendment in its entirety, including all attachments, do agree in each and every particular and have thus set their hands hereunto.

Washington State
Department of Ecology

CITY OF EVERETT


By:  6/22/17
Date
Jim Pendowski
Toxics Cleanup
Program Manager

By:  4-26-17
Date
Richard Tarry
Engineering Services Manager

Ray Stephanson


6-15 2017
Date
Mayor

James D. Iles


6/12/17
Date
City Attorney

ATTEST:


Charm Jull
City Clerk

Sharon Fuller

City Clerk

Date

Template Approved to Form by
Attorney General's Office

Amendment # 1

EVERETT CITY COUNCIL AGENDA ITEM COVER SHEET

PROJECT TITLE:

Amendment No. 1 to the State of Washington Department of Ecology Remedial Action Grant Agreement

- _____ Briefing
- _____ Proposed Action
- _____ Consent
- X Action
- _____ First Reading
- _____ Second Reading
- _____ Third Reading
- _____ Public Hearing
- _____ Budget Advisory

COUNCIL BILL # _____
 Originating Department Public Works
 Contact Person Mark Sadler
 Phone Number 425-257-8967
 FOR AGENDA OF June 7, 2017

Initialed by:
 Department Head _____
 CAA _____
 Council President _____



<u>Location</u>	<u>Preceding Action</u>	<u>Attachments</u>	<u>Department(s) Approval</u>
Everett Landfill and Riverfront Development	State of Washington Department of Ecology Remedial Action Grant Agreement	Agreement	Public Works, Legal

Amount Budgeted	0	
Expenditure Required	0	Account Number(s):
Budget Remaining	0	
Additional Required	0	

DETAILED SUMMARY STATEMENT:

The State of Washington Department of Ecology (DOE) has approved a total grant amount of \$626,508 to be evenly split between the DOE and the City. The grant provides for tasks to continue the cleanup and monitoring of the Everett Landfill cleanup site, and for oversight of the developer compliance and environmental protection requirements of the site's Consent Decree.

This amendment extends the funding expiration date of the grant from June 30, 2017 to June 30, 2019.

RECOMMENDATION (Exact action requested of Council):

Authorize the Mayor to sign the Amendment No. 1 to the Remedial Grant Agreement with the State of Washington Department of Ecology extending the funding expiration date of the grant to June 30, 2019.

*Council Approval
 on 6/7/2017-57*