

**AMENDMENT #1
TO
MEMORANDUM OF AGREEMENT FOR
THE WESTERN INTAKE PARTNERSHIP**

WHEREAS, Chatham County, the City of Durham, Town of Pittsboro, and Orange Water and Sewer Authority entered into the Memorandum of Agreement ("Agreement") for the Western Intake Partnership ("WIP") on or about June 2019; and

WHEREAS, the Management Team for the WIP decided to add a Program Management project to the list of Anticipated Projects in accordance with paragraph 3 of the Agreement.

NOW, THEREFORE, for and in consideration of the recitals and the mutual promises and covenants contained in the Agreement, and pursuant to paragraph 6 of the Agreement the Parties agree to:

1. This Amendment #1 to the Agreement, and
 2. To replace paragraph 3 of the Agreement in its entirety with the following new paragraph 3.
- 3) Projects. The Partners agree that the following projects will be among those undertaken by the WIP. The Added Program Management project is defined by the scope of work and fee estimate for Program Management provided by HDR Engineering, Inc. of the Carolinas to the WIP on February 11, 2020. The anticipated projects and their budgets are based on the Hazen Study. The Management Team may advise variations of these anticipated projects or may advise additional projects.

The Lead Agency shall proceed with a Project, including consultant selection, requests for qualifications, project scoping, and other pre-construction actions, only after the Management Team has reached consensus and approved those steps necessary for Project execution. In the event consensus is not reached on the steps of a Project, steps toward Project execution may still be undertaken by those in favor, provided the Parties in favor represent more than fifty percent of the cost share percentages set out in 4.c, below.

Added and Anticipated Projects	Anticipated Budget (\$ Millions)
Added Program Management	\$2.43
Policy and Governance	\$0.7
- Initial Planning	
- Organizational Development	
- Construction, Ownership, Management and Operation	

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Added and Anticipated Projects	Anticipated Budget (\$ Millions)
Preliminary Engineering - Source Water Treatability Study/Preliminary Design - Pipeline Routing Study - Hydraulic Evaluations - Preliminary Engineering Report	\$1.4
Field Evaluations (Survey, SUE*, Environmental Resources) - Intake/Raw Water Pump Station - Water Treatment Facilities/Booster Pump Stations - Pipelines	\$1.4
Permitting - USACE Land Use Request - NEPA/SEPA Environmental Assessment - DWR Site Evaluation	\$0.7
Escalation from 2014 for Anticipated Projects (20%)	\$0.8
Total	7.43

* Subsurface Utility Exploration

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Dan LaMontagne, County Manager
Chatham County

ATTEST: _____

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Thomas J. Bonfield, City Manager
City of Durham

ATTEST:

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Ed Kerwin, Executive Director
Orange Water and Sewer Authority

ATTEST: _____

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Robert Morgan, Interim Town Manager
Town of Pittsboro

ATTEST: _____