



## SUPPLEMENTAL AGREEMENT NO. 1

By and Between

**THE GEORGIA DEPARTMENT OF TRANSPORTATION**

and

**LOWNDES COUNTY**

This Agreement, made and entered into as of \_\_\_\_\_, by and between the GEORGIA DEPARTMENT OF TRANSPORTATION, an agency of the State of Georgia, hereinafter referred to as the "DEPARTMENT", and LOWNDES COUNTY, GEORGIA, acting by and through its Mayor and City Council or Board of Commissioners, as the case may be, hereinafter referred to as the "LOCAL GOVERNMENT".

WHEREAS, the DEPARTMENT and the LOCAL GOVERNMENT heretofore on June 5, 2019, entered into an Agreement, hereinafter called the "Original Contract", for the purpose of having the LOCAL GOVERNMENT provide all or part of the Construction, Maintenance, and Operation of the following projects:

- 1) Hightower Road/Cooper Road NE Paving and Drainage Improvements, P.I. 0016276**

hereinafter individually referred to as "PROJECT" and collectively referred to as "PROJECTS"; and

WHEREAS, the parties wish to amend said Agreement Amount due to a need for changing the funding of the PROJECTS; and

WHEREAS the DEPARTMENT and the LOCAL GOVERNMENT agree that the changes may be accomplished within the term of the original contract.

NOW, THEREFORE, THE PARTIES HERETO mutually agree that for and in consideration of the mutual benefits to flow from each to the other, the Original Contract, dated June 5, 2019, is hereby modified as follows:

1. The first paragraph of Subsection C in ARTICLE VI, COMPENSATION AND PAYMENT is deleted in its entirety and the following is inserted in lieu thereof:

"It is understood and agreed that the total cost of the PROJECT is the amount established in the Approved Investment List plus any additional funds added with the approval of the DEPARTMENT. This cost or BUDGET ESTIMATE, as shown below, is the maximum amount of TIA PROCEEDS that can be made available for the PROJECT, contingent upon the provisions set forth herein. The BUDGET ESTIMATE shall include any claims by the LOCAL GOVERNMENT for all costs incurred by the LOCAL GOVERNMENT in the conduct of the entire scope of work for the PROJECT. The LOCAL GOVERNMENT shall be solely responsible for any and all amounts in excess of the BUDGET ESTIMATE or for amounts not available from TIA PROCEEDS."

2. Item numbered 1) following the second paragraph of Subsection C in ARTICLE VI, COMPENSATION AND PAYMENT is deleted in its entirety and the following is inserted in lieu thereof:

**"1) Hightower Road/Cooper Road NE Paving and Drainage Improvements, P.I. 0016276: THREE MILLION EIGHT HUNDRED FIFTY-TWO THOUSAND FOUR HUNDRED SEVENTEEN DOLLARS AND THREE CENTS (\$3,852,417.03)"**