

AMENDMENT NUMBER 1
AGREEMENT NUMBER 716844

BACKGROUND:

1. On 07/19/2019, the State of South Dakota, acting by and through its Department of Transportation, referred to in this Amendment as the "STATE," and Lawrence County, referred to in this Amendment as the COUNTY, entered into a Funding Agreement, which is referred to in this Amendment as "AGREEMENT," and which was signed by representatives of each party and assigned agreement number 716844 by the STATE.
2. Since the execution of the AGREEMENT, other bridges in addition to those listed in Exhibit A to the AGREEMENT have been classified in poor condition. The parties wish to amend the AGREEMENT to allow these additional bridges to qualify for funding.

THE PARTIES MUTUALLY AGREE AS FOLLOWS:

1. The AGREEMENT is amended to authorize expenditures for replacement or rehabilitation of bridges that do not appear on Exhibit A to the AGREEMENT, provided that the STATE'S Office of Administration has confirmed to the COUNTY, in writing, that the subject bridges are classified in poor condition.
2. Paragraphs 4. and 5. of the AGREEMENT are amended to read as follows:
 1. The COUNTY will submit project estimates for the bridges to be funded under this Agreement and file an annual report with the STATE on the progress of the bridge work and expenditures. The COUNTY will send annual reports by January 31st of each year to the Bridge Inspection Engineer, South Dakota Department of Transportation, Office of Administration, 700 East Broadway Avenue, Pierre, South Dakota 57501. The COUNTY will send the annual reports until all projects funded under this AGREEMENT have been completed and fully reported to the STATE.
 2. If any funding transferred to the COUNTY under this Agreement is not expended by the COUNTY by December 31, 2025, the COUNTY will return the unused funding to the STATE by February 28, 2026. The annual report due on January 31, 2026, shall identify any unexpended funds.
3. Except as specifically modified by this Amendment, all terms and conditions of the AGREEMENT will remain in full force and effect.
4. The COUNTY has designated its County Commission Chairperson as the COUNTY'S authorized representative and has empowered the Chairperson with the authority to sign this Amendment on behalf of the COUNTY. A copy of the COUNTY'S Commission minutes or resolution authorizing the execution of this Amendment by the Chairperson as the COUNTY'S authorized representative is attached to this Amendment as **Exhibit 1**.

This Amendment is binding upon the signatories not as individuals, but solely in their capacities as officials of their respective organizations and acknowledges proper action of the STATE and the COUNTY to enter into the same.

Signatures on following page.

Lawrence County, South Dakota

State of South Dakota
Department of Transportation

By: _____

By: _____

Its: County Commission Chairperson

Its: Secretary

Date: _____

Date: _____

Attest:

County Auditor/Clerk

[COUNTY SEAL]