

**AMENDMENT NUMBER ONE**  
to an  
**AGREEMENT**  
between  
**LAKE COUNTY**  
and the  
**STATE OF ILLINOIS/DEPARTMENT OF NATURAL RESOURCES**  
for the  
**LAKE COUNTY FLOOD HAZARD MITIGATION PROJECT**

**Contract Number OWR- 371**

**THIS AMENDMENT NUMBER ONE** is made among LAKE COUNTY, Illinois (hereinafter referred to as the "COUNTY") and the Department of Natural Resources/Office of Water Resources, (hereinafter referred to as the "DEPARTMENT") acting for and on behalf of the State of Illinois.

**WHEREAS**, the DEPARTMENT, and the COUNTY, entered into an agreement, hereinafter referred to as the "**AGREEMENT**", effective September 26, 2019, covering the DEPARTMENT'S participation in the Lake County Flood Hazard Mitigation Project, hereinafter referred to as the "**PROJECT**"; and

**WHEREAS**, the Illinois General Assembly has appropriated funds to the DEPARTMENT for the PROJECT under Public Act 98-0675, Article 8, Section 10 for expenditure by the Office of Water Resources for statewide flood hazard mitigation projects; and

**WHEREAS**, it is the intent of the State that all or a portion of the costs of this project will be paid or reimbursed from the proceeds of tax-exempt bonds subsequently issued by the State; and

**WHEREAS**, the COUNTY requested an extension to the PROJECT because they were unable to complete the scope of work by the time specified in the AGREEMENT and requested an extension of the termination date of the original AGREEMENT to allow adequate time to complete the PROJECT; and

**WHEREAS**, the DEPARTMENT has determined that 1) The circumstances that necessitate the change in performance were not reasonably foreseeable at the time the contract was signed, 2) The change is germane to the original contract as signed, and 3) the circumstances that necessitate the change in performance are in the best interest of the unit of State or local government and authorized by law.

**WHEREAS**, the DEPARTMENT has determined that the execution of this AGREEMENT is subject to the signature requirements of the "State Finance Act", 30 ILCS 105/9.02; and

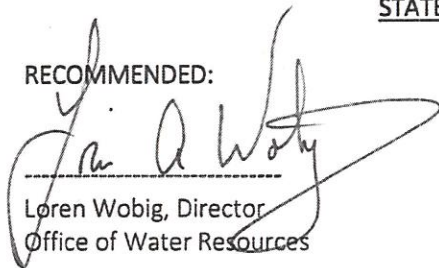
**NOW THEREFORE**, for and in consideration of these premises, the parties hereto agree to the following modifications therein:

1. On page 2 of the AGREEMENT, under Item A.4. the first sentence which reads "The DEPARTMENT's funding obligation of \$3,845,901 will expire upon completion of the work covered hereunder or June 30, 2020, whichever occurs first" should be changed to "The DEPARTMENT's funding obligation of \$3,845,901 will expire upon completion of the work covered hereunder or December 31, 2023, whichever occurs first."
2. All other covenants under terms of the September 26, 2019 AGREEMENT remain unchanged and in full force and effect.

**IN WITNESS WHEREOF**, the parties hereto have set their hands and seals the day and year written, and represent that the signatories below are duly authorized to execute this AMENDMENT NUMBER ONE to the AGREEMENT for the LAKE COUNTY FLOOD HAZARD MITIGATION PROJECT on behalf of their respective bodies, and that the effective date of this AMENDMENT NUMBER ONE is the date approved and executed by the Director of the DEPARTMENT.


STATE OF ILLINOIS

RECOMMENDED:

  
Loren Wobig, Director  
Office of Water Resources

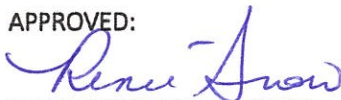
Date: 2-1-2023

APPROVED:

  
~~Gelison Callahan~~, Director  
Department of Natural Resources

Date: 2/9/23

APPROVED:

  
Renee Snow, Legal Counsel

Date: 2/6/2023

APPROVED:

  
Meta Darnell, Chief Fiscal Officer

Date: 2/7/2023

APPROVED FOR EXECUTION  
Date: 11/30/22  
Legal Counsel: J. Beckwith

LAKE COUNTY

ATTEST:

  
Osterby, Sharon

Title Water Resource Professional

Date: 2/1/2023

APPROVED:



Title Executive Director

Date: 1/11/2023