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From: **Matthew RYAN** <matthew.o.ryan@multco.us>

Date: Wed, Jun 22, 2011 at 1:49 PM

Subject: Fwd: FW: 27581 NE 238TH DRIVE @ TREEHILL DRIVE, Key #13156 - Draft Certification Agreement Review Request

To: Brian VINCENT <brian.s.vincent@multco.us>, Adam SOPLOP <adam.soplop@multco.us>, Cathey KRAMER <cathey.m.kramer@multco.us>

To All:

Taking in to consideration the points discussed in the emails sent previous about the termination of Contract No. 22,889 and the cost estimate issues and as well the always present language in these ODOT agreements about the State's broad power to terminate at any time if funding, in the State's determination is inadequate See paragraph 12, sub-paragraph (d):

d. If State fails to receive funding, appropriations, limitations or other expenditure authority sufficient to allow State, ***in the exercise of its reasonable administrative discretion, to continue to make payments for performance of this Agreement.*** (emphasis added)

All that being said and understood, than the attached IGA has been reviewed and is approved for submission to the BCC for its consideration. Thanks.

Matthew O. Ryan

Assistant County Attorney

Office of Multnomah County Attorney

501 SE Hawthorne Blvd., Suite 500

Portland, Oregon 97214

Tel: 503-988-3138; Fax 503-988-837

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From: **Brian VINCENT** <brian.s.vincent@multco.us>

Date: Thu, Jun 16, 2011 at 9:33 AM

Subject: Fwd: FW: 27581 NE 238TH DRIVE @ TREEHILL DRIVE, Key #13156 - Draft Certification Agreement Review Request

To: RYAN Matthew O <matthew.o.ryan@multco.us>

Cc: SOPLOP Adam <adam.soplop@multco.us>

Matt:

Can you please review this supplemental agreement?

This is a certification project and the supplemental augments our Master certification agreement. This will be our 2nd test project under certification.

Adam and I will be reviewing also.

Thanks

Brian