



United States Department of the Interior

BUREAU OF RECLAMATION
1150 North Curtis Road
Boise, ID 83706-1234

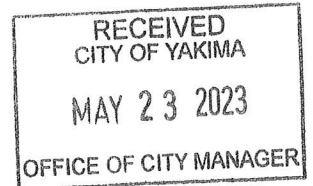


IN REPLY REFER TO:

CPN-6322

2.2.4.23

MAY 11 2023



City Manager
City of Yakima
129 North Second Street
Yakima, WA 98901.
david.brown@yakimawa.gov

Subject: Notice of Execution of Contract No. 22SD102178 for Repayment of Kachess Dam
Safety of Dams Modification Costs, Yakima Project, Washington

Dear Contractor:

The subject repayment contract between the United States of America (United States) and the City of Yakima (City), signed by the City on August 2, 2022, has now been executed by the Bureau of Reclamation on behalf of the United States.

Please find enclosed the executed original of Contract No. 22SD102178 for the repayment of Kachess Dam Safety of Dams (SOD) costs. Note that information regarding completion of the Environmental Assessment and Finding of No Significant Impact has been inserted into Explanatory Recital 2(i). Also enclosed is a proposed amendment to the contract. As a result of negotiations with some of the other contractors for the SOD repayment contracts, a clause in Article 9 (Statement of Costs) was revised to language they favored. In the spirit of equity among all the contractors, we would like to offer this same contract language to the City. The amendment would change a clause in Article 9 as shown below (changes shown with bold and strikeout):

9. STATEMENT OF COSTS

The costs which make up the various obligations to be paid by the Contractor to the United States under this Contract shall embrace all expenditures of whatsoever nature or kind in discharge of the obligations undertaken pursuant to Article 5(a), including, but without limitation by reason of this enumeration, cost of surveys and investigations, labor, property, material and equipment, engineering, legal work, superintendence, administration, overhead, general inspection services, and claims of all kinds **as provided by law**, ~~whether or not involving the negligence of officers, agents, or employees of the United States.~~ The Contracting Officer's determinations as to what costs are properly chargeable under this Contract, and as to the classification of those charges for repayment purposes, shall be conclusive.

If the City would like to take advantage of this change, please sign the attached amendment, and return it by June 30, 2023. Once received the amendment will be signed by Reclamation on behalf of the United States and a fully executed copy will be returned for the City's records.

INTERIOR REGION 9 • COLUMBIA-PACIFIC NORTHWEST

IDAHO, MONTANA*, OREGON*, WASHINGTON

* PARTIAL

Reclamation appreciates the City's efforts in bringing the development of this contract to a successful conclusion. If you have any questions about the contract or the amendment document, please contact Mr. Michael Cobell, Economist, Reclamation Law Administration, at (208) 378-5223 or mcobell@usbr.gov. If you are deaf, hard of hearing, or have a speech disability, please dial 7-1-1 to access telecommunications relay services.

Sincerely,

A handwritten signature in dark ink, appearing to read "Jennifer J. Carrington", with a long, sweeping horizontal line extending to the right.

Jennifer J. Carrington
Regional Director

Enclosures – 2