

## MEMORANDUM OF UNDERSTANDING (MOU)

### Worden-Ballantine Yellowstone County Water and Sewer District Phase 5 Water Improvements Project Yellowstone County

This **AGREEMENT**, made and entered into this Tuesday of June 2, 2026, by and between **YELLOWSTONE COUNTY**, its agents, and the Board of County Commissioners, hereinafter referred to as “**COUNTY**”, and the **WORDEN-BALLANTINE YELLOWSTONE COUNTY WATER AND SEWER DISTRICT**, hereinafter referred to as “**WBYCWSD**,” to make street improvements to Clark Avenue in Worden, Montana as part of the Worden-Ballantine Phase 5 Water System Improvements Project, based on commonly known proposed scope of work as of May 28, 2026 as follows:

#### **SCOPE OF WORK**

The proposed scope of work for this project is to provide asphalt concrete pavement restoration for the remaining portions of the north half of Clark Avenue between 15<sup>th</sup> Street and Main Street that were not previously disturbed, restored, or otherwise included as part of the original Phase 5 Water System Improvements contract work.

The original Phase 5 contract scope between Askin Construction and WBYCWSD includes pavement restoration for the south half of Clark Avenue between 15<sup>th</sup> Street and main Street, together with any pavement restoration on the north half of Clark Avenue required as a result of the installation of water service lines extending north from the water main. Such work, including any pavement restoration incidental to the water line replacement project, shall remain the responsibility of the original Phase 5 project and is not included in the County’s cost participation under this agreement.

The pavement restoration shall generally consist of three-inch thick asphalt concrete overlay, or as otherwise required by the County.

**WHEREAS**, the original contract includes pavement restoration for the south half of the Clark Avenue between 15<sup>th</sup> Street and Main Street, as well as any areas disturbed by, required for, incidental to, or otherwise associated with the water line replacement project; and

**WHEREAS**, certain remaining portions of the north half of Clark Avenue between 15<sup>th</sup> Street and Main Street are outside the original contract scope and are not incidental to the water line replacement project; and

**WHEREAS**, the County agrees to participate only in the cost of pavement restoration for those remaining north-half roadway areas that are outside the original contract scope and unrelated to the water line replacement project; and

**WHEREAS**, the pavement restoration of these remaining areas will benefit the County, residents, adjacent property owners, and the traveling public in the area;

**WHEREAS**, **WBYCWSD** agrees to participate in a cost contribution for all asphalt restoration costs included as a result of the Phase 5 Water System Improvements Project.

**WHEREAS**, **COUNTY** agrees to participate by contributing an amount not to exceed \$24,480 toward the actual costs incurred for work at locations along the northern half of Clark Avenue that were not included as part or incidental of the Phase 5 Water System Improvements Project.

**TERMINATION OF AGREEMENT:** This agreement will remain in effect until it is mutually terminated by both parties.

**YELLOWSTONE COUNTY, MONTANA – BOARD OF COUNTY COMMISSIONERS**

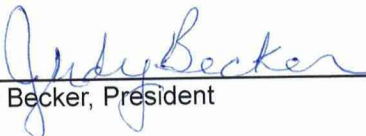
By \_\_\_\_\_  
Mark Morse  
Chair, Board of County Commissioners

Witness: \_\_\_\_\_  
Jeff Martin, Clerk and Recorder

By \_\_\_\_\_  
Michael J. Waters  
Member, Board of County Commissioners

By \_\_\_\_\_  
Chris White  
Member, Board of County Commissioners

**WORDEN-BALLANTINE YELLOWSTONE COUNTY WATER AND SEWER DISTRICT (WBYCWSD)**

By  \_\_\_\_\_  
Judy Becker, President

 \_\_\_\_\_  
Kenny Brewer, Secretary



**Potential Change Order #04  
Additional Paving on Clark Avenue**

**PCO Number/Revision:** PCO # 04 / 0

**Contract:** WBYCWSO Phase 5 Water

**Description of work:** Yellowstone County has agreed to contribute to additional paving on Clark Avenue in Worden due to the poor pre-existing condition of the asphalt.

Item Description				
Description	Quantity	UOM	Unit Cost	Total
Removal and Replacement of 3" of Asphalt	680.00	SY	\$ 36.00	\$ 24,480.00
			\$ -	\$ -
			\$ -	\$ -
			\$ -	\$ -
			\$ -	\$ -
			\$ -	\$ -
			\$ -	\$ -
<b>Grand Total:</b>				<b>\$ 24,480.00</b>

Schedule Impact      Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Pricing includes: Removal of 3" of Asphalt, minor prep for subgrade, (no import base accounted for), pave back 3" of B Mod Asphalt.
Pricing does not include base or shoulder gravels, striping or milling.
Assumes associated work is not part of Phase 5 contract obligations.

5/28/2026

Signature & Printed Name of Project Representative

Date

Askin Construction Representative

Date