

District: Town of Wilmington
School: Wildwood Elementary School
Project ID: 202003420015

**FIRST AMENDMENT
TO THE FEASIBILITY STUDY AGREEMENT
BETWEEN THE TOWN OF WILMINGTON AND THE MASSACHUSETTS SCHOOL
BUILDING AUTHORITY**

Effective as of September 6, 2022 (“Effective Date”), this First Amendment to the Feasibility Study Agreement between the Town of Wilmington (“District”) and the Massachusetts School Building Authority (“Authority”), including all Exhibits and other documents attached hereto and incorporated by reference herein (“Amendment”), hereby amends the Feasibility Study Agreement between the District and the Authority for the Project at the Wildwood Elementary School which Agreement has an effective date of September 6, 2022 (hereinafter “Agreement”), as more particularly described below. This Amendment contains all of the terms and conditions agreed upon by the District and the Authority (collectively, “Parties”) as amendments to the original Agreement. No other understandings or representations, oral or otherwise, regarding amendments to the original Agreement shall be deemed to exist or bind the Parties.

The Agreement is hereby amended as follows:

1. Section 2.2 of the original Agreement, is hereby deleted in its entirety. Inserted in place thereof is the following language:

No Project Scope and Budget Agreement for a Proposed Project, which arises out of the provisions of this Agreement will be approved by the Authority's Board until on or after July 1, 2023. Subject to that limitation, the Agreement will terminate upon (1) the approval of a Project Scope and Budget Agreement for a Proposed Project by the Authority's Board and the (2) execution of a Project Scope and Budget Agreement by the Authority and the District for that Proposed Project or (2) October 31, 2025, whichever occurs sooner.

All other terms and conditions of the original Agreement, including Exhibits attached thereto or incorporated by reference therein, that are not hereby deleted or otherwise amended shall remain in full force and effect. The District warrants and represents that it has read and understands this Amendment. The District further warrants and represents that its undersigned

officer or representative has full legal authority to enter into this Amendment on behalf of the District and to bind the District to its terms and conditions.

IN WITNESS WHEREOF, the Parties hereto have executed this Amendment in duplicate originals by their duly authorized officers or representatives as of the Effective Date written above.

MASSACHUSETTS SCHOOL BUILDING AUTHORITY

By,

Mary L. Pichetti
Executive Director

Signature Date

TOWN OF WILMINGTON

By,

Signature Date

Name (Type/Print)

Title/Office (Type/Print)