

AMENDMENT NUMBER TWO

TO

Assistance Agreement between the United States of America and Georgia for "Improved Infrastructure, Economic Opportunities, and Support for Internally Displaced Persons", dated August 12, 2010

USAID Assistance Agreement No. AAG-114-G-10-002

September 28, 2012

AMENDMENT NUMBER TWO to the Assistance Agreement between the United States of America, acting through the United States Agency for International Development ("USAID") and Georgia, acting through the Ministry of Finance of Georgia (hereinafter referred to as the "Grantee") for "Improved Infrastructure, Economic Opportunities, and Support for Internally Displaced Persons", dated as of August 12, 2010 (referred to herein as the "Agreement").

WHEREAS, on August 12, 2010, the Grantee and USAID entered into the Assistance Agreement to further the mutual objectives of Economic Growth and Humanitarian Assistance in Georgia, as described in Annex 1 (the "Amplified Description") to the Agreement; and

WHEREAS, USAID and the Grantee desire to amend the Agreement in order to (a) increase the total amount obligated in the amount of \$17,710,000, from \$91,850,599 to \$109,560,599 to provide additional support for New Project activities and Waste Management activities; (b) to increase the USAID total estimated contribution to reflect this increase; (c) to update Attachment 1 to Annex 1 of the Agreement, the "USAID Financial Plan" to reflect these changes; (d) to update the authorized Geographic Code to include all eligible countries; (e) to update Annex 1 "Amplified Description", section VI (A) of the Agreement, entitled "Government of the United States of America" to reflect the USAID total estimated contribution of \$109,560,599; and (f) to update Annex 1 "Amplified Description" to incorporate a new planned Waste Management activity;

NOW, THEREFORE, the Parties to the Agreement hereby agree that the Agreement shall be further amended as follows:

1. Section 3.1(a) of the Agreement entitled "The Grant" is deleted in its entirety and the following is substituted therefore:

"(a) The Grant. To help achieve the Objective set forth in this Agreement, USAID, pursuant to the Foreign Assistance Act of 1961, as amended, hereby grants to the Grantee under the terms of the Agreement an amount not to exceed one hundred and nine million, five-hundred sixty thousand and five hundred ninety-nine United States ("U.S.") Dollars (\$109,560,599) (the "Grant")."

*Amended
11.09.15*

2. The first sentence of Section 3.1(b) of the Agreement, entitled "Total Estimated USAID Contribution", is deleted in its entirety and the following is substituted therefore:

"(b) Total Estimated USAID Contribution. USAID's total estimated contribution to achievement of the Objective will be one hundred and nine million, five-hundred sixty thousand and five hundred ninety-nine United States ("U.S.") Dollars (\$109,560,599) which will be provided in increments."

3. Annex 1, Article VI(A), the amount "\$93,792,842" is deleted and the amount "\$109,560,599" is inserted therefore.
4. Annex 1, the table entitled "USAID FINANCIAL PLAN: INFRASTRUCTURE, ECONOMIC OPPORTUNITIES AND IDP HOUSING ASSISTANCE AGREEMENT FOR FY 2010-2013" is deleted in its entirety and the following is substituted therefore:

	Previous obligation	Amendment 2 obligation	Total Obligated Amount	Ceiling
IDP Housing	\$34,668,597		\$34,668,597	\$34,668,597
Municipal Infrastructure	\$20,206,435		\$20,206,435	\$20,206,435
Engineering & Oversight	\$4,777,396		\$4,777,396	\$4,777,396
New Economic Opportunities	\$20,473,321		\$20,473,321	\$20,473,321
Economic Prosperity Initiative	\$10,723,243	\$3,261,870	\$13,985,113	\$13,985,113
New Projects		\$13,158,130	\$13,158,130	\$13,158,130*
Waste Management Project		\$1,290,000	\$1,290,000	\$1,290,000
Program Support	\$1,001,607		\$1,001,607	\$1,001,607
TOTAL	\$91,850,599	\$17,710,000	\$109,560,599	\$109,560,599

*Note: This amount includes \$1,942,243 in Fiscal Year 2012 funds previously included in the Total Estimated Contribution for the New Economic Opportunities (NEO) project.

5. Annex 2, Standard Provisions, Article C.1(a), the phrase "000 or 110 (US, Georgia, and the Newly Independent States)" is deleted in its entirety and replaced with "937".
6. Annex 1, Amplified Description, Section V(A), after the fourth paragraph the following is inserted:

Waste Management. In efforts to expand and improve waste management in Georgia, while creating opportunities for public and private investment and employment in the sector, USAID will support the required components to holistically address waste management and future investments in waste reduction, recycling, repurposing and markets for recycled materials. This will include Waste Collection, Recycling and Composting Systems, Private Sector-Led Recycling; Waste

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Management Strategy and Tariff Policy; and Public Outreach. The Solid Waste Management Company of Georgia, under the direction of the Ministry of Regional Development and Infrastructure (MRDI) is responsible for waste management issues in the regions of Georgia (except Adjara and Tbilisi). Solid Waste Management Company of Georgia plans to take a regional approach and significantly reduce the number of landfills. The closures and associated remediation measures will need to be designed and implemented properly to avoid adverse impacts on the environment and human health."

7. Except as amended herein, all other terms and conditions of the Agreement remain unchanged and in full force and effect.

IN WITNESS WHEREOF, the United States of America and Georgia, each acting through its duly authorized representative, have caused this Amendment Number Two to be signed in their names and delivered as of the day, month and year first written above:

UNITED STATES OF AMERICA

By: 

Name: Stephen M. Haykin
Title: Mission Director
USAID/Caucasus

GEORGIA

By: 

Name: Alexander Khetaguri
Title: Minister of Finance of Georgia

September 29, 2012

Amendment Number TWO to the Assistance Agreement between the United States of America and Georgia for "Improved Infrastructure, Economic Opportunities, and Support for Internally Displaced Persons", dated August 12, 2010

Handwritten note:
Amendment
11.01.15