

**EIGHTH AMENDMENT TO AGREEMENT NO. 782
BETWEEN THE ALAMEDA CORRIDOR TRANSPORTATION AUTHORITY AND
BALFOUR BEATTY INFRASTRUCTURE, INC.**

THIS EIGHTH AMENDMENT to Agreement No. 782 (defined below) is made and entered into by the **Alameda Corridor Transportation Authority ("ACTA")** and **Balfour Beatty Infrastructure, Inc. ("BBII")**.

WHEREAS, the Alameda Corridor Maintenance Agreement (Rail Corridor and Non-Rail Components ("Agreement No. 782") by and between ACTA and Balfour Beatty Rail, Inc. (BBRI), predecessor to BBII, was entered into commencing April 15, 2007; and

WHEREAS, at its November 13, 2008 meeting, ACTA's Governing Board approved the First Amendment to Agreement No. 782, amending the Agreement as necessary to clarify certain related procedures; and

WHEREAS, at its January 12, 2012 meeting, ACTA's Governing Board approved the Second Amendment to Agreement No. 782, extending the term of the Agreement through December 31, 2015; and

WHEREAS, at its February 13, 2014 meeting, ACTA's Governing Board approved the assignment of Agreement No. 782 from BBRI to its affiliate BBII; and

WHEREAS, at its January 15, 2015 meeting, ACTA's Governing Board approved the Third Amendment to Agreement No. 782, extending the term of the Agreement through April 14, 2017; and

WHEREAS, at its April 9, 2015 meeting, ACTA's Governing Board approved the Fourth Amendment to Agreement No. 782, increasing the Allowed Markup from 5% to 10% for work performed in the repair of the Alameda Street Bridge; and

WHEREAS, at its March 23, 2017 meeting, ACTA's Governing Board approved the Fifth Amendment to Agreement No. 782, extending the term of the Agreement through October 14, 2017; and

WHEREAS, at its September 22, 2017 meeting, ACTA's Governing Board approved the Sixth Amendment to Agreement No. 782, extending the term of the Agreement through April 14, 2018; and

WHEREAS, at its April 12, 2018 meeting, ACTA's Governing Board approved the Seventh Amendment to Agreement No. 782, extending the term of the Agreement through December 14, 2018; and

WHEREAS, the parties now desire to amend Agreement No. 782 to extend the term as set forth herein; and

NOW, THEREFORE, IT IS MUTUALLY AGREED AS FOLLOWS:

1. **ARTICLE 4, Section 4.1 - Commencement Date and Term.** Section 4.1 of the Agreement is hereby amended by deleting the date of December 14, 2018 and replacing it with August 14, 2019.
2. Except as amended herein above in Item 1, all remaining terms and conditions of Agreement No. 782 remain in full force and effect.

- 3. Capitalized terms not otherwise defined herein shall have the meaning assigned thereto in Agreement No. 782.
- 4. The effective date of this amendment shall be the date of its execution by ACTA's Chief Executive Officer.

IN WITNESS WHEREOF, the parties hereto have executed this Eighth Amendment to Agreement No. 782 as provided below:

**ALAMEDA CORRIDOR TRANSPORTATION
AUTHORITY**

Date _____

By _____
Chief Executive Officer

ATTEST

Date _____

By _____

Title _____

BALFOUR BEATTY INFRASTRUCTURE, INC.

Date _____

By _____

(Print Name and Title)

ATTEST

Date _____

By _____

Title _____

APPROVED AS TO FORM:
Michael N. Feuer, City of Los Angeles City Attorney

By: _____
Deputy City Attorney

Date: _____