

District Agreement No. 07-4872A-3

AMENDMENT No. 3 TO AGREEMENT

This AMENDMENT No. 3 TO AGREEMENT, entered into effective on _____, 2020, is between the STATE OF CALIFORNIA, acting by and through its Department of Transportation, referred to herein as "STATE", and the ALAMEDA CORRIDOR TRANSPORTATION AUTHORITY, a joint powers agency, referred to herein as "ACTA"

RECITALS

1. STATE and ACTA hereto entered into Agreement No. 07-4872 on July 16, 2009, referred to herein as "AGREEMENT". AGREEMENT defined the terms and conditions of the construction of an expressway on State Route 47 from Ocean Boulevard to State Route 1 in the Cities of Los Angeles and Long Beach, referred to herein as "PROJECT".
2. The parties hereto also entered into an Amendment No. 1 to AGREEMENT on May 22, 2013 to increase STATE's obligation for the cost of right of way support from \$1.2 million to 1.7 million to reimburse ACTA for expenditures incurred commencing July 16, 2009.
3. The parties hereto also entered into an Amendment No. 2 to AGREEMENT on April 30, 2014 to increase STATE's obligation for the cost of right of way support from \$1.7 million to 2.9 million to reimburse ACTA for expenditures incurred commencing July 16, 2009.
4. It has been determined that PROJECT needs additional funding to complete. The purpose of this AMENDMENT No. 3 is to increase the STATE's obligation for the right of way support cost from \$2.9 million to \$3.2 million to reimburse ACTA.

IT IS MUTUALLY AGREED:

1. Article 2 of Section II of the AGREEMENT is replaced in its entirety to read as follows:
 2. To reimburse ACTA for actual expenditures for right of way capital and support costs for the segment of PROJECT between Ocean Boulevard and the northern limit of the City of Long Beach. STATE's total obligation for reimbursement shall not exceed the amount of \$37 million for right of way capital costs and \$3.2 million for right of way support costs.
2. All other terms and conditions of AGREEMENT shall remain in full force and effect.
3. This AMENDMENT No. 3 is hereby deemed a part of AGREEMENT.

STATE OF CALIFORNIA Department of
Transportation

ALAMEDA CORRIDOR
TRANSPORTATION AUTHORITY

By: _____
John Bulinski
District 07 Director

By: _____
James P. Preusch
Interim Chief Executive Officer

Approved as to Form and Procedure:

Approved as to Form:

By: _____
Attorney
Department of Transportation

Michael Feuer
Los Angeles City
Attorney

Certified as to Funds:

By: _____
Deputy City Attorney

By: _____
Vickie Murphy
District Budget Manager

Certified as to Financial Terms and
Conditions:

By: _____
Accounting Administrator