

## AMENDMENT NO. 1 TO AGREEMENT 07R375

This SUPPLEMENT NO. 1 TO AGREEMENT No. 07R375 is entered into and effective as of this 1st, day of December, 2021 ("Effective Date") by and between the ALAMEDA CORRIDOR TRANSPORTATION AUTHORITY, ("ACTA") a California Joint Powers Authority, acting by and through its Governing Board, and the STATE OF CALIFORNIA, acting by and through its DEPARTMENT OF TRANSPORTATION ("STATE") collectively the "PARTIES."

### RECITALS:

- A. WHEREAS, the Parties entered into Right of Way Agreement No. 07R375 on June 14, 2021 ("Agreement") for flagging and project oversight for a structure project on Interstate Highway 405 in the City of Carson, Los Angeles County. The State originally proposed to remove fourteen nonfunctional drainage inlets and replace them with numerous smaller inlets and to paint State overhead structure, Bridge #53-1168 (the "Structure") identified as DOT #921636D over ACTA's Tracks and Union Pacific's intermodal yard known as Dolores Yard along ACTA's Alameda Corridor Subdivision in the City of Carson, Los Angeles County, California (the "Project").
- B. WHEREAS, State has now revised the Project's scope of work to include only the removal and replacement of the drainage inlets on the Structure ("Revised Project").
- C. WHEREAS, the Parties agree that Project will now need to two flaggers for 50 days of flagging support instead of the original 125 days.
- D. THEREFORE, the Parties now agree to revise the original estimate from 125 days to 50 days of flagging.

### IT IS THEREFORE MUTUALLY AGREED:

- A. It is hereby agreed and concurred to replace the original Exhibit A to the Agreement with Revised Exhibit A attached hereto, indicating the total cost estimate is revised from \$588,750.00 to \$246,750.00.
- B. All other terms and conditions of said Agreement and revised under this

File: 07 – LA – 405 – 14.3  
EA: 30480  
Project: 0714000084  
Agreement: 07R375 Supplement #1  
DOT: 921636D  
RMP: 0013.96  
Dolores Yard

Amendment No. 1 shall remain in full force and effect.

C. This Amendment No. 1 to Agreement is hereby deemed to be part of State Agreement No. 07R375.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed in duplicate, by their officers thereunto duly authorized, as of the day and year first above written.

STATE OF CALIFORNIA  
DEPARTMENT OF  
TRANSPORTATION


By: *T. Moering Hill*  
TIAIRA T MOERING-HILL  
Chief, Office of Railroad & Utility  
Relocation  
Division of Right of Way and Land  
Surveys

ALAMEDA TRANSPORTATION  
CORRIDOR AUTHORITY (ACTA)

By: *Michael Leue*  
MICHAEL C. LEUE, P.E.  
Chief Executive Officer

Recommended for Approval:

By: *T. McNamara*  
TERESA McNAMARA  
HQ Railroad Coordinator  
Division of Right of Way and Land Surveys

By: **Heather  
McCloskey**  Digitally signed by  
Heather McCloskey  
Date: 2021.11.19  
15:28:48 -08'00'  
APPROVED AS TO FORM  
Heather M. McCloskey  
LOS ANGELES CITY ATTORNEY

By: *Mario Zamorano Jr*  
MARIO ZAMORANO JR.  
Associate Right of Way Agent  
District 7 Right of Way

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**REVISED EXHIBIT "A"**

**SOUTHERN CALIFORNIA REGIONAL RAIL AUTHORITY (SCRRA)  
 ESTIMATE**

**Location:** Dolores Yard OH - Bridge # 53-1168  
 I-405 FWY - Carson, CA  
 DOT# 921636D  
 Railroad MP 13.96

**Project:** To install drainage pipes along the underside of the freeway

**Estimate:**

	Original	Less	Revised Total
Flagging	125 days	75 days	50 Days
@ \$1,824.00/day x 2 flaggers	\$ 456,000.00	\$ 273,600.00	\$ 182,400.00
Project Oversight*	\$ 15,000.00	\$ 0.00	\$ 15,000.00
Subtotal	\$ 471,000.00	\$ 273,600.00	\$ 197,400.00
<u>Contingency @ 25%</u>	<u>\$ 117,750.00</u>	<u>\$ 68,400.00</u>	<u>\$ 49,350.00</u>
Total	\$ 588,750.00	\$ 342,000.00	\$ 246,750.00

Note: This is an estimate only, railroad shall bill on an actual cost basis.

\* - Note Project Oversight is an ACTA cost and is not included in RailWorks budget