

SECOND AMENDMENT
TO AGREEMENT NO. C0889
BETWEEN
THE ALAMEDA CORRIDOR TRANSPORTATION AUTHORITY
AND PACIFIC RAILWAY ENTERPRISES, INC.

THIS SECOND AMENDMENT to Agreement No. C0889 is made and entered into by the Alameda Corridor Transportation Authority ("ACTA"), acting by and through its Governing Board, and Pacific Railway Enterprises, Inc. ("Consultant") as follows:

1. Article 5. Compensation is hereby removed and replaced in its entirety, as follows:

"For the full and satisfactory performance of the Scope of Work, ACTA shall pay Consultant, and Consultant shall accept, a sum not to exceed One Million Five Thousand Two Hundred Dollars (\$1,005,200). The total sum payable under this Agreement shall be determined by Project Directives and Consultant acknowledges that final compensation may not reach the maximum sum allowed for herein."

2. Exhibit A-1 "Additional Scope of Work" is attached hereto and made a part hereof.

Except as amended herein, all remaining terms and conditions of Agreement No. C0889 shall remain in full force and effect.

The effective date of this amendment shall be the date of its execution by ACTA's Chief Executive Officer or his designee.

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IN WITNESS THEREOF, the parties hereto have executed this Second Amendment to Agreement No. C0889 on the date to the left of their signatures:

ALAMEDA CORRIDOR
TRANSPORTATION AUTHORITY

Date: _____

By: _____

Michael C. Leue, P.E.
Chief Executive Officer

Attest: _____

Secretary

PACIFIC RAILWAY ENTERPRISES,
INC.

Date: _____

By: _____

Name: _____

Title: _____

Attest: _____

Name: _____

Title: _____

APPROVED AS TO FORM

_____, 2023
HYDEE FELDSTEIN SOTO, Los Angeles City Attorney

By _____

Heather M. McCloskey, Deputy
ACTA Co-General Counsel

Agreement No. 889
Exhibit A-1
(Second Amendment)

Additional Scope of Work

The UPRR Dolores Yard Crossover Project will require additional signal field support to test and commission CP Thenard, CP Long Beach, and CP Sepulveda. In early May 2023 the project was stopped due to unidentified utility lines and a manhole in conflict with the UPRR's new track connection. The utility lines and manhole contained hazardous substances that made it unsafe to disturb. When the owner(s) of the lines are identified and the lines are decommissioned/removed, the project will resume and PRE will provide field support to test and commission CP Thenard, CP Long Beach, and CP Sepulveda.

In addition, PRE will be tasked with the design of railroad signal/communication throughout the Corridor to modernize the existing signal system which is reaching the end of its service life. Many of the current signal and communication components have been discontinued and/or are difficult to procure. The modernization program is scheduled to occur during the next five years or as equipment fails and needs replacement and/or is transitioned to the new technology.