

AMENDMENT NO. 3 TO AGREEMENT 04-2448

This Amendment No. 3 (AMENDMENT) to Agreement 04-2448 (AGREEMENT), effective on _____, 2020 is between the State of California, acting through its Department of Transportation, referred to as CALTRANS, and:

City of San Mateo, a body politic and municipal corporation or chartered city of the State of California, referred to hereinafter as CITY.

RECITALS

1. CALTRANS and CITY, collectively referred to as PARTIES, entered into AGREEMENT 04-2448 on March 29, 2012, defining the terms and conditions for developing and financing a highway improvement project, referred to as PROJECT, consisting of improvements to the State Route (SR) 92/El Camino Real (SR82) interchange in the City of San Mateo.
2. PARTIES entered into Amendment No. 1 to AGREEMENT on April 12, 2013, to add a new source of Local funding (SMCTA) in the amount of \$320,000, and increase the amount of Demo funding by \$480,000, and to delete the \$85,000 in City funding for an overall funding increase of \$715,000 resulting in a new total funding amount of \$1,300,000 and to update NEPA-related articles.
3. PARTIES entered into Amendment No. 2 to AGREEMENT on July 25, 2014, to add a new source of Local (CITY) funding in the amount of \$120,000, and to increase the amount of Local (SMCTA) funding by \$180,000 for an overall funding increase of \$300,000 resulting in a new total funding amount of \$1,600,000 by revising the FUNDING SUMMARY.
4. The AGREEMENT established the terms and conditions for supporting PROJECT costs for PA&ED completion. Subsequent amendments increased or decreased funding amounts from CITY, resulting in current subtotals as follows: \$980,000 from Local Demo (CITY) fund; \$500,000 from Local (SMTCA) fund; and, \$120,000 from Local (CITY) fund, for a total funding amount of \$1,600,000.
5. PARTIES now seek to amend AGREEMENT with Amendment No. 3, to increase the funding for PA&ED cost overruns related to completion of work activities in the AGREEMENT "Scope Summary." Under Amendment No. 3, \$623,000 will be added from Local Demo (CITY) fund and \$53,210 will be added from Local (SMTCA) fund, for a total amount of \$676,210. The total PROJECT fund for PA&ED from local sources is now increased from

\$1,600,000 to \$2,276,210. Upon execution of Amendment No. 3, PARTIES agree that all outstanding PROJECT commitments are met for PROJECT close-out.

IT IS THEREFORE MUTUALLY AGREED:

1. The FUNDING SUMMARY A-2 is replaced in its entirety by FUNDING SUMMARY A-3, attached to and made a part of AMENDMENT, and any reference to the FUNDING SUMMARY in AGREEMENT is deemed a reference to FUNDING SUMMARY A-3.
2. All other terms and conditions of the AGREEMENT shall remain in full force and effect.
3. This AMENDMENT is deemed to be included and made a part of the AGREEMENT.

CONTACT INFORMATION

The information provided below indicates the primary contact data for each PARTY to this agreement. PARTIES will notify each other in writing of any personnel or location changes. Contact information changes do not require an amendment to this agreement.

The primary agreement contact person for CALTRANS is:
Nandini Shridhar, Project Manager
111 Grand Avenue
Oakland, California 94612
Office Phone: (510) 286-4892
Email: Nandini.Shridhar@dot.ca.gov

The primary agreement contact person for CITY is:
Cathi Zammit, Engineering Manager, Public Works Capital Improvements
383 W. 20th Avenue
San Mateo, California 94403
Office Phone: (650) 522-7300
Email: czammit@cityofsanmateo.org

SIGNATURES

PARTIES declare that:

1. Each PARTY is an authorized legal entity under California state law.
2. Each PARTY has the authority to enter into this AMENDMENT.
3. The people signing this AMENDMENT have the authority to do so on behalf of their public agencies.
- 4.

This AGREEMENT may be executed and delivered in counterparts, and by each PARTY in a separate counterpart, each of which when so executed and delivered shall constitute an original and all of which taken together shall constitute one and the same instrument.

The PARTIES acknowledge that executed copies of this AGREEMENT may be exchanged by facsimile or electronic mail (E-Mail), and that such copies shall be deemed to be effective as originals.

STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION

CITY OF SAN MATEO

By: _____
Helena (Lenka) Culik-Caro
Deputy District Director - Design

By: _____
Joe Goethals
Mayor

Attest:

VERIFICATION OF FUNDS &
AUTHORITY:

By: _____
Patrice Olds
City Clerk

By: _____
Jeffrey Armstrong
District Budget Manager

APPROVED AS TO FORM AND
PROCEDURE:

By: _____
Shawn Mason
City Attorney

04-SM-92-R11.2

04-SM-82-10.5

EA 23552

Project No.: 0412000496

Agreement 04-2448-A3

FUNDING SUMMARY A-3

Funding Source	Funding Partner	Fund Type	PA&ED	Subtotal Support	Subtotal Capital	Subtotal Funds Type
FEDERAL	CITY	Demo	\$1,603,000	\$1,603,000	\$0	\$1,603,000
LOCAL	CITY	Local (SMCTA)	\$553,210	\$553,210	\$0	\$553,210
LOCAL	CITY	Local (CITY)	\$120,000	\$120,000	\$0	\$120,000
		Subtotals by Component	\$2,276,210	\$2,276,210	\$0	\$2,276,210