

<u>District</u> 12	<u>County</u> Orange	<u>Route</u> SR-55	<u>Post Mile</u> 6 4/10 2	<u>Project ID No.</u> 1200020328	<u>EA</u> 0J340
Federal Aid No: _____ STPLN-6071 (129)_____					
Owner's File: _____ Plan #-OCSD-1005__					
FEDERAL PARTICIPATION:			On the Project	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
			On the Utilities	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

FIRST AMENDMENT TO UTILITY AGREEMENT NO. OCSD-1005

WHEREAS, Orange County Transportation Authority, hereinafter called OCTA, whose address is 550 South Main Street, Orange, California 92863-1584, and Orange County Sanitation District, hereinafter called OWNER, have entered into that certain Utility Agreement No. OCSD-1005, dated April 7, 2020, which Agreement sets forth the terms and conditions pursuant to which OWNER has been performing final design and relocation work to accommodate SR-55 Improvement Project No. 1200020328/EA 0J340, and,

WHEREAS, in the performance of said work, increased costs of \$1,405,000.00 over and above those estimated at the time of the execution of said Agreement were incurred due to revisions made to the original, conceptual sewer design along with the additional associated design work and construction costs in connection therewith; and,

WHEREAS, it has been determined that, since costs have overrun the amount shown in said Agreement by 97.91%, and when the increased cost exceeds by 25% the estimated amount set forth in said Agreement, said Agreement shall be amended to show the increased cost of the work to OCTA; and,

WHEREAS, the estimated cost to OCTA of the work to be performed under said Agreement was \$1,435,000.00, and by reason of the increased costs referred to above, the amended estimated cost to OCTA is \$2,840,000.00.

NOW, THEREFORE, the PARTIES agree to amend the AGREEMENT as follows:

1. The estimated cost to OCTA of \$1,435,000.00 as set forth in the AGREEMENT is hereby amended to read \$2,840,000.00.
2. All other terms and conditions of the AGREEMENT remain unchanged.

IN WITNESS WHEREOF, the PARTIES hereto have executed this First Amendment to Utility Agreement No. OCSD-1005 this _____ day of _____, 2021.

**OWNER:
ORANGE COUNTY SANITATION DISTRICT**

**ORANGE COUNTY TRANSPORTATION
AUTHORITY,
a public entity**

APPROVED

APPROVED

By: _____
John B. Withers
Board Chairman

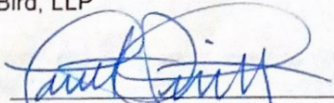
By: _____
James G. Beil, P.E.
Executive Director,
Capital Programs

Date: _____

Date: _____

APPROVED AS TO FORM:
Alston & Bird, LLP

APPROVED AS TO FORM:

By:  _____
Pamela J. Privett
Special Counsel

By: _____
Rick E. Rayl
Special Counsel

ATTEST:

By: _____
Kelly A. Lore, MMC
Clerk of the Board

Date: _____