

<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 ☒ Yes ☐ No					
On the Utilities ☒ Yes ☐ 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 10 day of November, 2021.

OWNER:
ORANGE COUNTY SANITATION DISTRICT

ORANGE COUNTY TRANSPORTATION
AUTHORITY,
a public entity

APPROVED

By:


John B. Withers
Board Chairman

Date:

9/29/21

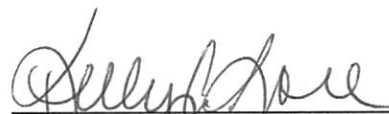
APPROVED AS TO FORM:
Alston & Bird, LLP

By:


Pamela J. Privett
Special Counsel

ATTEST:

By:


Kelly A. Lofe, MMC
Clerk of the Board

Date:

10/6/21

APPROVED

By:


James G. Beil, P.E.
Executive Director,
Capital Programs

Date:

11/10/2021

APPROVED AS TO FORM:

By:


Rick E. Rayl
Special Counsel



LETTER OF TRANSMITTAL

To: Mr. Rudy Dávila
Small Project Delivery | Engineer
Orange County Sanitation District
10844 Ellis Avenue
Fountain Valley, CA 92708

Date: November 16, 2021

Project: SR-55 Improvement Project

Subject: First Amendment to Utility Agreements No. OCSD-1005

Sent: ☒ Enclosed
☐ Separately

Sent By: ☐ E-Mail
☐ Fed Ex
☐ Messenger
☒ Hand Delivered

Remarks: Please find attached the executed amendment to agreement OCSD-1005 for SR-55 Improvement Project.

If you have any questions, please call me.

Thank you,

For Your: ☐ Signature and Return ☐ Comment and Return
☒ Use ☐ Approval and Return
☐ Files ☐ Review and Response

Copies To: Ross Lew, OCTA w/o attachment
J. Gallardo, OCTA w/o attachment
S. Sobot, OCTA w/attachment

By: 
Sanya Sobot
Utility Coordinator
714-560-5965

Orange County Transportation Authority

550 S. Main Street • P.O. Box 14184 • Orange, CA 92863-1584 • 714.560.OCTA