

<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 No.:		Plan #-OCSD-1005			
FEDERAL PARTICIPATION:			On the Project	☒ Yes	☐ No
			On the Utilities	☒ Yes	☐ No

SECOND AMENDMENT TO UTILITY AGREEMENT NO. OCSD-1005

WHEREAS, the Orange County Transportation Authority, hereinafter called OCTA, and Orange County Sanitation District, hereinafter called OWNER, have entered into that certain Utility Agreement No. OCSD-1005, dated April 7, 2020, and a First Amendment on November 10, 2021, which Agreement sets forth the terms and conditions pursuant to which OWNER has performed relocation of its facilities to accommodate OCTA's construction project on Route 55, Project No. 1200020328/EA 0J340; and,

WHEREAS, in the performance of said work, increased costs over and above those estimated at the time of the execution of said Agreement were incurred due to the fact that: a) additional permitting costs due to Caltrans and City requested revisions; b) increased design and construction support costs as a result of unrecorded utility conflicts encountered during construction; c) change orders for Southern California Edison and Verizon delays; d) additional costs for a Verizon relocation in conflict with OWNER's alignment; e) increased labor, construction, and material costs due to the COVID-19 pandemic; and f) an extended construction timeline as a result of the above-mentioned delays; and,

WHEREAS, it has been determined that, since costs have overrun the amount shown in said Agreement by 248.18% (\$3,561,443 increase), 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 \$4,996,443.00.

NOW, THEREFORE, it is agreed between the parties as follows:

1. The estimated cost to OCTA of \$1,435,000.00 as set forth in the Agreement is hereby amended to read \$4,996,443.00.
2. All other terms and conditions of said Agreement remain unchanged.

IN WITNESS WHEREOF, the parties hereto have executed this Second Amendment to Utility Agreement No. OCSD-1005 this _____ day of _____, 2026.

**OWNER:
ORANGE COUNTY SANITATION
DISTRICT**

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

APPROVED

APPROVED

By: _____
Christine Marick
Board Vice-Chairwoman

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

Date: _____

Date: _____

APPROVED AS TO FORM:

APPROVED AS TO FORM:

By:  _____
Scott C. Smith
General Counsel

By: _____
James M. Donich
General Counsel

ATTEST:

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

Date: _____