

AMENDMENT NO.2 TO AGREEMENT 04-2600

This Amendment No. 2 (AMENDMENT) to Agreement 04-2600 (AGREEMENT), effective on _____, is between the State of California, acting through its Department of Transportation, referred to as CALTRANS, and:

City of Santa Rosa, 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 on May 23, 2017, defining the terms and conditions for the Plans Specifications and Estimates (PS&E), and Right of Way (R/W) phases of a highway improvement project (PROJECT) in Sonoma County. PROJECT consists of modification and reconstruction of the existing US 101/Hearn Avenue Interchange in Sonoma County, including replacing the existing two-lane Hearn Avenue overcrossing with a new overcrossing, and modifying the southbound off-ramp in CITY, referred to as PROJECT.
2. PARTIES entered into Amendment No. 1 to AGREEMENT on February 4, 2021, to have CALTRANS perform WBS Task 1.265 for awarding and approving the construction contract for the PS&E phase of PROJECT at a reimbursable cost of \$150,000 and to reflect this increase funding.
3. The AGREEMENT established that CITY is the SPONSOR and IMPLEMENTING AGENCY for the PS&E phase of PROJECT, while CALTRANS is the IMPLEMENTING AGENCY for the R/W phase. CALTRANS is also the CEQA and NEPA Lead Agency of PROJECT and will perform Quality Management Assessment (formerly IQA).
4. PARTIES now seek that CALTRANS will perform WBS Task 1.255 for final district PS&E package and WBS Task 1.260 for contract bid document ready to list.

IT IS THEREFORE MUTUALLY AGREED:

1. Article 24 in the AGREEMENT is replaced in its entirety to read as follows:

As the PS&E IMPLEMENTING AGENCY, CITY is responsible for all PS&E WORK except those activities and responsibilities that are assigned to another PARTY and those activities that are excluded under this AGREEMENT.

2. Article 88 is added to the AGREEMENT to read as follows:

CALTRANS will be responsible for completing the following PS&E activities:

| CALTRANS Work Breakdown Structure Identifier (If Applicable) | AGREEMENT Funded Cost |
|--|--------------------------|
| 100.15.10.xx Quality Management | NO |
| 255 Final district PS&E Package | YES |
| 260 Contract Bid Document Ready to List | YES |
| 265 Awarded and Approved Construction Contract | YES |

3. All other terms and conditions of the AGREEMENT shall remain in full force and effect.
4. This AMENDMENT is deemed to be included and made a part of the AGREEMENT.

CONTACT INFORMATION

The information provided below indicates the primary contact information 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.

CITY OF SANTA ROSA

Associate Civil Engineer: Chris Catbagan

Phone Number: (707) 543-4521

E-mail: CCatbagan@srcity.org

Billing Address: 69 Stony Circle, Santa Rosa, CA 94901

CALTRANS

Project Manager- Sonoma County: Lilian A. Acorda

Phone Number: (510) 290-7581

E-mail: lilian.a.acorda@dot.ca.gov

SIGNATURES

PARTIES are empowered by the law to enter into this AMENDMENT and have delegated to the undersigned the authority to execute this AMENDMENT on behalf of the respective agencies and covenants to have followed all the necessary legal requirements to validly execute this AMENDMENT.

This AMENDMENT 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 AMENDMENT may be exchanged by facsimile or email, and that such copies shall be deemed to be effective as originals.

STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION

CITY OF SANTA ROSA

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

By: _____
Sean McGlynn
City Manager

VERIFIED OF FUNDS & AUTHORITY:

By: _____
Jeffrey Kuehnel
District Budget Manager

Attest: _____
City Clerk

APPROVED AS TO FORM &
PROCEDURE:

APROVED AS TO FORM &
PROCEDURE:

By: _____
Attorney
Department of Transportation

By: _____
Jessica Mullan
Assistant City Attorney

CERTIFIED AS TO FINANCIAL
TERMS & POLICIES:

By: _____
HQ Accounting Supervisor