

31623

AMENDMENT NO. 3
LETTER OF AGREEMENT
BETWEEN
CITY OF LONG BEACH
AND

THE LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY

This Amendment No. 3 to Letter of Agreement (this "Amendment"), is dated as of December 9, 2016, by and between City of Long Beach ("Project Sponsor"), and the Los Angeles County Metropolitan Transportation Authority ("LACMTA").

RECITALS:

- A. Project Sponsor and LACMTA entered into that certain Letter of Agreement No. LOA.P00F1649, dated January 25, 2010, which was amended on September 30, 2014 and October 30, 2015 (as amended, the "Existing LOA"), which Existing LOA provides for the Willow Street Pedestrian Improvement Project, ("the Project"); and
- B. Whereas, LACMTA Board on August 25, 2016, desires to extend the lapsing date of Funds programmed for Fiscal Year (FY) 2011-12 to June 30, 2017; and
- C. Project Sponsor and LACMTA desire to amend the Existing LOA as provided herein.

AGREEMENT:

NOW, THEREFORE, for good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, the parties hereby agree as follows:

1. Part II, Paragraph 6.1(ii) of the Existing LOA is hereby amended by deleting it in its entirety and replacing it with the following: "Funds programmed for FY2009-10 are no longer available. Funds programmed for FY 2011-12 are subject to lapse on June 30, 2017. Project Sponsor shall allocate or obligate these Funds by the lapsing date."

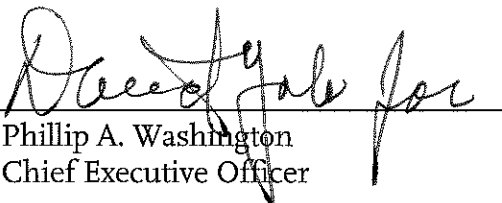
2. "Attachment C – Scope of Work, attached to the Existing LOA is hereby amended by deleting the "Detailed Schedule" and replacing it with the following Revised Project Schedule:"

LOA Milestones	Original LOA Schedule in Scope of Work		Revised Project Schedule	
	Start Date	End Date	Start Date	End Date
Environmental Clearance	12/01/09	01/30/10	07/01/10	10/27/10
Design Bid & Award			07/01/12	07/30/12
Design	10/01/10	5/01/11	07/30/12	11/15/16
E-76 Approval for Construction. Funds obligated by LOA Revised Lapse Date			11/16/16	4/17/2017
Construction Bid & Award	12/01/11	12/1/11	4/18/17	08/14/17
Construction	02/01/12	09/30/12	08/21/17	04/16/18
Total Project Duration (Months)	30		93	

3. Except as expressly amended hereby, the Existing LOA remains in full force and effect as originally executed. All rights and obligations of the parties under the Existing LOA that are not expressly amended by this Amendment shall remain unchanged.

IN WITNESS WHEREOF, the parties have caused this Amendment No. 3 to be duly executed and delivered as of the above date.

LOS ANGELES COUNTY
METROPOLITAN TRANSPORTATION AUTHORITY

By:  Date: 2/17/17
Phillip A. Washington
Chief Executive Officer

APPROVED AS TO FORM:

MARY C. WICKHAM
County Counsel

By:  Date: 1/13/17
Deputy

CITY OF LONG BEACH

By:  Date: 2/2/17
Patrick West
City Manager Assistant City Manager

EXECUTED PURSUANT
TO SECTION 301 OF
THE CITY CHARTER.

APPROVED AS TO FORM:

By:  Date: 1-31-17
Charles Parkin
City Attorney