

36254

AMENDMENT No. 1 TO FUNDING AGREEMENT
BETWEEN CITY OF LONG BEACH AND
THE LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY

This Amendment No. 1 to Funding Agreement (this "Amendment"), is dated as of October 21, 2022, by and between City of Long Beach ("GRANTEE"), and the Los Angeles County Metropolitan Transportation Authority ("LACMTA").

RECITALS:

A. GRANTEE and LACMTA entered into that certain Funding Agreement No. 9200000000F9628, dated October 19, 2021, (the "Existing FA"), which Existing FA provides for the 1st Street Pedestrian Gallery (the "Project"); and

B. Whereas, LACMTA Board on August 25, 2022, desires to extend the lapsing date of the Project to February 29, 2024.

C. GRANTEE and LACMTA desire to amend the Existing FA 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 8.1 (iv) of the Existing FA is hereby amended by deleting it in its entirety and replacing it with the following:

“8.1 (iv) Expending the Funds granted under this FA for allowable costs by the lapsing date. All Funds programmed for FY 2018-19 and FY 2019-20 are subject to lapse on February 29, 2024.”

2. Attachment B – Scope of Work, attached to the Existing FA is hereby amended by deleting the Schedule / Milestones and replacing it with the following Revised Project Schedule.

FA Milestones	Original Schedule in FA Scope of Work		Revised Project Schedule	
	Start Date	End Date	Start Date	End Date
Execute FA	Aug. 2018	Dec. 2021	Aug. 2021	Mar. 2022
Preliminary Conceptual Design	Dec. 2021	Jan. 2022	Jan. 2022	Aug. 2022
Community Outreach	Dec. 2021	Jan. 2022	Sep. 2022	Nov. 2022
Design/Engineering/Estimates	Jan. 2022	Mar. 2022	Dec. 2022	Jan. 2023
Planning/Permitting	Jan. 2022	Mar. 2022	Dec. 2022	Mar. 2023
Advertise Bid & Award Construction	Mar. 2022	Apr. 2022	Apr. 2023	Jul. 2023
Construction	May 2022	Jun. 2022	Aug. 2023	Dec. 2023
Report of Completion/Project Close Out	Jul. 2022	Dec. 2022	Jan 2024	June 2024
Total Project Duration (Months)	16 months		34 months	

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

IN WITNESS WHEREOF, the parties have caused this Amendment No. 1 to be duly executed and delivered as of the above date.

LOS ANGELES COUNTY
METROPOLITAN TRANSPORTATION AUTHORITY

By: *Stephanie N. Wiggins*
for *Stephanie N. Wiggins*
Chief Executive Officer

Date: 2/6/2023

APPROVED AS TO FORM:

DAWYN R. HARRISON
Interim County Counsel

By: *Dawyn R. Harrison*
Deputy

Date: 12/22/2022

CITY OF LONG BEACH

EXECUTED PURSUANT
TO SECTION 301 OF
THE CITY CHARTER.

By: *Tom Modica*
Tom Modica
City Manager

Date: 2/2/2023

APPROVED AS TO FORM:

By: *Charles Parkin*
Charles Parkin
City Attorney

Date: 1/24/23