

AFFILIATED AGENCIES

Orange County Transit District

Local Transportation

Service Authority for Freeway Emergencies

Consolidated Transportation Service Agency

Congestion Management Agency

> Service Authority for Abandoned Vehicles

November 12, 2012

Ms. Brenda Green Interim City Clerk City of Costa Mesa 77 Fair Dr. Costa Mesa, CA 92628-1200

SUBJECT: OCTA'S AMENDMENT NO. 15 TO COOPERATIVE

AGREEMENT NO. C-95-968

Dear Ms. Green:

Attached please find one original of the above referenced subject.

Should you have any contractual related questions, please feel free to contact Trisha Krinke at (714) 560-5625 or by e-mail at tkrinke@octa.net.

Sincerely

Julie Smith Office Specialist Contract Administration and Materials Management

Enclosure(s)



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#### **AMENDMENT NO. 15 TO**

# AGREEMENT NO. C-95-968

### **BETWEEN**

#### ORANGE COUNTY TRANSPORTATION AUTHORITY

#### AND

#### CITY OF COSTA MESA

# FOR

#### COMBINED TRANSPORTATION FUNDING PROGRAMS PROJECT

THIS AMENDMENT NO. 15 is effective this Og day of November, 2012, by and between the Orange County Transportation Authority, a public corporation of the State of California (hereinafter referred to as "AUTHORITY"), and City of Costa Mesa, a municipal corporation (hereinafter referred to as "AGENCY").

# **WITNESSETH:**

WHEREAS, by Agreement No. C-95-968 dated August 18, 1995, as last changed by Amendment No.14 dated September 25, 2008, AUTHORITY and AGENCY entered into an agreement which determined that AGENCY was eligible to receive funding under the Combined Transportation Funding Programs (CTFP) as specified in the CTFP Manual and also the Bicycle and Pedestrian Facilities Program; and

WHEREAS, AUTHORITY is updating the audit language with no change to the maximum cumulative obligation; and

**NOW, THEREFORE,** it is mutually understood and agreed by AUTHORITY and AGENCY that Agreement No. C-95-968 is hereby amended in the following particulars only:

- 1. Amend <u>Item 5</u>, page 3 of 4, lines 18 through 23, to delete in its entirety and replace with:
- "5. Upon close-out of each PROJECT(s) under this Agreement and before final payment is processed, AUTHORITY, or other agents of AUTHORITY, may perform a technical and or field review to ensure that CTFP policies and procedures were followed. In addition, an independent audit may be

performed within 5 years of AUTHORITY releasing the final payment for each PROJECT(s). If the audit determines that any of the activities performed are ineligible for CTFP funding or did not comply with CTFP policies and procedures, AGENCY shall return the amount of funding used to perform ineligible activity to AUTHORITY."

The balance of Agreement No. C-95-968 remains unchanged.

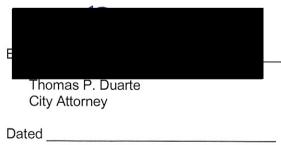
**IN WITNESS WHEREOF**, the parties hereto have caused this Amendment No. 15 to Agreement No. C-95-968 to be effective as of the date first above written.

CITY OF COSTA MESA

# **ORANGE COUNTY TRANSPORTATION AUTHORITY**

Thomas R. Hatch Chief Executive Officer	By:  Meena Katakia -  Manager, Capital Projects
ATTEST:	APPROVED AS TO FORM:
By:  Brenda Green	Ву
Interim City Clerk	Ocheral Courise

# APPROVED AS TO FORM:



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