

**AMENDED AND RESTATED MEMORANDUM OF UNDERSTANDING NO. 05E.06  
BETWEEN  
CONTRA COSTA TRANSPORTATION AUTHORITY  
AND  
CONTRA COSTA COUNTY  
FOR  
STATE ROUTE 239 PROJECT  
(STATE TRANSPORTATION IMPROVEMENT PROGRAM ID: CC070019)  
AND  
ASSOCIATED FEDERAL FUNDING VIA  
SAFETEA-LU PROJECTS #1930 AND #464**

**AMENDMENT No. 1**

**WHEREAS**, the Contra Costa Transportation Authority (AUTHORITY) and Contra Costa County (COUNTY) entered into Amended and Restated Memorandum of Understanding (MOU) No. 05E.06 on October 8, 2019; and

**WHEREAS**, the COUNTY has requested that the AUTHORITY assume responsibility for the planning phase (PHASE 1) for the State Route 239 project (PROJECT) and all future activities related to the study and construction of the PROJECT; and

**WHEREAS**, the COUNTY agrees to fully reimburse the AUTHORITY for its project management cost and to provide local match funding, up to \$3.635 million through December 31, 2021; and

**WHEREAS**, the COUNTY agrees to review the AUTHORITY's project management cost and local match funding amount with the AUTHORITY at least once every twelve months and to negotiate with the AUTHORITY in good faith on potential changes to the local match funds to cover the AUTHORITY's project management costs beyond December 31, 2021, to complete the Project Approval and Environmental Document (PA&ED) for the PROJECT; and

**WHEREAS**, the AUTHORITY and COUNTY have determined that additional funding will be needed to cover the AUTHORITY's project management costs to complete the PA&ED work for the PROJECT; and

**WHEREAS**, the parties now wish to amend the maximum reimbursement amount to the AUTHORITY.

**NOW, THEREFORE, IT IS MUTUALLY AGREED:**

- 1) that Article 2.A.iii of the Amended and Restated MOU is amended to increase the maximum reimbursement amount by \$560,473 from \$3,635,000 to a new maximum reimbursement amount of \$4,195,473.

2) that all other terms and conditions of the Amended and Restated MOU shall remain unchanged and in full force and effect.

In witness whereof, the parties hereto have executed this Amendment No. 1 to Amended and Restated MOU No. 05E.06 effective as of the \_\_\_\_ day of \_\_\_\_\_ 2021.

**CONTRA COSTA COUNTY**

**CONTRA COSTA TRANSPORTATION  
AUTHORITY**

By: \_\_\_\_\_  
Diane Burgis, Chair, Board of Supervisors

By: \_\_\_\_\_  
Teresa Gerringer, Chair

ATTEST:

ATTEST:

By: \_\_\_\_\_  
Monica Nino  
County Administrator and Clerk of the  
Board of Supervisors

By: \_\_\_\_\_  
Tarienne Grover, Clerk of the Board

Approved as to Form:

Approved as to Form:

By:  \_\_\_\_\_  
Mary Ann McNett Mason  
Deputy County Counsel

By: \_\_\_\_\_  
David H. McCray, Authority Counsel