

**AMENDMENT NO. 1 TO
ADVANCE EXPENDITURE AGREEMENT NO. 22-1002711
FOR
NEEDLES HIGHWAY, SEGMENT 1C PROJECT
(SAN BERNARDINO COUNTY)**

This Amendment No. 1 (“AMENDMENT NO. 1”) to the Advance Expenditure Agreement No. 22-1002711 (“AGREEMENT”) is made and entered into by and between the San Bernardino County (“COUNTY”) and the San Bernardino County Transportation Authority (“SBCTA”). SBCTA and COUNTY are each a “Party” and collectively “Parties”.

RECITALS

A. The Measure I 2010-2040 (“Measure I”) Expenditure Plan and the Colorado Subarea transportation planning partners have identified projects eligible for partial funding from Measure I Colorado River Subarea Major Local Highway Projects Program (MLHP) funds;

B. The Needles Highway, Segment 1C (“PROJECT”), from David Drive north to 0.1 mile north of Not’cho Road, located in the Needles area of the Measure I Colorado River Subarea is one of the projects identified as eligible for such funding;

C. The Parties entered into AGREEMENT on or about April 26, 2022, to allocate \$900,000 in Measure I Colorado River Subarea MLHP funds for expenditures incurred after April 26, 2022; and

D. The AGREEMENT established the PA&ED and PS&E (Environmental and Design) as eligible phases of PROJECT for reimbursement subject to the terms AGREEMENT as included in Attachments A and B; and

E. COUNTY has requested Construction be added to the AGREEMENT as an eligible phase of the PROJECT for reimbursement.

NOW, THEREFORE, the Parties agree to amend the AGREEMENT as follows:

1. Paragraph 1 of Section I is deleted in its entirety and replaced with the following:

“1. To reimburse COUNTY for those eligible PROJECT expenses that are incurred by COUNTY for the PROJECT, as set forth in Attachment B-1 to this AGREEMENT and as governed by POLICY in the Measure I 2010-2040 Strategic Plan, in effect as of this AGREEMENT’S Effective Date.”

2. Attachment A to the AGREEMENT is replaced in its entirety with Attachment A.1 (Revised Needles Highway, Segment 1C Project Description of Project and Milestones), attached hereto and incorporated herein by reference into this AMENDMENT NO. 1. All references to “Attachment A” in the AGREEMENT are replaced with “Attachment A.1”.
3. Attachment B to the AGREEMENT is replaced in its entirety with Attachment B.1 (Revised Summary of Estimated Costs), attached hereto and incorporated herein by reference into this AMENDMENT NO. 1. All references to “Attachment B” in the AGREEMENT are replaced with “Attachment B.1”.
4. The Recitals to this AMENDMENT NO. 1 are true and correct and are incorporated into this AMENDMENT NO.1.
5. This AMENDMENT NO.1 is effective on and shall be dated on the date executed by SBCTA.
6. Except as otherwise specifically provided herein this AMENDMENT NO.1, all other provisions of the AGREEMENT shall remain in full force and effect.

----SIGNATURES ON FOLLOWING PAGE----

IN WITNESS WHEREOF, the Parties have executed this AMENDMENT NO. 1 below.

**SAN BERNARDINO COUNTY
TRANSPORTATION AUTHORITY**

SAN BERNARDINO COUNTY

By: _____
Rick Denison, President
Board of Directors

By: _____
Dawn M. Rowe
Chair, Board of
Supervisors

Date: _____

Date: _____

APPROVED AS TO FORM:

APPROVED AS TO FORM:

By: _____
Iain MacMillan
Assistant General Counsel

By: _____
Aaron Gest
Deputy County Counsel

Date: _____

Date: _____

ATTEST:

By: _____
Lynna Monell
Clerk of the Board

Date: _____

Attachment A.1

NEEDLES HIGHWAY, SEGMENT 1C PROJECT Description of Project and Milestones

Project Title	
Needles Highway, Segment 1C Project	
Location, Project Limits, Description, Scope of Work, Legislative Description	
The Project is located on Needles Highway from David Drive north to 0.1 mile of Not'cho Road. Scope of work includes realignment, reconstruction and drainage improvements.	
Project Milestone	Proposed
Project Study Report Approved	
Begin Environmental (PA&ED) Phase	02/15/2022
Circulate Draft Environmental Document	Completed
Draft Project Report	Completed
End Environmental Phase (PA&ED Milestone)	06/30/2022 (Revalidation; NEPA completed 5/28/2014)
Begin Design (PS&E) Phase	12/01/2022
End Design Phase (Ready to List for Advertisement Milestone)	06/30/2024
Begin Right of Way Phase	12/11/2022
End Right of Way Phase (Right of Way Certification Milestone)	11/26/2024
Begin Construction Phase (Contract Award Milestone)	1/27/2026
End Construction Phase (Construction Contract Acceptance Milestone)	05/12/2026
Begin Closeout Phase	05/13/2026
End Closeout Phase (Closeout Report)	03/30/2027

ATTACHMENT B.1

NEEDLES HIGHWAY, SEGMENT 1C PROJECT

Revised Summary of Estimated Costs

Phase	Total Cost	SBCTA Funds*- AEA for future MLHP Funds	City Funds
PA/ED & PS&E (Environmental and Design)	\$400,000	\$400,000	\$0
Construction	\$500,000	\$500,000	\$0
TOTAL	\$900,000	\$900,000	\$0

*SBCTA'S Share can be from sources under control of SBCTA including but not limited to Measure I Major Local Highways Program (MLHP), State Transportation Improvement Program (STIP), Surface Transportation Program (STP), or other funds without necessitating an amendment of this AGREEMENT.