

AMENDMENT NO. 3 TO PROJECT FUNDING AGREEMENT 17-1001692

FOR

RANCHERO ROAD WIDENING PROJECT

(CITY OF HESPERIA)

THIS Amendment No. 3 to Project Funding Agreement 17-1001692 is made and entered into by and between the City of Hesperia ("CITY") and the San Bernardino County Transportation Authority ("SBCTA"). SBCTA and CITY are each a "Party" and collectively "Parties".

RECITALS

- A. The Parties entered into Project Funding Agreement 17-1001692 ("Agreement") effective July 12, 2017, to fund the Right of Way Phase of the Ranchero Road Widening Project in the City of Hesperia ("Project") with an approved allocation of \$1,513,964; and
- B. On July 10, 2019, the SBCTA Board of Directors approved an allocation of \$12,678,000 in Senate Bill 1 Local Partnership Program formulaic funds for the Construction Phase of the Project; and
- C. Amendment No. 1 to the Agreement, dated June 4, 2020, increased the allocation of Measure I Victor Valley Subarea Major Local Highway Program ("MLHP") funds to \$11,507,821 to fund through the Construction Phase, and extended the termination date to June 30, 2023; and
- D. Amendment No. 2 to the Agreement, dated June 27, 2023, extended the termination date to June 30, 2025; and
- E. CITY has requested an extension of the termination date to June 30, 2028.

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

- 1. Section III, Paragraph 7 is deleted in its entirety and replaced with the following:
 - "7. This Agreement will be considered terminated upon reimbursement of eligible costs by SBCTA or **June 30, 2028**, whichever is sooner, provided that the provisions of Paragraphs 5, 6, 7, 8, and 9 of Section II, and Paragraphs 5, 6 and 6.A of Section III, shall survive the termination of this Agreement."
- 2. Attachment A to the Agreement is replaced with the Revised Description of Project and Milestones attached as Attachment A to this Amendment No. 3 and incorporated herein.
- 3. Except as amended by this Amendment No. 3, all other terms and conditions of the Agreement, and amendments thereto, shall remain in full force and effect and are incorporated herein by this reference.

4. The Recitals set forth above are incorporated herein by this reference.
5. This Amendment No. 3 may be signed in counterparts, each of which shall constitute an original.
6. This Amendment No. 3 shall be effective on the date executed by SBCTA.

IN WITNESS WHEREOF, SBCTA and CITY have executed this Amendment No. 3 below.

SAN BERNARDINO COUNTY
TRANSPORTATION AUTHORITY

CITY OF HESPERIA

By: _____
Raymond W. Wolfe, Ph.D.
Executive Director

By: _____
Allison Lee
Mayor

Date: _____

Date: _____

APPROVED AS TO FORM:

APPROVED AS TO FORM:

By: _____
Julianna K. Tillquist
SBCTA General Counsel

By: _____
Pam Lee
City Attorney

Date: _____

Date: _____

Attachment A

RANCHERO ROAD WIDENING PROJECT Revised Description of Project and Milestones

Project Title	
Ranchero Road Widening Project	
Location, Project Limits, Description, Scope of Work, Legislative Description	
Widen Ranchero Road from .15 miles east of Mariposa Road to east of the completed Ranchero Road Undercrossing at 7 th Avenue.	
Project Milestone	Proposed
Project Study Report Approved	N/A
Begin Environmental (PA&ED) Phase	12/1/2007
Circulate Draft Environmental Document	6/1/2013
Draft Project Report	N/A
End Environmental Phase (PA&ED Milestone)	7/1/2013
Begin Design (PS&E) Phase	3/1/2009
End Design Phase (Ready to List for Advertisement Milestone)	6/30/2021
Begin Right of Way Phase	11/1/2017
End Right of Way Phase (Right of Way Certification Milestone)	11/30/2020
Begin Construction Phase (Contract Award Milestone)	10/5/2021
End Construction Phase (Construction Contract Acceptance Milestone)	6/30/2027
Begin Closeout Phase	7/1/2027
End Closeout Phase (Closeout Report)	6/30/2028