

FIRST AMENDMENT TO COST SHARING AGREEMENT BETWEEN THE CITY OF LONG BEACH, THE CITY OF LOS ANGELES, AND THE ALAMEDA CORRIDOR TRANSPORTATION AUTHORITY FOR AN ADVANCED TRANSPORTATION MANAGEMENT INFORMATION AND SECURITY SYSTEM

HARBOR DEPARTMENT AGREEMENT 2459-A CITY OF LOS ANGELES

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OFFICE OF THE CITY ATTORNEY
ROBERT E. SHANNON, City Attorney
333 West Ocean Boulevard, 11th Floor
Long Beach, CA 90802-4664

THIS FIRST AMENDMENT TO COST SHARING AGREEMENT is made and entered into as of this 8th day of August, 2007, by and among the CITY OF LONG BEACH, a municipal corporation, acting by and through its Board of Harbor Commissioners ("Long Beach"), the CITY OF LOS ANGELES, a municipal corporation, acting by and through its Board of Harbor Commissioners ("Los Angeles"), and the ALAMEDA CORRIDOR TRANSPORTATION AUTHORITY, a joint powers authority created under the laws of the State of California ("ACTA").

1. This First Amendment is made with reference to the following facts and objectives:

1.1 Long Beach, Los Angeles and ACTA entered into a Cost Sharing Agreement for an Advanced Transportation Management Information and Security System dated December 12, 2005 (Long Beach Harbor Department Document No. HD-6998; Los Angeles Harbor Department Document No. 2459) ("Agreement").

1.2 The costs for the designated implementation of the Advanced Transportation Management Information and Security System ("ATMIS System") (the "Project") have increased and the parties agree to increase funding to pay for these increased Project costs.

2. Exhibits "D" and "E" to the Agreement are replaced by Exhibits "D (amended)" and "E (amended)" attached hereto and incorporated herein by this reference.

3. Paragraph 5A of the Agreement is amended and restated in its

1 entirety to read as follows:

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"5. REIMBURSEMENT. A. It shall be the responsibility of Long Beach to pay all monies due the Consultant under the terms of the Consultant Contract and to also pay any other expenses related to the design, construction and implementation of the ATMIS System up to a maximum of \$5,051,070, two-thirds of which amount shall be reimbursed by Los Angeles and ACTA as set forth below. Los Angeles agrees to reimburse Long Beach for one-third (1/3) of all Project expenses paid by Long Beach to Consultant or any other third party, and likewise ACTA agrees to reimburse Long Beach for one-third (1/3) of all Project expenses paid by Long Beach to a Consultant or any other third party; however, Los Angeles's share of Project expenses shall not exceed \$1,683,690 and ACTA's share of the Project expenses shall not exceed \$1,683,690. Los Angeles and ACTA shall reimburse Long Beach within thirty (30) days of receipt of an invoice or billing statement sent by Long Beach. Long Beach shall bill or invoice Los Angeles and ACTA only for those Project expenses paid by Long Beach. If Long Beach anticipates or ascertains that its Project expenses, exclusive of sharing by Los Angeles and ACTA, are likely to exceed or have exceeded \$5,051,070, Long Beach shall notify Los Angeles and ACTA and discuss with Los Angeles and ACTA amending this Agreement to increase the amounts to be paid by Long Beach, Los Angeles and ACTA as regards the Project."

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4. Except as expressly amended herein all other provisions of the Agreement shall remain unchanged.

CITY OF LOS ANGELES, a municipal corporation, acting by and through its Board of Harbor Commissioners

7/9, 2007

By: Geraldine Knatz
Geraldine Knatz, Ph.D.
Executive Director
Los Angeles Harbor Department

Account #	54570	W.O.#	24663
Ord/Div #	1172	Job Fac. #	203-24
Proj/Prog #	000		
Budget FY:		Amount	
	06/07		291,840
	07/08		291,840
For Acct Div. Use Only: Verified Funds Available			
Date Approved			

LOS ANGELES

CITY OF LONG BEACH, a municipal corporation, acting by and through its Board of Harbor Commissioners

8-8, 2007

By: Richard D. Steinke
Richard D. Steinke
Executive Director
Long Beach Harbor Department

LONG BEACH

APPROVED AS TO FORM:
Los Angeles City Attorney

APPROVED AS TO FORM:
Long Beach City Attorney

ROCKARD J. DELGADILLO, City Attorney

ROBERT E. SHANNON, City Attorney

Date: 7-2, 2007

Date: 7-26, 2007

By: [Signature]
Its: Deputy

By: [Signature]
Its: Charles M. Gale
Deputy

ALAMEDA CORRIDOR
TRANSPORTATION AUTHORITY, a joint powers authority

7/24/07, 2007

By: [Signature]
Chief Executive Officer

ACTA

July 24, 2007

APPROVED AS TO FORM:
ACTA CO-GENERAL COUNSEL
By: [Signature]
Its: ACTA Co-General Counsel

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Exhibit "D" (Amended)

Advanced Transportation Management Information and Security System (ATMIS)

Current project funding breakdown, per Agency:

Port of Long Beach	\$1,100,000
Port of Los Angeles	\$1,100,000
Alameda Corridor Transportation Authority	\$1,100,000
Los Angeles County Metropolitan Transportation Authority (Metro)	\$4,236,000
Caltrans/Federal Highway Administration	<u>\$414,000</u>
SUBTOTAL	\$7,950,000

Supplemental project funding breakdown, per Agency:

Port of Long Beach	\$583,690
Port of Los Angeles	\$583,690
Alameda Corridor Transportation Authority	\$583,690
Metro	<u>\$1,797,830</u>
SUBTOTAL	\$3,548,900
TOTAL	\$11,498,900

Exhibit "E" (Amended)

Advanced Transportation Management Information and Security System (ATMIS)

Project Cost Estimate

		<u>Units</u>	<u>Unit Cost</u>	<u>Total</u>
1	ATMS			
1.1	Vehicle Detection (incl. queue detection)			
1.11	Vehicle Detection System (i.e. loops, radar)	40	15,000	600,000
1.12	Video Vehicle Detection System	10	20,000	200,000
1.13	License Plate Readers	10	20,000	200,000
1.14	Tag Readers (i.e. RFID)	20	7,000	140,000
1.2	CCTV Surveillance cameras	30	40,000	1,200,000
1.3	Links to other ITS external systems (i.e. RIITS)	LS	LS	700,000
2	ATIS			
2.1	Changeable Message Signs (CMS)			
2.11	Large CMS	8	150,000	1,200,000
2.12	Small CMS	15	55,000	825,000
2.13	Portable CMS	4	24,000	96,000
2.2	Other (i.e. internet, kiosks, gps, cellular)	LS	LS	200,000
3	COMMUNICATION SYSTEM			
3.1	Fiber Optic Lines	25,000	60	1,500,000
3.2	Other (i.e. wireless)	LS	LS	325,800
	SUBTOTAL			7,186,800
	Design/PS & E	20%		1,437,360
	System Integration	10%		718,680
	Construction Management	15%		1,078,020
	Contingency	15%		1,078,020
	Total			11,498,900

Note: current estimate as of March 2007