

**AGREEMENT BETWEEN THE CITY OF LOS ANGELES
AND THE CITY OF LONG BEACH**

**ESTABLISHING COSTS TO BE SHARED
UNDER THE CLEAN AIR ACTION PLAN**

TRANSPOWER ELECTRIC DRAYAGE TRUCK DEMONSTRATION PROJECT

THIS AGREEMENT is made and entered into by and between the CITY OF LOS ANGELES, a municipal corporation, acting by and through its Executive Director of the Harbor Department and the CITY OF LONG BEACH, a municipal corporation, acting by and through its Board of Harbor Commissioners, at its meeting of _____, 2013.

WHEREAS, the Cities of Los Angeles and Long Beach, acting by their respective Boards of Harbor Commissioners ("Ports") have entered into Los Angeles Agreement No. 2546 / Long Beach Agreement No. HD-7173 ("Master Cost Sharing Agreement") expressing their desire to share the costs of certain contracts related to the San Pedro Bay Ports Clean Air Action Plan; and

WHEREAS, the Ports are interested in sharing the cost of an agreement for the demonstration of electric drayage trucks in accordance with the terms of the Master Cost Sharing Agreement;

NOW, THEREFORE, IT IS MUTUALLY AGREED AS FOLLOWS:

1. The City of Los Angeles has entered into or intends to enter into an agreement with Transportation Power, Inc., a California corporation, to procure trucks and install their ElecTruck drive systems for the purpose of demonstrating, testing and evaluating electric truck performance while in drayage service.

2. The total cost of the project is estimated at \$4,393,216. Transportation Power, Inc. will contribute \$654,979 while third parties will contribute \$3,438,237 to the project. Therefore, the parties anticipate spending approximately \$300,000 in expenses for the project. Each of the parties shall contribute 50% of the parties' share of the expenses for the project, but in no event shall the contribution by the City of Long Beach exceed \$150,000.

3. The terms and conditions of the Master Cost Sharing Agreement are incorporated by reference into this Agreement and the Ports agree to abide by all the terms and conditions of said agreement.

4. The term of this cost sharing agreement shall be effective upon the date last signed by either the Executive Director of the Port of Los Angeles or the Executive Director of the Port of Long Beach.

5. The terms of this cost sharing agreement shall be amended only in writing and signed by both parties.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the date to the left of their signatures.

THE CITY OF LOS ANGELES HARBOR DEPARTMENT

Date: _____, 2013

By: _____
Geraldine Knatz, PhD
Executive Director

APPROVED AS TO FORM:
CARMEN A. TRUTANICH, City Attorney

By: _____
Heather M. McCloskey, Deputy

Date: _____, 2013

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

Date: _____, 2013

By: _____
Richard D. Steinke
Executive Director

APPROVED AS TO FORM:
ROBERT E. SHANNON, City Attorney

By: _____
Principal Deputy/Deputy

Date: _____, 2013

Account#	W.O. #
Ctr/Div#	Job Fac.#
Proj/Prog#	
Budget FY:	Amount:
TOTAL	
For Acct/Budget Div. Use Only	
Verified by:	_____
Verified Funds Available:	_____
Date Approved:	_____