

**AMENDMENT NO. 1 TO COOPERATIVE AGREEMENT NO 22-1002720**

**BETWEEN**

**SAN BERNARDINO COUNTY TRANSPORTATION AUTHORITY**

**AND**

**CITY OF SAN BERNARDINO**

**FOR**

**PROJECT APPROVAL AND ENVIRONMENTAL DOCUMENT (PA/ED),  
PLANS, SPECIFICATIONS AND ESTIMATE (PS&E), RIGHT OF WAY (ROW), AND  
CONSTRUCTION PHASES**

**FOR THE WATERMAN AVENUE AT STATE ROUTE 210 (SR-210) INTERCHANGE  
IN THE CITY OF SAN BERNARDINO**

**I. PARTIES**

- A. This Amendment No. 1 to Cooperative Agreement 22-1002720 (AGREEMENT) is made by and between the San Bernardino County Transportation Authority (SBCTA) and the City of San Bernardino (CITY). SBCTA and CITY are each a "PARTY" and collectively the "PARTIES" herein.

**II. RECITALS**

- A. In January 2022, Parties entered into AGREEMENT to define roles, responsibilities, and funding for improvements for the PA/ED, PS&E, ROW, and CONSTRUCTION phases for the first phase of improvements at State Route 210 (SR-210) and Waterman Avenue in the City of San Bernardino (PROJECT);
- B. PROJECT is identified as eligible for funding under the Valley Interchange Phasing Program with a \$10 Million PROJECT cost limit and 81.8% public share;
- C. PARTIES completed the draft 100% plans and specifications in February 2024; and
- D. The estimated total cost of PROJECT has increased by \$2,150,867 from estimated total of \$5,885,000 to \$8,035,867; and
- E. PARTIES desire to amend AGREEMENT to define funding responsibilities for the estimated cost increase of PROJECT.

**NOW, THEREFORE,** the PARTIES agree to amend the AGREEMENT as follows:

1. Replace Attachment A to the AGREEMENT shall be deleted in its entirety and replaced with Attachment A.1 attached to this Amendment No. 1 and incorporated herein by reference.
2. Except as amended by this Amendment No. 1, all other provisions of the AGREEMENT shall remain in full force and effect and are incorporated herein by this reference.

3. Amendment No. 1 is deemed to be included and made part of the AGREEMENT.
4. The Recitals set forth above are incorporated herein by this reference.
5. Amendment No. 1 is effective upon execution by CITY and SBCTA.
6. Unless otherwise defined herein, all capitalized terms used in this Amentment No. 1 shall have the same meaning as defined in the AGREEMENT.

IN WITNESS WHEREOF, Parties have duly executed Amendment No. 1 to Agreement 22-1002720 below:

**SAN BERNARDINO COUNTY  
TRANSPORTATION AUTHORITY**

By: *Dawn M. Rowe*  
By: [Dawn M. Rowe \(May 1, 2024 12:43 PDT\)](#)  
Dawn M. Rowe  
President, Board of Directors

Date: May 1, 2024

**CITY OF SAN BERNARDINO**

By: *Charles A. Montoya*  
By: [Charles A. Montoya \(Apr 29, 2024 16:14 PDT\)](#)  
Charles A. Montoya  
City Manager

Date: Apr 29, 2024

APPROVED AS TO FORM:

APPROVED AS TO FORM:

By: *Juanda Daniel*  
By: [Juanda Daniel \(May 1, 2024 09:35 PDT\)](#)  
Juanda L. Daniel  
Assistant General Counsel

By: *Sonia R. Carvalho*  
By: [Sonia R. Carvalho \(Apr 26, 2024 15:48 PDT\)](#)  
Sonia R. Carvalho  
City Attorney



## Amendment No. 1 to Agreement 22-1002720

### Attachment A.1

#### **Project Scope:**

At the Waterman Avenue State Route 210 (SR 210) interchange, convert southbound and northbound through lane into a left-turn lane and widen eastbound on-ramp to two lanes.

#### **Project Cost Estimate and Funding Shares**

SBCTA's Share: Public Share: 81.8%

City's Share: Development Share or Local Share: 18.2% (City of San Bernardino)

	<b>Estimated Costs</b>	<b>Public Share</b>	<b>Development/ Local Share</b>
<b>PA/ED</b>	\$207,285	\$169,559	\$37,726
<b>PS&amp;E</b>	\$501,848	\$410,512	\$91,336
<b>ROW</b>	\$0	\$0	\$0
<b>Construction</b>	\$7,126,734	\$5,829,668	\$1,297,066
<b>SBCTA Oversight</b>	\$200,000	\$0	\$200,000
<b>TOTAL</b>	\$8,035,867	\$6,409,739	\$1,626,128