

**AMENDMENT NO. 5 TO
AGREEMENT NO. C-5-3612**

BETWEEN

ORANGE COUNTY TRANSPORTATION AUTHORITY

AND

CITY OF COSTA MESA

FOR

I-405 IMPROVEMENT PROJECT

THIS AMENDMENT NO. 5 is effective this 25th day of December, 2024 ("Effective Date"), by and between the Orange County Transportation Authority, 550 South Main Street, P.O. Box 14184, Orange, California, a public entity of the State of California (hereinafter referred to as "AUTHORITY"), and the City of Costa Mesa, 77 Fair Drive, Costa Mesa, California 92626, a municipal corporation duly organized and existing under the constitution and laws of the State of California (hereinafter referred to as "CITY"), each individually known as "Party", and collectively known as "Parties".

WITNESSETH:

WHEREAS, by Agreement No C-5-3612 dated May 10, 2016 (Agreement), as last changed by Amendment No. 4 dated June 24, 2024, AUTHORITY and CITY entered into a cooperative agreement, in cooperation and partnership with the California Department of Transportation, herein referred to as "CALTRANS", for the specific terms, conditions, and funding responsibilities between the AUTHORITY and CITY for improvements defined as adding one general purpose lane from Euclid Street to Interstate 605 (I-605), plus adding an additional median lane which will be combined with the existing high-occupancy vehicle (HOV) lane and operated as dual express lanes in each direction of the Interstate 405 (I-405) from State Route 73 (SR-73) to I-605, replacing and/or widening structures, and other additional geometric and interchange improvements, including improvements to CITY-owned and operated streets,

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1 and traffic facilities hereafter referred to as CITY FACILITIES potentially impacted by this project, all of
2 which are hereafter referred to as "PROJECT"; and

3 **WHEREAS**, CITY and AUTHORITY agree to extend the term of the Agreement by six (6)
4 months, through June 30, 2025, to allow for the contract acceptance and closeout of the PROJECT;

5 **NOW, THEREFORE**, it is mutually understood and agreed by the AUTHORITY and CITY that the
6 Agreement, is hereby amended in the following particulars only:

- 7 1. Amend **ARTICLE 10. ADDITIONAL PROVISIONS**, page 14 of 17, paragraph A, line 26
8 as last changed by Amendment No. 4 dated June 24, 2024, to delete "December 31, 2024" as the
9 expiration date of the Agreement and, in lieu thereof, insert "June 30, 2025."

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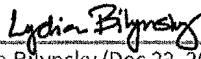
The balance of Agreement No. C-5-3612, as amended, remains unchanged.

IN WITNESS WHEREOF, the parties hereto have caused this Amendment No. 5 to Agreement No. C-5-3612 to be executed as of the date of the last signature below.

CITY OF COSTA MESA

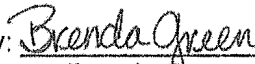
ORANGE COUNTY TRANSPORTATION AUTHORITY

By: 
Lori Ann Farrell Harrison
City Manager

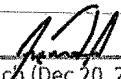
By: 
Lydia Bilynsky (Dec 23, 2024 10:39 PST)
Lydia Bilynsky
Department Manager, Capital Projects

ATTEST:




By: 
Brenda Green 12/19/2024
City Clerk

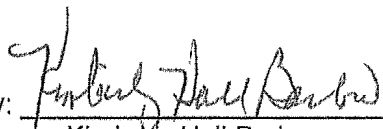
APPROVED AS TO FORM:

By: 
James M. Donich (Dec 20, 2024 13:42 PST)
James M. Donich
General Counsel

APPROVAL RECOMMENDED

By: 
Raja Sethuraman
Public Works Director

APPROVED AS TO FORM:

By: 
Kimberly Hall Barlow
City Attorney

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