

SUPPLEMENT 3 TO MASTER FUNDING AGREEMENT

This Supplement No. 3 to Master Funding Agreement (“Supplement or “Agreement”) is entered into this 15th day of November, 2018, by and between the Metropolitan Transportation Commission (hereafter “MTC”) and Alameda-Contra Costa Transit District (hereafter “AGENCY”) and supplements the Master Funding Agreement, dated July 1, 2018, by and between MTC and AGENCY.

Pursuant to this Supplement, MTC agrees to reimburse the AGENCY in an amount not to exceed nine hundred fifty thousand dollars (\$950,000) for certain expenses subject to conditions described in Annex II hereto (‘Supplement Project’). AGENCY shall provide the following information in its cost reimbursement request to MTC:

- a. Total Costs expended for the Project during the reporting period
- b. Dollar amount requested for reimbursement
- c. A summary of activities for which reimbursement is requested
- d. Detailed documentation, including invoices, from expenses incurred by AGENCY for which reimbursement is requested in accordance with all relevant FHWA requirements
- e. Total Costs expended for Project activities to-date
- f. Total amount paid to-date by MTC under this Supplement

Pursuant to this Supplement, AGENCY agrees to deliver the list of improvements described in Annex 1 (‘West Grand Transit Improvements’) in the manner described thereto.

The AGREEMENT is funded in whole, or in part, by Congestion Mitigation and Air Quality (CMAQ) funds allocated to MTC by the Federal Highway Administration (FHWA) and awarded to AGENCY by MTC, as well as Regional Measure 2 (RM2) funds.

The Supplement Project work will commence January 1, 2019, and be completed no later than December 30, 2021.

The clauses selected below and attached as exhibits to the Master Funding Agreement shall apply to AGENCY’s performance of the applicable Supplement Project scope of work hereunder:

- ☒ Exhibit B-1, Additional Terms and Conditions (General), Paragraph A
- ☒ Exhibit B-1, Additional Terms and Conditions (General), Paragraph B
- ☒ Exhibit B-2, Additional Terms and Conditions (Federally Required Clauses)
- ☒ Exhibit B-3, Additional Terms and Conditions (State Required Clauses)
- ☒ Exhibit B-4, Additional Terms and Conditions (Prevailing Wage Rates, Apprenticeships, and Payroll Records, Non-Federally-Funded Agreements)
- ☒ Exhibit B-5, Additional Terms and Conditions (Prevailing Wage Rates, Apprenticeships, and Payroll Records, Federally-Funded Agreements)
- ☒ Exhibit B-6, Additional Terms and Conditions (Regional Toll Funds including RM1, RM2, and AB1171)
- ☒ Exhibit B-7, Additional Terms and Conditions (Regional Discretionary Federal Funds including STP and CMAQ)

The MTC Project Manager for the Supplement Project is Robert Rich, (415) 778-6621, rich@bayareametro.gov. The AGENCY Project Manager for the Supplement Project is Wil Buller, (510) 891-5414, wbuller@actransit.org.

This Supplement is supplemental to the Master Funding Agreement; all terms and conditions of the Master Funding Agreement, as may be amended, remain unchanged hereby.

Capitalized terms used but not defined herein shall have the respective meanings assigned to them in the Master Funding Agreement.

**METROPOLITAN TRANSPORTATION
COMMISSION**

**ALAMEDA-CONTRA COSTA
TRANSIT DISTRICT**

Steve Heminger, Executive Director

Michael Hursh, General Manager

**ALAMEDA-CONTRA COSTA TRANSIT
DISTRICT**

Approved as to Form and Content

Denise C. Standridge, General Counsel

Dated: _____

Annex I
West Grand Transit Improvements

AGENCY participated in a study with MTC, the City of Oakland and the California State Department of Transportation (Caltrans) to analyze existing conditions and determine specific improvements needed to implement transit signal priority (TSP) functionality for AGENCY buses along the West Grand Avenue corridor, which is partly equipped for this strategy. The corridor includes ten (10) intersections along West Grand Avenue between, and including, the Northgate Ave. and Maritime St intersections. MTC and AGENCY have also studied the deployment of cameras along the corridor to improve transit operations.

AGENCY agrees to deliver specific improvements along the corridor, determined through the studies described above and as detailed in Table 1, including all necessary project management, outreach, procurement, design, permitting, environmental review, construction and construction-related tasks, unless the combined cost of doing so should exceed \$950,000. Should the delivery cost exceed the aforementioned threshold AGENCY agrees to spend that sum delivering a partial list of the improvements prioritizing the improvements in the categories of ‘Traffic Signal Equipment’ and ‘Camera Deployments along West Grand Avenue’ listed in Table 1.

AGENCY shall provide the appropriate level of staff support and administration required for the delivery of the improvements. AGENCY also agrees to expend good faith effort to complete the milestones indicated in Table 2 of Annex II. AGENCY shall participate in regularly-scheduled calls to ensure project delivery goals are met.

AGENCY shall agree to share data collected as part of the project, if applicable and if requested by MTC for the purposes of a project evaluation. MTC and AGENCY shall mutually agree upon what specific data can be shared.

MTC agrees to assist with the outreach and procurement tasks that the AGENCY will lead.

Table 1. West Grand Transit Improvements

Category	Project Element	Sub Elements	Unit	Total Quantity
Traffic Signal Equipment	Traffic Signal Controller Upgrade		EA	5
	Intersection TSP Equipment	<i>GPS Antenna</i>	EA	5
		<i>Phase Selector</i>	EA	5
		<i>Auxiliary Panel</i>	EA	5
	Traffic Signal Detection Upgrades	<i>Vehicle Detection Upgrades at West Grand and MLK Intersection</i>	signal	1
	GPS Time Base	<i>GPS Clocks</i>	EA	10
Communications	W. Grand/San Pablo Area Fiber Optic Repair, Testing and Integration (two locations)	<i>Fiber Termination Panel at Cabinet</i>	EA	1
		<i>Splicing</i>	EA	16
		<i>Fiber replacement/repair along corridor</i>	Mile	0.3
Vehicle Equipment	On-Board TSP Equipment for Buses Running on AC Transit Lines Operating on West Grand Avenue and I-580		EA	33
West Grand Ave. Bus Stop Relocations	Mandela Parkway - Westbound to Corner			1
	Mandela Parkway - Eastbound from Near-Side to Far-side			1
	Adeline Street - Westbound from Near-Side to Far-side			1
	Market Street - Westbound from Near-Side to Far-side			1
Camera Deployments along West Grand Avenue	Cameras deployed at sites at or between Maritime St. and Frontage Rd. intersections with supportive infrastructure		EA	3

Annex II

REIMBURSEMENT FOR SUPPLEMENTAL PROJECT

MTC agrees to reimburse AGENCY for transit signal priority (TSP) equipment expenses incurred during the course of delivering the West Grand Transit Improvements described in Annex 1 or any similar project along or near Grand, San Pablo and Telegraph Avenues within the cities of Berkeley, Emeryville or Oakland.

MTC shall not reimburse the AGENCY for any TSP equipment expenses described above until there is at least a 35% level of design completed within a draft of the Initial Design Package listed in Table 2.

MTC shall reimburse the AGENCY for aforementioned expenses up to the individual payment amounts listed in Table 2 as the AGENCY completes the listed milestones in the completion of the West Grand Transit Improvements.

Table 2. Milestones and Payments

Payment #	West Grand Transit Improvements Milestone	Anticipated Date	Supplemental Project Payment Amount
1	35% Level of Design Completed for Initial Design Package	April 1, 2019	\$150,000
2	Initial Design Package Completed	July 1, 2019	\$200,000
3	Initial Construction Contract Award Approved	October 1, 2019	\$300,000
4	Final Design Package Completed	November 1, 2019	\$100,000
5	Final Construction Contract Award Approved	January 1, 2020	\$200,000