

FIRST AMENDMENT  
TO AGREEMENT NO. R0919  
BETWEEN  
THE ALAMEDA CORRIDOR TRANSPORTATION AUTHORITY  
AND  
CITY OF COMPTON

THIS FIRST AMENDMENT to Agreement No. R0919 is made and entered into by the Alameda Corridor Transportation Authority ("ACTA"), acting by and through its Executive Director, and the City of Compton ("City") as follows:

1. Section II, City Reimbursement of ACTA Costs, Paragraph 2 is hereby removed and replaced in its entirety, as follows:

"2. The maximum amount payable under this Agreement, unless modified by written amendment, shall be Twenty-Five Thousand Eight Hundred Seventy-Five Dollars (\$25,875)."
2. Section II, City Reimbursement of ACTA Costs, Paragraphs 3 and 4 are hereby removed in their entirety and are not replaced.
3. Exhibit A "Scope of Work" is hereby removed and replaced in its entirety with Exhibit A-1 "Scope of Work". All references to "Exhibit A" throughout the Agreement are hereby changed to "Exhibit A-1".
4. Exhibit B "Schedule, Budget Estimates and Rates" is hereby removed and replaced in its entirety with Exhibit B-1 "Schedule, Budget Estimates and Rates". All references to "Exhibit B" throughout the Agreement are hereby changed to "Exhibit B-1".

Except as amended herein, all remaining terms and conditions of Agreement No. R0919 shall remain in full force and effect.

The effective date of this amendment shall be the date of its execution by ACTA's Chief Executive Officer or his designee.

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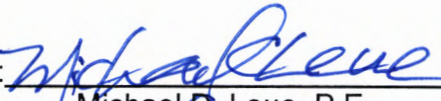
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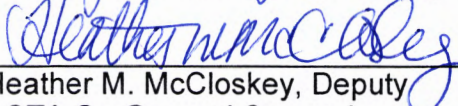
IN WITNESS THEREOF, the parties hereto have executed this First Amendment to Agreement No. R0919 on the date to the left of their signatures:

ALAMEDA CORRIDOR  
TRANSPORTATION AUTHORITY

Date: 1/8/2024

By:   
Michael D. Leue, P.E.  
Chief Executive Officer


APPROVED AS TO FORM  
January 8, 2024  
HYDEE FELDSTEIN SOTO, Los Angeles City Attorney

By:   
Heather M. McCloskey, Deputy  
ACTA Co-General Counsel

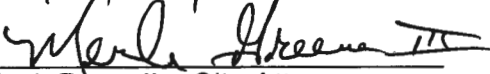
THE CITY OF COMPTON, a municipal  
corporation

Date: 12/28/23

By:   
JEROME GROOMES  
City Manager, City of Compton

Attest:   
Vernell McDaniel  
City Clerk

APPROVED AS TO FORM  
12/28/23, 2023

By:   
Eric J. Perrodin, City Attorney  
for

## Exhibit A-1

### Scope of Work

The Project consists of the City of Compton replacing the damaged easternmost span on the Artesia Blvd. Bridge damaged by the December 2020 fire ("Project"). The existing damaged span will be demolished and replaced with a new span. See Attachment 1 for a map of the Project Location.

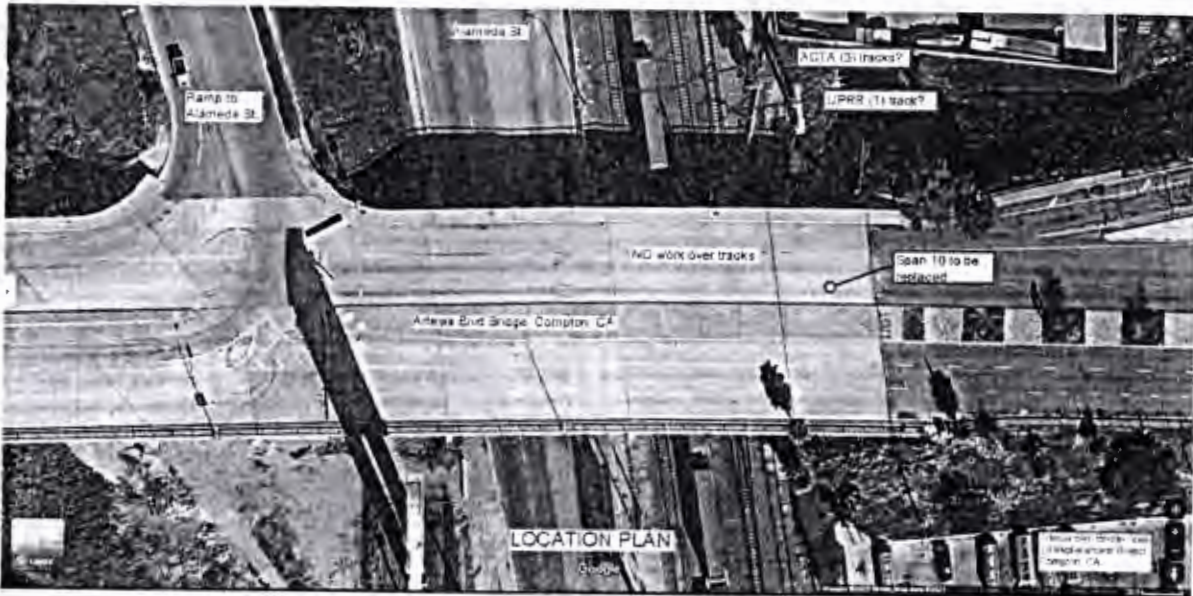
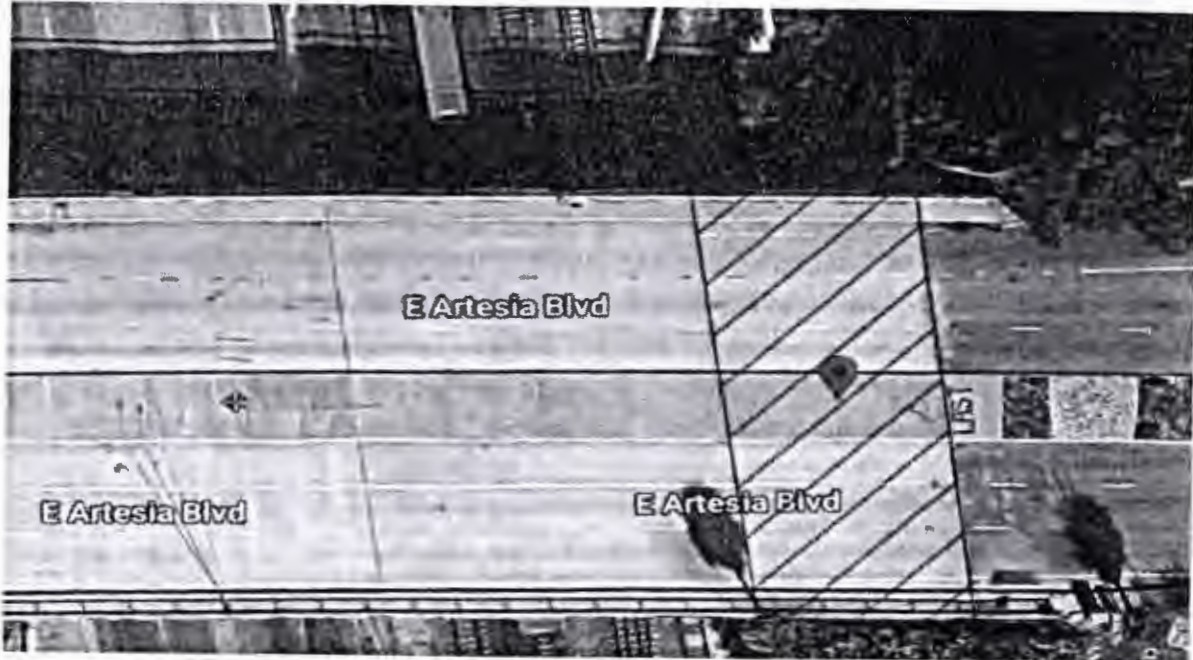
As part of the City of Compton's Project, ACTA will provide construction coordination support, flagging services for work located on or near the Alameda Corridor Right-of-Way for the Project, and attend project progress meetings.

The construction coordination support and meeting participation will be provided pursuant to ACTA's Alameda Corridor Engineering Team (ACET) Agreement, applying the rates in effect when services are provided. The City of Compton agrees that ACTA shall have the sole authority to select the ACET engineers who will provide the construction coordination support services for the Project.

The flagging services will be provided by ACTA's Maintenance contractor, Railworks Track Services, LLC and will include ensuring the safety of ACTA's infrastructure, crews and equipment working on or near ACTA railroad tracks during construction of the Project. ACTA shall apply the agreement rates in effect at the time services are provided to the City of Compton.

# EXHIBIT A - ATTACHMENT 1

## PROJECT LOCATION





# EXHIBIT B-1

## SCHEDULE, BUDGET ESTIMATE AND RATES

City of Compton Project  
Coordination Support, Progress Meetings and Flagging Services Provided by ACTA  
September 2023 through September 2024

<b>Scope of Work</b>	<b>Estimated Budget</b>
Coordination Support/Meetings	\$ 3,000
Flagging Services	\$19,500
Administrative Overhead (15%)	<u>\$ 3,375</u>
<b>Total Estimated Budget</b>	<b>\$25,875</b>

Flagging will be provided by ACTA's contractor, Railworks Track Services, LLC through ACTA's Agreement with Railworks Track Services at the following rates:

- Daily ST Rate (M – F; 8-hour shift) .....	\$1,032.00
- Daily OT Rate (Saturday or Special Shifts) .....	1,328.00
- Daily DT Rate (Sunday & Holidays) .....	1,616.00
- ST Hourly Rate (Up to 8 hours, M – F) .....	\$129.00
- OT Hourly Rate (Over 8 hours, up to 12) .....	166.00
- DT Hourly Rate (Over 12 hours, Sunday, Holiday) ....	202.00

Please contact Eddie Garcia, RailWorks, at (424) 347-2121 to coordinate and schedule the flagging services. Railworks Track Services, LLC rates are subject to change upon ACTA providing written notice to the City of Compton of such changes.

ACTA Coordination Support services and Progress Meeting Attendance will be provided by ACTA through its agreement with the Alameda Corridor Engineering team (ACET), at the following rates:

	<u>Fully Burdened Rate</u>
Coordination Support/Meetings	\$ 251.57 - \$ 271.95

Note: ACET's fully burdened rates include Direct Salaries & Wages, Indirect Expenses, and a 10% Labor Fixed Fee.

ACET's rates are subject to change upon ACTA providing written notice to the City of Compton of such changes.

City of Compton shall request ACTA's support services in writing with a brief description of the proposed work to Jorge Pantoja at [pantoja@trenchteam.com](mailto:pantoja@trenchteam.com) not less than fourteen (14) calendar days prior to work beginning and specify the type of services required and a need by date. Along with the service request a schedule of the proposed work duration, a contact name and number shall be provided.

RESOLUTION NO. 25,909

1  
2 **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AMENDING**  
3 **THE PUBLIC WORKS ENGINEERING DEPARTMENT'S 2023-2024 FISCAL YEAR**  
4 **BUDGET AND AUTHORIZING THE CITY MANAGER TO ENTER INTO AN**  
5 **AGREEMENT WITH THE ALAMEDA CORRIDOR TRANSPORTATION AUTHORITY**  
6 **AND THE CITY OF COMPTON AND ISSUE A PURCHASE ORDER (\$25,875).**

7 **WHEREAS**, adoption of this resolution will amend the Public Works Engineering  
8 Department's fiscal year budget and authorize the City Manager to enter into an  
9 Agreement with the Alameda Corridor Transportation Authority (ACTA) and the City of  
10 Compton and issue a purchase order in the amount of Twenty Five Thousand Eight  
11 Hundred Seventy Five Dollars (\$25,875); and

12 **WHEREAS**, the Artesia Boulevard Overhead (State Bridge No. 53C1744, LA  
13 County Bridge No. 2446) carries Artesia Boulevard over the Alameda Railroad Corridor,  
14 Alameda Street, and Compton Creek; and

15 **WHEREAS**, the bridge was constructed in 1956 and is approximately 100 feet  
16 wide, and includes 10 spans of varying length for a total bridge length of 718'; and

17 **WHEREAS**, the bridge superstructure is comprised of steel girders with a cast-  
18 in-place concrete deck and as of the June 2019 Bridge Inspection Report, the bridge  
19 was flagged as Structurally Deficient with a Sufficiency Rating of 38.0 out of 100; and

20 **WHEREAS**, on December 18, 2020, fire damage was reported at Span 10, the  
21 easternmost span of the bridge and subsequently, the bridge was closed to traffic and  
22 inspected by the Los Angeles County Public Works and the City of Compton Public  
23 Works staff; and

24 **WHEREAS**, steel girders exhibited significant distortion as a result of fire, and  
25 an April 2021 load analysis concluded that the structure's remaining strength is  
26 sufficient to carry only the structure's self-weight; and

27 **WHEREAS**, additional live loads (vehicular and pedestrian traffic) were  
28 prohibited on the bridge and because most of the steel girder members are severely  
29 deformed and connections have been compromised, repairing the girders was not  
30 deemed feasible and the preferred repair solution is to replace Span 10; and

31 **WHEREAS**, to re-open the bridge to traffic, the load rating report recommended  
32 replacement of the entire superstructure in-kind (concrete deck on steel girders) at Span  
10, along with replacement of bearings at the supports, concrete spall repairs of  
substructures at Bent 10 and Abutment 11, and repair and backfill of the eroded  
embankment at Abutment 11; and

**WHEREAS**, on October 11, 2022, pursuant to Resolution No. 25,737, City  
Council authorized the City Manager to enter into a professional services agreement  
with Biggs Cardosa Associates, Inc. to provide professional Design Engineering  
Services for the Artesia Bridge and the design portion of the project was completed on  
July 27, 2023; and

**WHEREAS**, the proposed work will be performed in accordance with the plans,  
specifications and other contract documents as specified herein and shall consist of the  
following general work descriptions: survey of existing bridge; protection of utilities,  
coordination with utility companies and railroads; demolition of existing eastern span of  
existing bridge including possible lead and asbestos; surface repair of existing  
substructures; new bearings and steel girders; concrete bridge deck, median, sidewalk,  
curb; salvage and reset existing steel rail; deck joints; and traffic control; and

**WHEREAS**, the project location is on Artesia Boulevard over Alameda Street  
and the Union Pacific Railroad and Alameda Corridor Transportation Authority right-of-  
ways; and

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**WHEREAS**, the City intends to perform maintenance and repair on the Artesia Boulevard Bridge spanning over the Alameda Corridor Right-of-Way; and

**WHEREAS**, the City requires ACTA's assistance for project oversight, engineering review of design plans and erection plans of temporary structures needed to complete the project and in order to ensure that the Project is constructed safely and to limit impacts on corridor rail operations, ACTA agrees to perform certain services; and

**WHEREAS**, ACTA and the City of Compton desire to execute this Agreement providing the terms and conditions pursuant to which ACTA will complete the ACTA work and the City will reimburse ACTA for the costs and expenses associated with such work; and

**WHEREAS**, ACTA and its contractors shall complete ACTA's work on the project as set forth in Exhibit A and a detail Schedule, Budget Estimate and Rates for ACTA's work is set forth in Exhibit B; and

**WHEREAS**, ACTA shall perform ACTA's work by its own forces and its contractors including ACET and RailWorks Track Services, LLC and its authorized subcontractors; and

**WHEREAS**, the Parties agreement that no notice to proceed from the City is required before ACTA may begin pre-construction design review and the City shall provide written notice to ACTA prior to City starting its construction work of the Project so that ACTA may proceed with final design review and approval; and

**WHEREAS**, the City shall provide written notice to ACTA whenever City or its contractors require access to corridor property so that ACTA may provide flagging services; and

**WHEREAS**, the City shall reimburse ACTA one hundred percent (100%) of the actual costs and expenses incurred by ACTA with respect to ACTA's work and the total estimated budget for ACTA's work is Seventeen Thousand Two Hundred Fifty Dollars (\$17,250); and

**WHEREAS**, any increase in the estimated budget for ACTA's work shall be evidenced by a revised budget estimate; and

**WHEREAS**, the effective date of the Agreement shall be the date of its execution by ACTA's CEO upon authorization of the ACTA Governing Board and the Agreement shall be in full force and effect commencing from the date of ACTA's CEO execution and shall continue until one (1) year has lapsed from the effective date of the Agreement; and

**WHEREAS**, during the term of the Agreement, ACTA shall provide the City with periodic updates with respect to any anticipated or proposed changes to the budget and any revised cost estimate exceeding the 10% of the then current budget shall be agreed upon by ACTA's Chief Executive Officer and the City of Compton and added as an exhibit to the Agreement; and

**WHEREAS**, the maximum payable under this Agreement shall be Twenty-Five Thousand Eight Hundred Seventy-Five Dollars (\$25,875) and on a monthly basis, ACTA shall submit invoices and supporting documentation of ACTA's work completed during the prior month, along with subcontractor invoices received during that prior month, to the City for reimbursement; and

**WHEREAS**, the invoices and supporting documentation shall contain sufficient detail and clarity to indicate the portions of ACTA's work that was completed during the invoicing period and ACTA shall submit a final reconciled invoice to the City of Compton within 180 days after the completion of ACTA's work; and



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WHEREAS, the final billing shall be in the form of an itemized statement of the total costs for ACTA's work and within 45 days after receipt of the final reconciled invoice, the City shall pay ACTA all amounts evidenced by such invoice in full; and

WHEREAS, the Public Works Engineering Department's 2023-2024 Fiscal Year budget will be amended as follows:

Increase Revenue

<u>Account No.</u>	<u>Description</u>	<u>Amount</u>
2789-710-041-3569	State Grants	\$25,875

Increase Expenditures

<u>Account No.</u>	<u>Description</u>	<u>Amount</u>
2789-710-041-4300	State Grants Capital Outlay	\$25,875; and

WHEREAS, funds in the amount of \$25,875 will be available in the Public Works Engineering Department's 2023-2024 Fiscal Year budget in Account No. 2789-710-041-4300; and

WHEREAS, in order to amend the Public Works Engineering Department's 2023-2024 fiscal year budget and authorize the City Manager to enter into an Agreement with the Alameda Corridor Transportation Authority (ACTA) and the City of Compton and issue a purchase order in the amount of Twenty Five Thousand Eight Hundred Seventy Five Dollars (\$25,875) pursuant to the Alameda Boulevard Over Alameda Street and ACTA/UPRR Bridge Repair Project, City Council's authorization is necessary.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COMPTON DOES HEREBY RESOLVE AS FOLLOWS:

**Section 1.** That the City Manager, upon the advice of the City Attorney, is hereby authorized to enter into an Agreement between the Alameda Corridor Transportation Authority and the City of Compton pursuant to the Alameda Boulevard Over Alameda Street and ACTA/UPRR Bridge Repair Project.

**Section 2.** That the City of Compton designates the City Manager as the person authorized to execute all agreements and any amendments thereto with the Alameda Corridor Transportation Authority.

**Section 3.** That the Public Works Engineering Department's 2023-2024 Fiscal Year will be amended as follows:

Increase Revenue

<u>Account No.</u>	<u>Description</u>	<u>Amount</u>
2789-710-041-3569	State Grants	\$25,875

Increase Expenditures

<u>Account No.</u>	<u>Description</u>	<u>Amount</u>
2789-710-041-4300	State Grants Capital Outlay	\$25,875

**Section 4.** That funds in the amount of \$25,875 will be available in the Public Works Engineering Department's 2023-2024 Fiscal Year in Account No. 2789-710-041-4300.



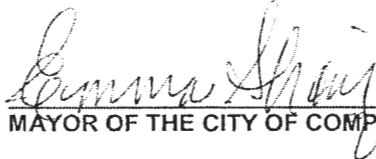
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**Section 5.** That a purchase order in the amount of \$25,875 is authorized to be established for the Alameda Corridor Transportation Authority for services to be rendered on the Artesia Boulevard Over Alameda Street and ACTA/UPRR Bridge Repair Project, CIP# 23-01, from Account No. 2789-710-041-4300.

**Section 6.** That a copy of this Resolution shall be filed in the offices of the City Manager, City Controller, City Clerk, City Attorney, and Public Works Engineering Department.

**Section 7.** That the Mayor shall sign and the City Clerk shall attest to the adoption of this Resolution.

ADOPTED this 26th day of SEPTEMBER, 2023.

  
MAYOR OF THE CITY OF COMPTON

ATTEST:

  
CITY CLERK OF THE CITY OF COMPTON

STATE OF CALIFORNIA        )  
COUNTY OF LOS ANGELES    )    ss  
CITY OF COMPTON            )

I, Vernell McDaniel, City Clerk of the City of Compton, hereby certify that the foregoing Resolution was adopted by the City Council, signed by the Mayor and attested by the City Clerk at a regular meeting thereof held this 26th day of SEPTEMBER, 2023.

That said Resolution was adopted by the following vote, to wit:

AYES:        COUNCIL MEMBERS -DUHART, SPICER, BOWERS, DARDEN, SHARIF  
NOES:        COUNCIL MEMBERS -NONE  
ABSTAIN:    COUNCIL MEMBERS -NONE  
ABSENT:     COUNCIL MEMBERS -NONE

  
CITY CLERK OF THE CITY OF COMPTON