

**FIRST AMENDMENT TO
AGREEMENT FOR TRANSIT SERVICES
BETWEEN THE CITY OF THOUSAND OAKS
AND CITY OF MOORPARK**

Contract 12083-2019

THIS FIRST AMENDMENT to the agreement for Transit Services entered into between the **CITY OF THOUSAND OAKS**, a municipal corporation (hereinafter referred to as "City"), and **CITY OF MOORPARK** (hereinafter referred to as "Moorpark") and dated June 25, 2019, is made this 20th day of June 2023.

RECITALS

- A. Contract 12083-2019 was intended to run concurrently with the City's contract for Transit Operations Services with MV Transportation, Inc., Contract 12072-2019 ("Base Contract").
- B. Base Contract was for a four-year period ending June 30, 2023, and permits up to two, two-year extensions.
- C. As allowed by contract, the City and Contractor have mutually agreed to extend the Base Contract by two years to June 30, 2025.
- D. The dates found in Exhibit B, Schedule of Fees, need to be updated to reflect the amended term.
- E. City and Moorpark wish to make the above referenced amendments to the Contract while keeping all other terms intact.

AGREEMENT TO AMEND

NOW, THEREFORE, the undersigned parties to Contract agree to amend Contract as described below:

Part 1. The City and Moorpark agree to extend contract 12083-2019 for two years and Section 5 of the Contract is hereby amended to reflect a new termination date of June 30, 2025.

Part 2. Exhibit B, Schedule of Fees, is hereby replaced with a new Exhibit B-1, Revised Schedule of Fees, attached hereto and incorporated herein by reference.

Part 3. All terms used in Part 1 and 2 above shall have the meanings ascribed thereto in Contract. Except as amended in Part 1 and 2 above, all other sections, terms, obligations, duties, clauses, and provisions of Contract as written and previously amended, shall remain the same.

IN WITNESS WHEREOF, the parties execute this First Amendment to Contract as of the date set forth above.

CITY OF MOORPARK

CITY OF THOUSAND OAKS

Date: _____

By: _____
Chris Enegren, Mayor

Kevin McNamee, Mayor

ATTEST:

By: _____
Ky Spangler, City Clerk

Laura B. Maguire, City Clerk

APPROVED AS TO ADMINISTRATION:

By: _____
Troy Brown, City Manager

Andrew P. Powers, City Manager

**APPROVED BY DEPARTMENT
HEAD:**

Clifford G. Finley
Public Works Director

APPROVED AS TO FORM:
Office of the City Attorney

Tracy Friedl
Assistant City Attorney

EXHIBIT B-1

REVISED SCHEDULE OF FEES

Billing of all routine and pre-approved maintenance services shall be at the City's usual and customary rates for like services and will be according to the following schedule of fees:

| | |
|----------|----------------------|
| Labor: | \$95.00 per hour |
| Parts: | Cost plus 35 percent |
| Sub-let: | Cost plus 15 percent |

City shall seek pre-approval from the Moorpark Project Manager for any repair the City deems necessary that has an estimated cost in parts or sub-let work that exceeds \$2,500.

City shall bill for fixed route operations as described in Exhibit "B-1" of Fixed Route Operations Agreement (12084-2019) which shall run concurrent to this Agreement Amendment.

Costs shall be fixed for year one of the extension (July 1, 2023 – June 30, 2024) and City shall notify Moorpark at least 30 days in advance of any changes to the schedule of fees for year two of the extension (July 1, 2024 – June 30, 2025).

Any special repair or maintenance services that fall outside normal and routine repairs and maintenance under this Agreement, for example, the installation of additional equipment on to the buses, will be at a price to be mutually agreed upon in writing, up to a total of \$25,000 per contract year. Optional work beyond this figure will require a formal amendment of the Agreement's not-to-exceed amount.