

AMENDMENT 1 TO AGREEMENT
MA-080-23011516

This AMENDMENT No. 1 TO AGREEMENT, hereinafter referred to as "**AMENDMENT No. 1**", dated for identification purposes as of April, 2024, is

BY and BETWEEN

The ORANGE COUNTY FLOOD CONTROL DISTRICT, a body corporate and politic, hereinafter referred to as "**DISTRICT**",

And

The CITY OF HUNTINGTON BEACH, a charter city, hereinafter referred to as "**CITY**,"

which are sometimes individually referred to as "**PARTY**," or collectively referred to as "**PARTIES**."

RECITALS

WHEREAS, PARTIES entered into a Cooperative Agreement dated September, 2023, delineating the PARTIES respective responsibilities for implementation and post-construction of flood walls to meet Federal Emergency Management Agency freeboard requirements on City-owned and maintained bridge crossings.

WHEREAS, PARTIES desire to amend Section 1B of the AGREEMENT to include the CITY-owned and maintained bridge crossing at Yorktown Avenue.

NOW, THEREFORE, it is mutually understood and agreed by DISTRICT and CITY that the AGREEMENT is amended as follows:

1. SECTION 1B of the AGREEMENT is hereby amended to read as follows:

- 1.B Project Contractor. Upon written approval by the City of the final Project PS&E, the DISTRICT shall perform all administrative work required for negotiating and executing the construction contract with the DISTRICT's Contractor ("CONTRACTOR"). CONTRACTOR shall perform all work as required by, and in strict accordance with, the construction contract documents, which consists of removing the existing decks and barriers and replacing them with voided precast girder units with a polyester overlay and new sidewalk and barrier that connects to the flood walls at the Edwards Street Bridge, Springdale Street Bridge, Warner Avenue Bridge and Yorktown Avenue Bridge. The DISTRICT shall require CONTRACTOR to identify the CITY as an additional insured on CONTRACTOR's required insurance policy(ies) with the coverage to the satisfaction of the CITY.
2. Except as amended by this AMENDMENT 1, the AGREEMENT remains in full force and effect as originally therein set forth.

IN WITNESS WHEREOF, each PARTY hereto has executed this AMENDMENT No. 1 by its
duly authorized representatives as of the date set forth above.

CITY OF HUNTINGTON
BEACH, a charter city

Date: _____

By: _____
Gracey Van Der Mark, Mayor

ATTEST:

APPROVED AS TO FORM:

By: _____
Robin Estanislau, City Clerk

By:  _____
Michael E. Gates, City Attorney

ORANGE COUNTY FLOOD CONTROL
DISTRICT, a body corporate and politic

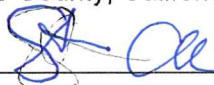
Date: _____

By: _____
James Treadaway
Director of Public Works

APPROVED AS TO FORM:

Office of the County Counsel
Orange County, California

Date: _____

By:  _____
Deputy County Counsel
County of Orange, California