

**AMENDMENT NO. 3 TO TRANSPORTATION UNIFORM MITIGATION FEE
PROGRAM AGREEMENT
THIRD STREET GRADE SEPARATION
PS & E PHASE**

This Amendment No. 3 to Transportation Uniform Mitigation Fee Program Agreement (“Amendment No. 3”) is entered into this 30th day of July, 2025, by and between the WESTERN RIVERSIDE COUNCIL OF GOVERNMENTS (“WRCOG”) and the **City of Riverside** (“AGENCY”). WRCOG and the AGENCY are sometimes referred to individually as “Party” and collectively as “Parties.”

RECITALS

A. WRCOG and AGENCY have entered into an agreement titled “Transportation Uniform Mitigation Fee Program Agreement” that is dated July 26th, 2018 (“Agreement”). The Agreement provides the terms and conditions, scope of work, schedule and funding amount for the planning and engineering phases of the **Third Street Grade Separation Project** (hereinafter the “Project”).

B. WRCOG and AGENCY have entered into an amendment to the Agreement titled “Amendment No. 1 to Transportation Uniform Mitigation Fee Program Agreement” that is dated March 30, 2021 (“Amendment No. 1”).

C. WRCOG and AGENCY have entered into an amendment to the Agreement titled “Amendment No. 2 to Transportation Uniform Mitigation Fee Program Agreement” that is dated March 25, 2025.

D. The Parties desire to amend the Agreement by increasing the funding amount

pursuant to Sections 6 and 33 of the Agreement.

AGREEMENT

NOW, THEREFORE, in consideration of the mutual covenants and subject to the conditions contained herein, the Parties hereby agree as follows:

1. Section I of the Agreement is hereby replaced in its entirety by the following:

Description of the Qualifying Project. This Agreement is intended to distribute TUMF Program Funds to the City for Third Street Grade Separation, (the "Project"), a Qualifying Project. The Work, including a timetable and a detailed scope of work, is more fully described in Exhibit "A" attached hereto and incorporated herein by reference and, pursuant to Section 20 below, is subject to modification if requested by the City and approved by WRCOG. The work shall be consistent with one or more of the defined WRCOG Call for Projects phases detailed herein as follows:

- 1) PA&ED- Project Approvals& Environmental Document
 - 2) PS&E- Plans, Specifications and Estimates
 - 3) ROW- Right of Way
2. The Funding Amount contained in Section 2 of the Agreement is hereby increased by **Two Million Five Hundred Thousand Dollars (\$2,500,000)** from **Eleven Million Two Hundred Fifty Thousand Dollars (\$11,250,000)** to an amount not to exceed **Thirteen Million Seven Hundred Fifty Thousand Dollars (\$13,750,000)**.
3. The foregoing increase in the Funding Amount is within the Maximum TUMF Share.
4. Exhibits "A", "A-1", and "A-2" of the Agreement are hereby replaced in their entirety by Exhibits "A", "A-1", and "A-2" of this Amendment No. 3, which are attached hereto and incorporated by reference.

5. The above-stated Recitals are hereby fully incorporated into this Amendment No. 3.
6. Except to the extent specifically modified or amended hereunder, all of the terms, covenants and conditions of the Agreement, as previously amended, shall remain in full force and effect between the Parties hereto.

IN WITNESS WHEREOF, the Parties have caused this Amendment No. 3 to be executed by their duly authorized representatives to be effective on the day and year first written above.

WESTERN RIVERSIDE COUNCIL
GOVERNMENTS

CITY OF RIVERSIDE OF

By: _____
Dr. Kurt Wilson, Executive Director

By: _____
Mike Futrell, City Manager

Approved to Form:

Approved to Form:

By: _____
Steven C. DeBaun
General Counsel

By: *Rebecca McKee-Reimbold*
Rebecca McKee-Reimbold
Interim City Attorney

Attest:

By: _____
Donesia Gause, MMC
City Clerk

CERTIFIED AS TO FUNDS AVAILABILITY:

BY: *Michelle*
ASSISTANT CHIEF FINANCIAL OFFICER

Exhibit A

SCOPE OF SERVICES

SCOPE OF WORK: The project will design and construct an underpass at the existing Third Street at-grade crossing of the Burlington Northern Santa Fe (BNSF) railroad in the City of Riverside. Third Street will be lowered from Vine Street to Park Avenue and a bridge will be constructed to convey rail traffic. The project also requires the realignment of Commerce Street, construction of slopes, retaining walls, and storm water pump station as well as relocation of wet and dry utilities. Project design consists of the following phases:

- 1) Project Approval and Environmental Documents (PA&ED) phase – Complete preliminary engineering and obtain environmental clearance for the project;
- 2) Plans, Specifications, and Estimate (PS&E) phase - Prepare construction documents and advertise the project for bids
- 3) Right of Way phase - Determine Project's Right of Way impacts, prepare Legal descriptions and Plats, perform appraisals, acquire Temporary Construction Easements, and acquire part-take and full-take properties including Eminent Domain in order to advertise the project for bids and construct the proposed improvements.

EXHIBIT "A-1"**ESTIMATE OF COST**

Phase	TUMF	NON-TUMF	TOTAL
PA&ED	\$1,500,000	\$0	\$1,500,000
PS&E	\$5,000,000	\$0	\$5,000,000
RIGHT OF WAY	\$7,250,000	\$18,750,000	\$26,000,000
CONSTRUCTION	\$0	\$72,500,000	\$72,500,000
TOTAL	\$13,750,000	\$91,250,000	\$105,000,000

This Amendment is for the PS & E Phase Only.

EXHIBIT "A-2"**PROJECT SCHEDULE****TIMETABLE:**

Phase	Estimated Completion Date	Estimated Cost	Comments
PA&ED	12/2020	\$1,500,000	
PS&E	12/2025	\$5,000,000	
RIGHT OF WAY	12/2025	\$26,000,000	
CONSTRUCTION	7/2029	\$72,500,000	
TOTAL		\$105,000,000	

This Amendment is for the PS & E Phase Only.