

CONTRACT NO. 17-079 – AMENDMENT ONE

THAT CERTAIN CONTRACT FOR COST SHARING OF THE COMMUTER RAIL PORTION OF THE MAJOR INVESTMENT STUDY NO. 17-079 (Agreement) made by and between Research Triangle Regional Public Transportation Authority D/B/A **GoTriangle** (GoTriangle), a regional public transportation authority, **Durham County** (Durham), a public body politic and corporate of the State of North Carolina, **Wake County** (Wake), a public body politic and corporate of the State of North Carolina, **Capital Area Metropolitan Planning Organization** (CAMPO), a metropolitan planning organization with jurisdiction in Wake County is hereby amended pursuant to this **AMENDMENT ONE** effective on the last date executed below. As used in this Amendment One to the Contract, GoTriangle, Durham, Wake and CAMPO may be referred to individually as a “Party” or collectively as the “Parties.”

WITNESSETH:

WHEREAS, on November 7, 2017, the Parties entered into the Agreement for Cost Sharing for the Commuter Rail Portion of the Major Investment Study; and

WHEREAS, the Parties mutually intend to amend the Agreement for the first time as set forth herein;

NOW, THEREFORE, in consideration of the mutual promises and covenants herein contained and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties agree that the Agreement is amended as follows:

Scope. In addition to work completed by Nelson-Nygaard, the scope of work covered by this Agreement shall also include additional commuter rail transit pre-project development studies.

Consultant. “Consultant” for purposes of this Agreement is amended to include any additional consultants to be retained for additional pre-project development activities. Notwithstanding the above, Nelson-Nygaard will continue to serve as a consultant pursuant to a Contract dated October 6, 2017 for the major investment study.

Funds. Funding for additional pre-project development activity covered by this amendment shall come from funds previously appropriated in FY 2018 in the Durham/Orange Fund and the Wake Transit Major Capital Fund.

The Agreement, which includes Amendment One, sets forth the entire understanding of the parties with respect to the subject matter of the Contract.

Except as specifically amended herein, all other terms and conditions of the Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the Parties have executed Amendment One by their duly authorized representatives.

SIGNATURE PAGES FOLLOW

ATTEST:

DURHAM COUNTY, NORTH CAROLINA

BY: _____

BY: _____

TITLE: _____

TITLE: _____

Reviewed and approved as to legal form by
Durham County.

County Attorney

ATTEST:

WAKE COUNTY, NORTH CAROLINA

BY: _____

BY: _____

TITLE: _____

TITLE: _____

Reviewed and approved as to legal form by
Wake County.

County Attorney

**RESEARCH TRIANGLE REGIONAL PUBLIC
TRANSPORTATION AUTHORITY D/B/A GOTRIANGLE**

BY: _____
Jeffrey G. Mann, President and CEO

This, the ___ day of _____, 2018

This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

Saundra Freeman, Chief Financial Officer

Reviewed and approved as to legal form.

Shelley Blake, General Counsel

NC CAPITAL AREA METROPOLITAN PLANNING ORGANIZATION "CAMPO"

By: _____
Chris Lukasina, Executive Director

ACKNOWLEDGEMENT by
NC CAPITAL AREA METROPOLITAN PLANNING ORGANIZATION, "CAMPO"

State of North Carolina
County of Wake

I, _____, a Notary Public for said County and State, do hereby certify that Chris Lukasina, Executive Director personally came before me this day and acknowledged the due execution for the foregoing instrument.

Witness my hand and official seal, this the ____ day of _____, 20__.

Notary Public

(Affix notary seal)

My Commission Expires: _____, 20__