

**Project Funding Agreement**

**Amendment Request Form**

**General Instructions and Process**

**Amendment Authorization**

As permitted by Section II of the Project Funding Agreement:

Alameda CTC and the Project Sponsor may jointly authorize an “Administrative Amendment” for any minor schedule revisions, deliverables, or budget revisions that do not increase the total Alameda CTC Administered Funds obligated by this Agreement. Any change in the Project scope of work must be approved by Alameda CTC prior to implementation of the change by the Project Sponsor. Administrative amendment requests sent to Alameda CTC must include a revised Appendix A: Project Control Information which reflects the requested changes by the Project Sponsor.

**INSTRUCTIONS**

1. Project Sponsor to complete and submit this Amendment Request Form.
2. Any Appendices requesting a modification should be identified and included within the requests.
3. Sponsors are to copy/paste the previously approved information in the appropriate areas/tables, and indicate the revision to items such as scope, agreement expiration date, schedule, and deliverables in the appropriate areas of this form.
4. Appendices which are not changed are not required to be included in the Amendment Request Form. Therefore, unchanged appendices can be omitted/deleted from the final Amendment Request package.
5. Project Sponsors are to submit Amendment Requests as soon as amendments are known to be required, and no later than 60 days to when a formal action is required, whichever is first.
6. Amendment Requests can be directed to John Nguyen, jnguyen@alamedactc.org for processing.

**PROCESS STEPS**

1. Upon receipt of a Project Sponsor’s Amendment Request Form, Alameda CTC staff will review the requested changes, and if agreeable, Alameda CTC will sign and return copies of this amendment request if it is within administrative contractual authority.
2. If a formal or Commission action is required Alameda CTC will provide appropriate next steps on scheduling recommendations to the Commission. Project Sponsors should be available at the Projects and Programs Committee (PPC) and Commission for which the amendment request is being considered to address any questions that may arise.
3. Upon approval of the amendment request (be it administrative or formal), the amendment will be signed by both parties to become the current agreement as amended.

***[PRINT ON AGENCY LETTER HEAD]***

***[Enter Date]***

John Nguyen

Assistant Director of Programming and Project Controls
Alameda County Transportation Commission

1111 Broadway, Suite 800
Oakland, CA 94607

**Subject: Amendment Request No. *[Enter Number]* to Project Funding Agreement No. *[Enter Number]* for the *[Enter Project Title]***

Dear Mr. Nguyen:

Per Section III.2, we are hereby requesting an amendment to the Project Funding Agreement in the subject line. Our requested change(s) are noted in the Written Explanation for the Change Request on the following page, and specific changes are included the attached modified Appendices, as indicated by an “X” below:

|  |  |
| --- | --- |
| Changed | Appendices |
|  | Appendix A: Project Control Information |
|  | Appendix B: Alameda CTC Administered Funds Obligated  |
|  | Appendix E: Deliverables and Due Dates |
|  | Appendix F: Project Performance Measures |

We understand Alameda CTC will review the requested changes, and if agreeable, Alameda CTC will sign and return copies of this amendment request if it is within administrative contractual authority.

Otherwise, we understand Alameda CTC will provide appropriate next steps if a formal amendment and/or Commission action is required.

We understand the approved amendment request, or formal amendment once Commissioned approved, will be signed by both parties to become the current agreement as amended.

If you have any questions or need additional information, please contact ***[Enter Contact Name]*** at telephone number ***[Enter Phone Number].***

Sincerely,

***[Enter Name]***

***[Enter Title]***

**WRITTEN EXPLANATION FOR CHANGE REQUEST**

**Project Sponsor requests a change to:**

[ ]  Scope [ ]  Cost [ ]  Schedule [ ]  Expiration Date [ ]  Performance Measures

**Reason for Change:**

|  |
| --- |
|  |

**Amendment Certification – Request**

By signing the below, the Project Sponsor and the Alameda CTC agree to the proposed changes to the Project Funding Agreement as identified on the cover page request, and detailed herein in this amendment request. This approved request signed by both parties will become the current agreement information on file at Alameda CTC.

|  |  |  |
| --- | --- | --- |
| Project Sponsor Representative:  |  | Date |
|  |  |  |
|  |  |  |
| Alameda CTC Approval |  | Date |

**Revised Appendix A**

**Project Control Information**

**Appendix Index**

Appendix A-1 Project Description

Appendix A-2 Project Scope Detail by Phase with Funds Obligated by the Agreement

Appendix A-3 Project Milestone Schedule

Appendix A-4 Project Funding Summary by Phase and Fund Source

Appendix A-5 Project Phase Cost Detail

**Appendix A-1**

**Project Description**

**Project Title:** [Insert Project Title]

**Project Description:**

[Insert Project Description, limits, general scope of work, “years of effectiveness” for capital vehicle purchases, and expected outcome etc.]

**Appendix A-2**

**Project Scope Detail by Phase**

The Alameda CTC Administered Funds obligated by this Agreement are to support the project phase(s) identified and described below:

**[INSERT PHASE]**

* Provide a brief description/scope for each phase of the project implementation supported with Alameda CTC funds obligated in this Agreement.

**Appendix A-3**

**Project Milestone Schedule**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Phase/Milestone** | **Previously Approved****Begin****(Mo/Yr)** | **Previously Approved****End****(Mo/Yr)** | **Revised****Begin****(Mo/Yr)** | **Revised****End****(Mo/Yr)** |
| Scoping |  |  |  |  |
| Preliminary Engineering/Environmental Studies |  |  |  |  |
| CEQA Approval |  |  |  |  |
| NEPA Approval |  |  |  |  |
| Final Design (Plans, Specifications and Estimate (PS&E)) |  |  |  |  |
| Right-of-Way Acquisition  |  |  |  |  |
| Right of Way Certification |  |  |  |  |
| Construction |  |  |  |  |
| Operations |  |  |  |  |

**Environmental Clearance Status:**

|  |  |  |
| --- | --- | --- |
|  | **CEQA****(Mo/Yr)** | **NEPA****(Mo/Yr)** |
| Environmental Document Type |  |  |
| Begin Environmental Process |  |  |
| Draft Circulation (if known) |  |  |
| Date of Public Meeting (if known) |  |  |
| Final Draft Submitted |  |  |
| Actual Certification Date |  |  |
| Percent Complete |  |  |

**Appendix A-4**

**Project Funding Summary by Phase and Fund Source**

|  |
| --- |
| **Previously Approved** **Project Funding Summary by Phase and Fund Source** |
| **PHASE** | **Alameda CTC** **Administered Funds** | **Matching** **Funds** | **Total****Funding** | **Reimbursement****Ratio** **Percentage** |
| **[Insert Fund Source]****[Insert Subset]** |
| Planning / Scoping | $ | $ | $ | **%** |
| Preliminary Engineering / Enviro. Studies | $ | $ | $ | **%** |
| Final Design (PS&E) | $ | $ | $ | **%** |
| Right-of-Way Capital | $ | $ | $ | **%** |
| Construction Capital | $ | $ | $ | **%** |
| Operations | $ | $ | $ | **%** |
| **Total Funding** | $ | $ | $ |  |

**Notes:**

1. Project Sponsor shall be reimbursed eligible costs in the percentage of Total Alameda CTC Administered Funds to Total Funding per the Reimbursement Ratio Percentage for each phase. Each Alameda CTC Administered Fund amount identified is a not-to-exceed amount. The Reimbursement Ratio is defined as Alameda CTC Administered funds divided by the Total Funding.

|  |
| --- |
| **Revised****Project Funding Summary by Phase and Fund Source** |
| **PHASE** | **Alameda CTC** **Administered Funds** | **Matching** **Funds** | **Total****Funding** | **Reimbursement****Ratio** **Percentage** |
| **[Insert Fund Source]****[Insert Subset]** |
| Planning / Scoping | $ | $ | $ | **%** |
| Preliminary Engineering / Enviro. Studies | $ | $ | $ | **%** |
| Final Design (PS&E) | $ | $ | $ | **%** |
| Right-of-Way  | $ | $ | $ | **%** |
| Construction  | $ | $ | $ | **%** |
| Operations | $ | $ | $ | **%** |
| **Total Funding** | $ | $ | $ |  |

**Notes:**

1. Project Sponsor shall be reimbursed eligible costs in the percentage of Total Alameda CTC Administered Funds to Total Funding per the Reimbursement Ratio Percentage for each phase. Each Alameda CTC Administered Fund amount identified is a not-to-exceed amount. The Reimbursement Ratio is defined as Alameda CTC Administered funds divided by the Total Funding.

**Appendix A-5**

**Project Phase Cost Detail**

This Project Phase Cost Detail summarizes the total cost for each phase with Alameda CTC Administered Funds obligated in this Agreement.

|  |
| --- |
| **Phase Cost Detail** |
| **[INSERT PHASE/****Insert New Table Per Phase]** | **[Insert Fund Source]****[Insert Fund Subset]** | **Matching Funds** | **Total Cost** |
| **Sponsor Staff/Labor Cost** | $ | $ | $ |
| **Contract(s)/Other Direct Cost1** | $ | $ | $ |
| **Total Phase Cost** *(Staff + Contract Costs)* | $ | $ | $ |

**Notes:**

1. Contracts funded with any combination of Measure B, Measure BB, Vehicle Registration Fee and local funds that do not contain State or federal funds are subject to Alameda CTC’s Local Business Contract Equity Program (refer to Appendix D).

**Revised Appendix B**

**Alameda CTC Administered Funds Obligated by this Agreement**

The following Table B-1 identifies the Alameda CTC Administered Funds obligated by this Agreement and establishes a unique allowable start date for each obligated fund source.

|  |
| --- |
| **Table B-1****Funds Obligated by this Agreement****and Allowable Start and Expenditure Deadline Dates** |
| **Fund Source** | **Fund Subset** | **Phase** | **Commission Approval Date** | **Allowable****Start Date** | **Expenditure Deadline Date** | **Obligated Amount** |
|  |  |  |  |  | *The Agreement Expiration Date serves as the expenditure deadline date.* |  |
|  |  |  |  |  |  |
|  |  |  |  |  |  |
|  |  |  |  |  |  |
|  |  |  |  |  |  |
| TFCA | Prog. Mgr. |  |  |  | [Enter Date] |  |
| **Total Alameda CTC Administered Funds Obligated by Agreement:** |  |

|  |  |
| --- | --- |
| **Previously Approved Agreement Expiration Date:** |  |

|  |  |
| --- | --- |
| **Revised** **Agreement Expiration Date:** |  |

**Notes:**

1. Alameda CTC reimbursement amounts by fund source for Project shall not exceed the total amount obligated by this Agreement, by fund source.
2. The Commission Approval Date is the date of the meeting at which the Commission approved the allocation.
3. The Allowable Start Date identified for each fund source is the earliest date at which costs eligible for reimbursement by the fund source indicated may be incurred. Any costs incurred on the Project before this date will not be eligible for reimbursement under this Agreement. The earliest Allowable Start Date shown in this column represents the effective date of this Agreement.
4. The Expenditure Deadline Date is the last date by which eligible reimbursable costs may be incurred. Any costs incurred on the Project after this date will not be eligible for reimbursement under this Agreement.
5. The Agreement Expiration Date shall mean and refer to the expiration date of this Agreement.
6. For TFCA funds obligated by this agreement, the Expenditure Deadline Date in the above table is two (2) years from the date when Alameda CTC first received funds from BAAQMD, unless an extended deadline is approved at the time of programming or an extension has been approved by the Alameda CTC. An estimated deadline date is noted in the above table if at the time of this agreement the Alameda CTC has yet to receive funds from BAAQMD. Extended deadlines will be reflected in an amended Table B-1, once approved.
7. For TFCA funds obligated by this agreement, Alameda CTC may approve up to two one-year extensions to the Expenditure Deadline Date. Any additional extensions require approval from both Alameda CTC and BAAQMD.

**Appendix B (cont.)**

Reimbursement of Alameda CTC Administered Funds obligated by this Agreement shall be in accordance with the Drawdown Limitation Schedule below.

|  |
| --- |
| **Table B-2****Alameda CTC Administered Funds** **Reimbursement - Drawdown Limitation Schedule** |
| **No.** | **Fiscal Year**  | **Quarter**  | **Fund Source**  | **Drawdown** **Limitation Amount** | **Cumulative****Drawdown Limitation Amount** |
| 1 |  |  |  |  |  |
| 2 |  |  |  |  |  |
| 3 |  |  |  |  |  |
| 4 |  |  |  |  |  |
| 5 |  |  |  |  |  |
| 6 |  |  |  |  |  |
| 7 |  |  |  |  |  |
| 8 |  |  |  |  |  |
| 9 |  |  |  |  |  |
| 10 |  |  |  |  |  |
| 11 |  |  |  |  |  |
| 12 |  |  |  |  |  |

**Notes:**

1. Fiscal Year (FY) begins July 1 and ends June 30.
2. Quarter 1 begins July 1 and ends September 30; Quarter 2 begins October 1 and ends December 31; Quarter 3 begins January 1 and ends March 31; and Quarter 4 begins April 1 and ends June 30.
3. Alameda CTC shall endeavor to transmit payments to Project Sponsor following the receipt and approval of a complete Request for Reimbursement(s) submitted by the Project Sponsor.
4. Actual reimbursements from Alameda CTC to the Project Sponsor shall not exceed the Cumulative Drawdown Limitation Amount without Alameda CTC’s written approval. Any portion of a reimbursement request, which exceeds the applicable Cumulative Drawdown Limitation without such prior approval by Alameda CTC shall be deferred until the following quarter or until sufficient capacity in the cumulative drawdown limitation amount is achieved.

**Revised Appendix E**

**Deliverables and Due Dates**

**Project Deliverables and Due Dates:** The Deliverables and Due Dates table below shows deliverables and due dates, if any, for the phases listed in Appendix A-2 Project Phase Descriptions that contain Alameda CTC Administered Funds.

|  |
| --- |
| **Deliverables and Due Dates** |
| **No.**  | **Description** | **Previously Approved** **Due Date to Alameda CTC** | **Revised** **Due Date to Alameda CTC** |
| 1 | Progress Report #1: July to December, 20XX | January 31, 20XX | January 31, 20XX |
| 2 | Progress Report #2: January to June, 20XX | July 31, 20XX | July 31, 20XX |
| 3 | TBD | TBD | TBD |
| 4 | TBD | TBD | TBD |
| 5 | TBD | TBD | TBD |
| 6 | TBD | TBD | TBD |
| 7 | Final Invoice  | By the Agreement Expiration Date | No Change.  |
| 8 | Final Report | By the Agreement Expiration Date | No Change.  |

**Note:**

1. Per Section III.19 of Agreement, Alameda CTC may withhold payment of reimbursement requests until past due deliverables are received and approved.

**Revised Appendix F**

**Project Performance Measures**

**Project Performance Measures:** The Project Performance Measures and Targets describes what outcome-based performance measure(s) the Project Sponsor plans to evaluate to ensure that the project/program is meeting its objectives.

|  |
| --- |
| **Project Performance Measures and Targets** |
| **Performance Measure** | **Previously Approved Target** | **Revised** **Target** |
|  |  |  |
|  |  |  |
|  |  |  |

**Note:**

1. It is expected that the Project will achieve the performance measures targets and/or project outcomes as established herein.