

**THIRD AMENDMENT
TO THE INTERLOCAL AGREEMENT
PROCUREMENT & PLACEMENT OF BUS SHELTERS**

THIS THIRD AMENDMENT TO THE INTERLOCAL AGREEMENT (the “Amendment”) is made and entered into effective as of the ____ day of _____, 2021, by and between EL PASO COUNTY, TEXAS (the “County”) and the CAMINO REAL REGIONAL MOBILITY AUTHORITY (“Authority”), (collectively, the “Parties”), for the purposes described herein.

WITNESSETH:

WHEREAS, the County is a political subdivision of the State of Texas; and

WHEREAS, the Authority is a regional mobility authority created pursuant to the request of the City of El Paso and operating pursuant to Chapter 370 of the Texas Transportation Code (the “RMA Act”) and 43 TEX. ADMIN. CODE §§26.1 *et seq.* and is a body politic and corporate and political subdivision of the State; and

WHEREAS, Chapter 791 of the Texas Government Code provides that any one or more public agencies may contract with each other for the performance of governmental functions or services in which the contracting parties are mutually interested; and

WHEREAS, Section 370.033 of the RMA Act permits the Authority to enter into an agreement under which the Authority may acquire, plan, design, construct, maintain, repair, or operate a transportation project on behalf of another governmental entity if the transportation project is located in the Authority's area of jurisdiction or in a county adjacent to the Authority's area of jurisdiction; and

WHEREAS, the County and Authority entered into an Interlocal Agreement – Procurement & Placement of Bus Shelters [2019-0962] dated December 16, 2019, (the “Interlocal Agreement”) whereby the County provided funds to the Authority for the procurement and installation of bus passenger shelters in support of the El Paso County Transit system; and

WHEREAS, the County previously increased the funds available to the Authority pursuant to the Interlocal Agreement via Amendment No. 1 [2021-0083] dated February 22, 2021 and Amendment No. 2 dated July 26, 2021 [2021-0532] in order to procure (Amendment No. 1) and design (Amendment No. 2) more bus passenger shelters than originally anticipated; and

WHEREAS, the County desires to further increase the available funds to the Authority in order to provide for the additional construction engineering and inspection services necessary for the additional work contemplated by the referenced amendments and the Parties desire to amend the Interlocal to implement the same.

NOW, THEREFORE, in consideration of the mutual covenants and agreements herein contained, the undersigned Parties agree as follows:

1. Replacement of EXHIBIT “C-2”. The parties hereby agree to delete **EXHIBIT “C-2”** from the Interlocal Agreement, as amended, in its entirety and replace it with **EXHIBIT “C-3”**, which is attached hereto.

2. Ratification. Except as expressly amended by this Amendment, the Interlocal Agreement and its exhibits shall remain in full force and effect.

3. Execution in Counterparts. This Amendment may be simultaneously executed in several counterparts, each of which shall be an original and all of which shall be considered fully executed as of the date first written above, when both Parties have executed an identical counterpart, notwithstanding that all signatures may not appear on the same counterpart.

IN WITNESS WHEREOF, the Parties have executed and attested this Amendment by their officers thereunto duly authorized.

EL PASO COUNTY, TEXAS

**CAMINO REAL REGIONAL
MOBILITY AUTHORITY**

Ricardo A. Samaniego
County Judge

Joyce A. Wilson
Chair

ATTEST:

Dorothy M. (Sissy) Byrd
Board Secretary

EXHIBIT “C-3”

COUNTY TRANSIT PASSENGER SHELTERS PROJECT BUDGET

DESCRIPTION	CRRMA PAYS WITH COUNTY FUNDS
LAND	\$ 0.00
UTILITY RELOCATION	\$ 0.00
PERMITS & SERVICES	\$ 0.00
PROCUREMENT, DESIGN & INSTALLATION	\$ 1,037,632.96
MISCELLANEOUS	\$ 0.00
TOTAL	\$ 1,037,632.96