

FIRST ADDENDUM TO AGREEMENT

BY AND BETWEEN THE
MARIN COUNTY TRANSIT DISTRICT AND MARIN AIRPORTER DATED AUGUST 22, 2006

THIS ADDENDUM is made and entered into this 12th day of December 2006, by and between the MARIN COUNTY TRANSIT DISTRICT, a political subdivision of the State of California (hereinafter referred to as "District") and Marin Airporter (hereinafter referred to as "Contractor")

RECITALS

WHEREAS, the District and the Contractor entered into an agreement for a turn key operation of Marin County Community Shuttles dated August 22, 2006 ("Agreement"); and

WHEREAS, Exhibit "A" to the agreement obligated Contractor provide services set forth in Exhibit "A".;

and

WHEREAS, the parties desire to amend the agreement to increase the maximum payment to Contractor by Two Thousand, One Hundred and Sixty dollars (\$2,160) and extend the route of the Marinwood Shuttle (Route 259).

NOW, THEREFORE, the parties agree to modify Exhibits "A" and "B" as set forth below.

AGREEMENT

1. Except as otherwise provided herein all terms and conditions of the agreement shall remain in full force and effect.
2. Updated Certificate of Insurance(s) attached hereto.
3. Section 4: "Maximum Cost to District", Exhibit A "Scope of Services" Route 259 description and Exhibit B "Fees and Payment Schedule", are hereby amended to read as follows:

4. MAXIMUM COST TO DISTRICT:

In no event, will the cost to District for the services to be provided herein exceed the maximum sum of Two Hundred Thirty-Three Thousand, and One-Hundred and Ninety-Five Dollars (\$233,195), including direct non-salary expenses, without a written amendment to this Agreement approved by the Marin County Transit District.

EXHIBIT “A”, SCOPE OF SERVICES

Route 259 – Marinwood – Terra Linda Shuttle (9 hours/day)

This route will operate between the Marin Civic Center and Miller Creek road via Los Ranchitos, Northgate mall and Las Gallinas Road. The Route will connect will the Route 45 at the Civic Center and corridor service on Miller Creek Road. The service will operate on hourly headways for 9 hours a day on weekday, non-holidays. Figure 1 shows the proposed route alignment for the Route 259.

MCTD will provide a 13 passenger vehicle for service on this route.

Table 3: Marinwood/Terra Linda Schedule

ROUTE 259 —MARINWOOD /TERRA LINDA WEEKDAY SERVICE											
NORTHBOUND						SOUTHBOUND					
A	B	C	D	E	F	F	E	D	C	B	A
Civic Center	Los Ranchitos/ Golden Hinde	Northgate Mall	Freitas Pky/ Montecillo	Lucas Valley/Mt Lassen Dr	Miller Creek/ Highway 101	Miller Creek/ Highway 101	Lucas Valley/Mt Lassen Dr	Freitas Pky/ Montecillo	Northgate Mall	Los Ranchitos / Golden Hinde	Civic Center
8:15 AM	8:19 AM	8:21 AM	8:26 AM	8:34 AM	8:41 AM	7:41 AM	7:47 AM	7:55 AM	7:59 AM	8:02 AM	8:07 AM
9:15 AM	9:19 AM	9:21 AM	9:26 AM	9:34 AM	9:41 AM	8:41 AM	8:47 AM	8:55 AM	8:59 AM	9:02 AM	9:07 AM
10:15 AM	10:19 AM	10:21 AM	10:26 AM	10:34 AM	10:41 AM	9:41 AM	9:47 AM	9:55 AM	9:59 AM	10:02 AM	10:07 AM
11:15 AM	11:19 AM	11:21 AM	11:26 AM	11:34 AM	11:41 AM	10:41 AM	10:47 AM	10:55 AM	10:59 AM	11:02 AM	11:07 AM
1:15 PM	1:19 PM	1:21 PM	1:26 PM	1:34 PM	1:41 PM	12:41 PM	12:47 PM	12:55 PM	12:59 PM	1:02 PM	1:07 PM
2:15 PM	2:19 PM	2:21 PM	2:26 PM	2:34 PM	2:41 PM	1:41 PM	1:47 PM	1:55 PM	1:59 PM	2:02 PM	2:07 PM
3:15 PM	3:19 PM	3:21 PM	3:26 PM	3:34 PM	3:41 PM	2:41 PM	2:47 PM	2:55 PM	2:59 PM	3:02 PM	3:07 PM
4:15 PM	4:19 PM	4:21 PM	4:26 PM	4:34 PM	4:41 PM	3:41 PM	3:47 PM	3:55 PM	3:59 PM	4:02 PM	4:07 PM
5:15 PM	5:19 PM	5:21 PM	5:26 PM	5:34 PM	5:41 PM	4:41 PM	4:47 PM	4:55 PM	4:59 PM	5:02 PM	5:07 PM

Holidays—No service on New Year’s Day, Presidents’ Day, Memorial Day, July 4th, Labor Day, Thanksgiving, Christmas Day.

Días Festivos—No hay servicio en estos días Año Nuevo, Día de los Presidentes, Día Memorial, Cuatro de Julio, día del Trabajo, Día de Acción de Gracias, y navidad (Diciembre 25)

Figure 3: Route 259 – Marin Wood – Terra Linda

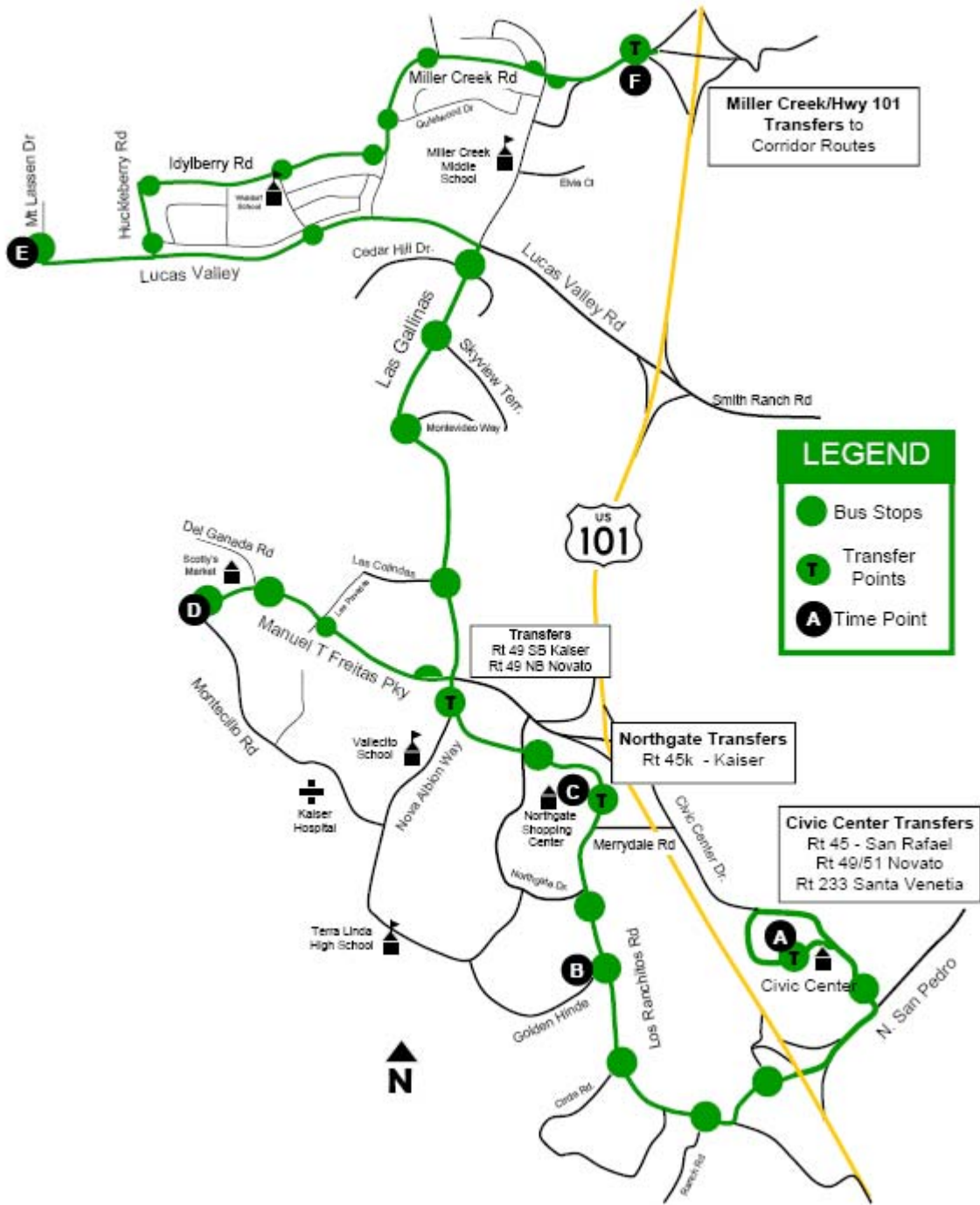


EXHIBIT “B” , FEES AND PAYMENT SCHEDULE

1. Cost per service hours shall be determined as follows:

Proposed Shuttle Service	Cost per Service Hour	Contract Service Hours¹	Contract Cost
Fixed administrative costs per month (if any)			0
Route 221 (13 passenger vehicle provided by MCTD)	52.35	1,212	63,453
Route 233 (operator provided vehicle)	51.98	1,414	73,498
Route 259 (13 passenger vehicle provided by MCTD)	44.44	1,818	80,799
Contract Base Price	49.00	4,444	217,756
Additional hour on Route 221	49.00	205	10,045
Extra three days of service	49.00	66	3,234
Additional Maintenance Costs for increased Mileage on Route 259 (Pro-rated for December –June)			2,160 ²
Total (Hourly plus fixed cost)	49.00	4,715	233,195
<p>1. Assuming 205 weekday non holidays in the contract period. Holidays included are New Year’s day, Presidents’ day, Memorial day, July 4th (not in current contract), Labor Day (not in current contract), Thanksgiving, Christmas Day.</p> <p>2. As amended December 12, 2006.</p>			

2. Maximum compensation under this agreement shall not exceed \$233,195.
3. Contractor shall provide District with monthly invoices in a form acceptable to Transit Planning Manager.
4. Upon approval of invoices by Transit Planning Manager, Contractor shall be paid monthly in arrears. Invoices shall clearly specify the number of service hours per route provided during the reporting period.

IN WITNESS WHEREOF, the parties hereto have executed this Addendum on the day first written above.

CONTRACTOR:

MARIN COUNTY TRANSIT DISTRICT:

By _____



APPROVED AS TO FORM: (if changes to the Contract form language have been made)

County Counsel

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