

### **THIRD AMENDMENT TO FUNDING AGREEMENT FOR RTD FUNDING OF LOCAL TRANSPORTATION SERVICES (CITY OF LITTLETON SHOPPING CART)**

This Third Amendment to the Funding Agreement for RTD Funding of Local Transportation Services (City of Littleton Shopping Cart) ("Third Amendment") is hereby made by and between the Regional Transportation District ("RTD") and City of Littleton ("LOCAL ENTITY"). RTD and LOCAL ENTITY also may be referred to herein as a "Party" or collectively as the "Parties."

#### **RECITALS**

A. RTD and LOCAL ENTITY entered into an agreement entitled **FUNDING AGREEMENT FOR RTD FUNDING OF LOCAL TRANSPORTATION SERVICES (LITTLETON SHOPPING CART)** dated March 18, 2014 which was amended by the First Amendment to the Agreement dated April 8, 2015, to provide RTD Funding for 2015, and the Second Amendment dated February 26, 2016 in order to provide funding for 2016 (collectively, the "Agreement");

B. Section 10.H of the Agreement provides that the Parties may amend the Agreement to account for changes in the RTD Funding by a written agreement; and

D. In accordance with Section 10.H, RTD and LOCAL ENTITY now desire to amend the Agreement in order to provide the RTD Funding for 2017.

Now, therefore, the Parties agree as follows:

#### **AGREEMENT**

1. Except as otherwise stated herein, all initially capitalized terms shall have the same meaning as set forth in the Agreement. If there is any conflict between the terms of this Amendment and the Agreement, the terms of this Amendment shall control. As modified by this Amendment, the Agreement shall remain in full force and effect.

2. Exhibit B of the Agreement is stricken and replaced with the revised Exhibit B, which is attached hereto and incorporated by reference herein.

3. This Amendment shall become effective upon the last date executed by all Parties.

IN WITNESS WHEREOF, the Parties have duly executed this Amendment to the Agreement.

CITY OF LITTLETON

REGIONAL TRANSPORTATION DISTRICT

ATTEST:

\_\_\_\_\_  
Wendy Heffner  
CITY CLERK

\_\_\_\_\_  
Bruce O. Beckman  
MAYOR

APPROVED AS TO FORM:

\_\_\_\_\_  
Kenneth S. Fellman  
ACTING CITY ATTORNEY

REGIONAL TRANSPORTATION DISTRICT

By:\_\_\_\_\_  
David A. Genova  
General Manager & CEO

Date: \_\_\_\_\_

APPROVED AS TO LEGAL  
FORM for RTD:

By:\_\_\_\_\_  
Lori L. Graham  
Associate General Counsel  
Date: \_\_\_\_\_

**REVISED EXHIBIT B**  
**DESCRIPTION OF THE RTD FUNDING**

RTD shall contribute \$30,661.00 towards the cost of operating the Services, as described in Exhibit A, for the period January 1, 2017 through December 31, 2017. The amount provided in this Exhibit B shall be reduced pro rata for any reduction in the Service from that provided in Exhibit A.