

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

This FIFTH AMENDMENT to the Funding Agreement for RTD Funding of Local Transportation Services (City of Littleton Shopping Cart) ("Fifth 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, the Second Amendment dated February 26, 2016 in order to provide funding for 2016, and the Third Amendment dated May 31, 2017 in order to provide RTD Funding for 2017 and the Fourth Amendment dated April 4, 2018 in order to provide RTD Funding for 2018 (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;

C. In accordance with Section 10.H, RTD and LOCAL ENTITY now desire to amend the Agreement in order to provide the RTD Funding for 2019.

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 Fifth Amendment, the Agreement shall remain in full force and effect.
2. Exhibits B and C of the Agreement are stricken and replaced with the revised Exhibits B and C which are attached to this Fifth Amendment and incorporated by reference herein.
3. This Fifth Amendment shall become effective upon the last date executed by all Parties.

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

CITY OF LITTLETON

ATTEST:

Wendy Heffner
CITY CLERK

Debbie Brinkman
MAYOR

APPROVED AS TO FORM:

Date:_____

CITY ATTORNEY

REGIONAL TRANSPORTATION DISTRICT

By:_____
David A. Genova
General Manager & CEO

Date: _____

APPROVED AS TO LEGAL
FORM for RTD:

By:_____
Dana E. Steele
Sr. Associate General Counsel

REVISED EXHIBIT B
DESCRIPTION OF THE RTD FUNDING

RTD shall contribute \$32,108.00 towards the cost of operating the Services, as described in Exhibit A, for the period January 1, 2019 through December 31, 2019. The amount provided in this Exhibit B shall be reduced pro rata for any reduction in the Service from that provided in Exhibit A.

REVISED EXHIBIT C
Communication and Notices – Contacts

For the City:

City of Littleton
2255 West Berry Avenue
Littleton, Colorado 80165
Attn: Wendy Heffner
303.795.3753

For the RTD:

Regional Transportation District
1660 Blake Street
Denver, Colorado 80202
Attn: Fred Worthen
303.299.2839