

AMENDMENT NO. 1

Between

City of Tacoma, Department of Public Utilities – Beltline Division, dba Tacoma Rail

And

WASHINGTON STATE DEPARTMENT OF TRANSPORTATION

RRB 1269

This AMENDMENT No. 1 ("AMENDMENT") is between City of Tacoma, Department of Public Utilities – Beltline Division, dba Tacoma Rail "RECIPIENT" and the WASHINGTON STATE DEPARTMENT OF TRANSPORTATION "STATE" collectively referred to as the "PARTIES" and amends the RRB 1269 "AGREEMENT" effective October 22, 2021, between the PARTIES.

WHEREAS, the PARTIES are authorized by Section 29, "AMENDMENT," of the original AGREEMENT to amend the terms and conditions of the original AGREEMENT;

WHEREAS, due to delays in equipment acquisition, the Scope of Work as described in Exhibit A is not physically complete at the time of this AMENDMENT; WHEREAS, all invoices submitted to WSDOT and the funding amount needs to reflect actual costs;

WHEREAS, both PARTIES desire to amend the AGREEMENT to match the charges made; and

NOW THEREFORE, the PARTIES hereto agree to amend the AGREEMENT as follows:

1. Delete the "June 30, 2023" reference in Section 2.9 and replace it with "December 31, 2023".
2. Delete the "June 30, 2023" reference in Section 8.1.a and replace it with "December 31, 2023".
3. Delete "EXHIBIT D – REPAYMENT SCHEDULE" in its entirety and replace it with "EXHIBIT D-1 – REVISED REPAYMENT SCHEDULE" attached hereto and by reference made a part of the original AGREEMENT.
4. Except as expressly modified herein, all other terms and conditions of the original RRB 1269 shall remain in full force and effect.

IN WITNESS WHEREOF, the PARTIES have executed this AMENDMENT NO. 1 to RRB 1269 as the date last signed below by the PARTIES.

STATE OF WASHINGTON
Department of Transportation

By: _____ Date: _____
Ron Pate, PLS
Director
WSDOT Rail, Freight and Ports Division

Approved as to form

By: _____ Date: _____
James Nelson, Assistant Attorney General
State of Washington

CITY OF TACOMA dba Tacoma Public Utilities – Tacoma Rail

By: _____ Date: _____
Jackie Flowers
Director of Utilities

By: _____ Date: _____
Andrew Cherullo
Finance Director

By: _____ Date: _____
Dale King
Superintendent

Approved as to form:

By: _____ Date: _____
Paul Goulding
Deputy City Attorney

Any modification, change or revision to this AGREEMENT requires the further approval as to form by the Office of the Attorney General.

EXHIBIT D-1

REVISED REPAYMENT SCHEDULE

Payments are based on a LOAN amount of \$867,502.64 for 10 years beginning December 1, 2022

No	Payment Date	Beginning Balance	Yearly Payment	Ending Balance
1	12/1/2022	\$867,502.64	\$86,800.00	\$780,702.64
2	12/1/2023	\$780,702.64	\$86,750.26	\$693,952.38
3	12/1/2024	\$693,952.38	\$86,750.26	\$607,202.12
4	12/1/2025	\$607,202.12	\$86,750.26	\$520,451.86
5	12/12026	\$520,451.86	\$86,750.26	\$433,701.60
6	12/1/12027	\$433,701.60	\$86,750.26	\$346,951.34
7	12/1/12028	\$346,951.34	\$86,750.26	\$260,201.08
8	12/1/2029	\$260,201.08	\$86,750.26	\$173,450.82
9	12/1/12030	\$173,450.82	\$86,750.26	\$86,700.56
10	12/1/2031	\$86,700.56	\$86,700.56	\$0