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FIRST AMENDMENT TO THE MASTER AGREEMENT

BETWEEN THE SANTA CLARA VALLEY TRANSPORTATION AUTHORITY

AND THE CITY OF MILPITAS RELATING TO THE SILICON VALLEY

RAPID TRANSIT PROGRAM BERRYESSA EXTENSION PROJECT

This Amendment is entered into this ____day of _____, 2011, by and between the City of Milpitas, a general law city of the State of California (hereafter referred to as "City") and the Santa Clara Valley Transportation Authority, a public transit district (hereafter referred to as "VTA") (collectively, the "Parties"). This master agreement amendment becomes effective upon the date listed above.

RECITALS

WHEREAS, the parties entered into a Master Agreement to memorialize the Parties' consultation and cooperation, define their respective rights and obligations, and ensure future cooperation between VTA and the City in connection with the Silicon Valley Berryessa Extension Project ("Project" or "SVBX"), on September 10, 2010;

WHEREAS, the parties now desire to amend the Master Agreement to update the City Work Plan, document acceptance of the Milpitas Boulevard Extension geometric layout as depicted in Exhibit "C", and refine and clarify utility relocation and cost sharing responsibilities.

NOW THEREFORE, in consideration of the mutual covenants and conditions herein contained, the parties agree to amend the Master Agreement as follows:

1. Section 8.B of the Master Agreement:. The City will establish a "Program" account (PG) instead of a Private Job account (PJ), to avoid automatic annual hourly rate increases, in order to comply with the requirements of the Master Agreement. Replace all references to:

    - "City Private Job Account" with "City Program Account"
    - "PJ Account" with "PG Account"

2. Add Exhibit B-1 City Work Plan, attached hereto and incorporated by reference herein. It is now necessary to amend the original work scope to include the work tasks for the next phases of the Project. The scope and costs identified in Exhibit B-1 are the approximate anticipated effort for the City's services and City's consultant costs related to SVBX through the June 2012. Additional city staff and consultants (RMC and Schaaf & Wheeler) have been identified for current and additional tasks for the project, and are included in Exhibit B-1.

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3. Exhibit C: Milpitas Boulevard Extension is referenced in the Master Agreement and is attached hereto and incorporated by reference herein.

4. Exhibit D: Utility Cost Sharing is attached hereto and incorporated by reference herein. Add the following sentence to the end of Section 8, Part I of the Master Agreement, entitled "Public Utility Relocation" to read: Attached Exhibit D titled "Utility Cost Sharing" is a refinement of Exhibit A and specifically identifies affected City-owned utilities and establishes cost sharing responsibilities.

5. All other provisions of the Agreement shall remain in full force and effect.

This Amendment is made and entered into as of the date set forth above.

SANTA CLARA VALLEY TRANSPORTATION AUTHORITY

By: _____

Michael T. Burns

General Manager

APPROVED AS TO FORM:

By: _____

General Counsel

CITY OF MILPITAS

By:_____

City Manager

APPROVED AS TO FORM:

By:_____

City Attorney

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Exhibit B-1 City Work Plan

Exhibit B-1 is a refinement to Exhibit B of the Master Agreement titled City Private Job Account (PJ) (now referred to as Program) Estimate and Hourly Rate Schedule. Hourly staff rates reflect those adopted by the Milpitas City Council as of April 1, 2011 with overhead burden in accordance with the City's adopted Cost Allocation Study. These rates are fixed and are not subject to escalation. Table B-1 describes City services to be provided for anticipated milestones. These services are examples of the types of services expected to occur within the general time frames and are not intended to be an all-inclusive list. The table incorporates the actual hours accrued from January 1, 2010 through March 31, 2011, and provides an estimate of hours for future time periods. Consultant services are also included in Table B-1. Table B-2 provides the City's hourly rates.

Table B-1 Description of City Services

Task	Description	Estimated hours	Estimated Cost	Deposit balance
	Initial VTA deposit			$700,000
1	Preliminary Design – preliminary coordination meetings, review preliminary plans, specifications, and other documents; right-of-way and easement requirements; includes efforts for the period January 1, 2010 through September 10, 2010	521	$72,394	$627,606
2	a) RFP Preparation – coordination meetings, refine utility relocation documents, review project documents, right of way and easement requirements; includes efforts for the period September 11, 2010 through March 31, 2011	1,493	$213,093	$414,513
	b) RMC Water and Environment	57	$8,208	$406,305
	c) Reimbursables such as printing – 2,000 – 11 x 17 and 3,750 – 8.5 x 11	5,750 x $0.10	$575	$405,730
3	a) Bidding Period – coordination meetings, refine utility relocation and cost sharing documents, right of way and easement requirements, addenda, expedited Piper Drive utility relocations, Berryessa Creek 100 year overland flow evaluation, Crossings detention basin, Jurgens drainage basin evaluation;	6 people x 40 hrs per month x 6 months = 1,440	$206,000	$199,730

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	includes efforts for the period April 1, 2011 through September 30, 2011			
	b) Reimbursables such as printing	1000 -8.5 x 11 and 100 24 x 36	$110	$199,620
	c) RMC Water and Environment – est 120 hrs/mo x 6 mo x 144	720	$103,680	$95,940
	d) Schaaf & Wheeler		$16,000	$79,940
*	Contract requires additional deposit by VTA whenever the deposit value drops below $50,000. A payment of approximately $790,000 is anticipated to occur sometime in the October - November 2011 timeframe to provide sufficient revenue through June 30, 2012.			$869,940
4	a) Post Award 2011- coordination meetings, right of way and easement requirements, amendments, expedited Piper Drive, DB Contractor submittals; permits, outreach. Includes efforts for the period October 1, 2011 through December 31, 2011.	6 people x 40 hrs per month x 3 months = 720 hours	$103,000	$766,940
	b) Reimbursables such as printing	1000 -8.5 x 11 and 100 24 x 36	$110	$766,830
	c) RMC Water and Environment	Est 167 hours per month x 3 months = 500 hours	$74,100	$692,730

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	d) Right of Way / Easement / License Review		$20,000	$672,730
	e) Construction inspection support (TBD)	Est 80 hours	$9,600	$663,130
5	Post Award 2012 - coordination meetings, right of way and easement requirements, construction contract amendments, expedited Piper Drive, DB Contractor submittals; permits, inspections, outreach. Includes efforts for the period January 1, 2012 through June 30, 2012.	6 people x 60 hours per month x 6 months = 2,160 hours	$308,000	$355,130
	b) RMC Water and Environment	Est 180 hours /mo x 6 months = 1,100 hours	$163,208	$191,922
	c) Right of Way / Easement / License Review (TBD)		$60,000	$131,922
	d) Construction inspection support (TBD)	Est average 120 hours/mo x 6 months = 720 hours	$86,400	$45,522
	e) Reimbursables such as printing	1000 -8.5 x 11 and 150 24 x 36	$115	$45,407

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Table B-2 City Hourly Rate

Milpitas Job Title	Hourly Rate		Milpitas Job Title	Hourly rate
Assistant City Attorney	$159		Associate Civil Engr (Utility)	$161
Asst City Engr	$186		Assistant Civil Engr	$146
CIP Manager	$176		Junior Civil Engineer	$135
Principal Land Develop Civil Engr	$161		Engr Aide	$124
Principal Utility Civil Engr	$176		CAD Technician	$128
Traffic Engr	$176		Sr Public Works Inspector	$164
Assoc Civil Engr (Design and Land Development)	$171		Public Works /Bldg Inspector	$145
Student Intern	$25		Secretary	$125
Senior Planner	$149		Administrative Analyst	$137
Associate Planner	$129		Public Info Specialist	$137
Assistant Planner	$116		Sr Utility Maintenance Supervisor	$176
Junior Planner	$108		Water Systems Operator	$153
Asst Transportation Planner	$137		Assistant Water Systems Operator	$146
Fire Marshal	$170		Utility Maint Worker III	$134
Fire Protection Engr	$148		Utility Maintenance Worker II	$130
Fire Captain	$176		Utility Maintenance Worker I	$129
Fire Prevention Inspector	$157		Office Specialist	$110

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Milpitas Job Title	Hourly Rate		Milpitas Job Title	Hourly rate
Hazmat Inspector	$161		Office Assistant	$75
Battalion Chief	$177		Accountant Services Manager	$175
Building Official	$211		Accountant	$126
Permit Center Manager	$170		Fiscal Services Assistant	$102

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Exhibit C Milpitas Boulevard Extension

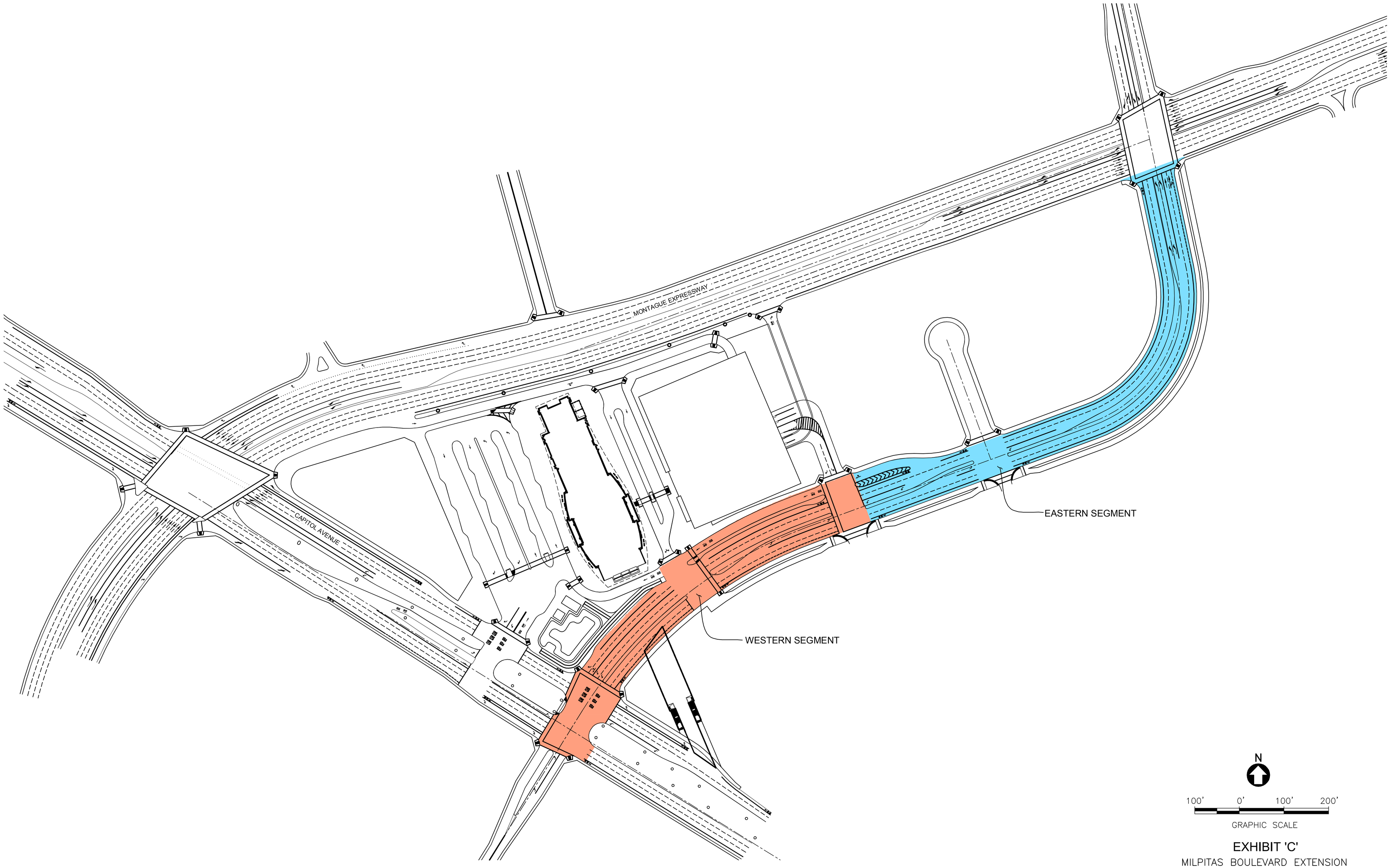

EXHIBIT 'C'

MILPITAS BOULEVARD EXTENSION

PREPARED: 07/27/10

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Exhibit D Utility Cost-Sharing

Exhibit D-1	**Utility Cost Sharing**
Exhibit D3-2	**Proposed Milpitas BART Utility Crossings**
Exhibit D3-3	**Proposed Milpitas BART Sanitary Sewer Utility Crossings**
Exhibit D3-4	**Proposed Milpitas BART Storm Drain Utility Crossings**
Exhibit D3-5	**Proposed Milpitas BART Water and Recycled Water Utility Crossings**

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Exhibit D-1 Utility Cost-Sharing

BACKGROUND: VTA and the City have consulted on the design, engineering, and urban planning aspects of the Project. The City desires to cooperate with VTA to facilitate the construction and operation of the Project and VTA recognizes the importance of public health, safety and various other public services which the City provides to the community for economic and quality of life benefits. Construction of the BART guideway and stations will require reconstruction or relocation of existing City infrastructure, including roads and utilities. The project will also relocate infrastructure owned by other agencies and VTA will need to coordinate these relocations to minimize temporary and permanent impacts on all Parties and the public.

VTA and City have reviewed the potentially affected City-owned utilities identified in Exhibit A of the Master Agreement and now mutually agree that not all items listed in Exhibit A shall be modified and/or relocated. In addition, the City desires to upsize selected facilities, install new facilities for future utilities (over and above Master Plan expansions), and modify selected facilities (such as the Capitol Avenue storm drainage improvements.) This Exhibit D provides clarification and revisions to the utilities identified in Exhibit A of the Master Agreement. Table D-1 provides the agreed upon unit costs for various types of work. Table D-2 identifies the updated list of improvements, estimated costs, and establishes cost sharing responsibilities. Exhibit D-3 indicates the approximate location of the affected utilities.

ASSUMPTIONS:

1. VTA is responsible for all costs related to in-kind utility relocations and Master Plan projects defined as Base Level in Section 2 of the Master Agreement.

2. Concurrent Non-Project Activities are funded by VTA, the City of Milpitas, or shared between the Parties.

3. The City of Milpitas agrees to pay for:

    a. The differential in material and construction costs when upsizing utilities that must be relocated to accommodate the Project.

    b. Engineering, mobilization/demobilization, materials, construction costs, pavement removal and replacement, traffic control, dewatering/shoring/thrust protection/miscellaneous, and environmental/legal/administration costs for work that is not necessitated by the Project, such as installing new facilities or upsizing an undisturbed pipeline.

4. VTA agrees to pay for:

    a. Engineering, mobilization/demobilization, pavement removal and replacement, traffic control, dewatering/shoring/thrust protection/miscellaneous, and environmental/legal/administration costs for upsizing utility pipes that will be relocated as part of the Base Level project work.

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5. The Parties agree that administrative costs to identify actual costs for each improvement will quickly exceed and dwarf the minor differences between actual and assumed fixed pipeline costs and therefore agree upon the assumed fixed costs shown in Table D-1.

6. **PAYMENT SCHEDULE:** The City will program a capital improvement project in the City's 5 year Capital Improvement Program to accumulate and appropriate funds for the City's cost share, such that the City's utility-related reimbursement payment is available by July 30, 2015. The City will pay for those utilities completed and accepted by the City by July 1, 2015 on July 30, 2015. VTA shall invoice for reimbursement for each remaining City utility after City's acceptance of each utility, and the City shall reimburse VTA, within 30 days after receipt of an approved invoice, after July 30, 2015.

Table D-1 Fixed Unit Costs for City of Milpitas Utility Improvements

a.	Water, sewer, and storm pipe installation in City streets. Costs include pipe material, installation, appurtenances, excavation, backfill, pavement removal and replacement, and traffic control for open cut construction.	$18/ linear foot/inch diameter
b.	Water, sewer, and storm pipe installation in unpaved areas. Costs include pipe material, installation, appurtenances, excavation and backfill, for unpaved construction.	$13/ linear foot/inch diameter
c.	Water, sewer, and storm pipe installation in bridge decks. Costs include material and installation.	$5.50/ linear foot/inch diameter
d	Casings Costs include material and installation. in bridge deck.	$4.80/ linear foot/inch diameter
e	Asbestos pipe removal	$78.00/ linear foot/inch diameter
f	Horizontal directional drill – 14 inch diameter HDPE casing	$224.00/ linear foot
g	Allowance for dewatering/shoring/thrust protection/miscellaneous	5% of raw construction cost total
h	Allowance for mobilization/demobilization	8% of raw construction cost total
i	Allowance for construction contingency	20% of raw construction cost total
j	Allowance for engineering	10% of total

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		construction cost
k	Allowance for environmental, legal, administration	20% of total construction cost
l	These costs are pegged to the March 2011 San Francisco ENR CCI of 10151.04 and shall be escalated to the March 2015 San Francisco ENR CCI.	

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TABLE D-2 Updated List of Improvements

LOC #	TYPE	SIZE	UTILITY CROSSINGS DESCRIPTION - SCOPE OF WORK	VTA Obligation	VTA Expense	City of Milpitas Cost Share	Cost Share Basis
1	W	12"	Replace approx 130 LF of existing 12-inch water pipe (backbone standard) in 20-inch casing in the new Dixon Landing overcrossing.	VTA is obligated to relocate the existing 12" waterline to clear the SVBX improvements. Current plans call for a 12" main in a 20" casing.	Base Level	none	
2a	SD	36"	Relocate approximately 110 LF of 36-inch Reinforced Concrete Pipe (RCP) storm pipe if necessary. Design retaining wall to withstand surcharge.	VTA is obligated to protect this facility in place during construction.	Base Level	none	

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LOC #	TYPE	SIZE	UTILITY CROSSINGS DESCRIPTION - SCOPE OF WORK	VTA Obligation	VTA Expense	City of Milpitas Cost Share	Cost Share Basis
2b	SD	33" & 24"	(b) Relocate 33-inch RCP and 24-inch RCP lateral storm pipes on Dixon Landing Road if necessary.	VTA is obligated to protect this facility in place during construction.	Base Level	None	
3	RW	12"	Due to significant constraints at the Dixon Landing Overcrossing, the Parties agree to install the recycled water crossing at Abel Street instead.	None.	N/A	N/A	
4	SS	8"	The Parties agree that this 8-inch sanitary sewer pipe near Dixon Landing Road is not impacted by the Project.	VTA is not obligated to relocate this facility.	N/A	none	

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LOC #	TYPE	SIZE	UTILITY CROSSINGS DESCRIPTION - SCOPE OF WORK	VTA Obligation	VTA Expense	City of Milpitas Cost Share	Cost Share Basis
5	SS	15"	Approx. 130 LF of existing 15-inch VCP with casing near Jurgens Dr. at approx. STA 208+08 is in the vicinity of the work and shall be protected in place during construction.	VTA is obligated to protect these facilities in place during construction.	N/A	none	
6	SD	36"	There are four existing approximately 140 foot long 36-inch diameter RCP near Jurgens Dr. at approx STA 208+20. VTA shall install additional culverts to achieve 100-year capacity, currently assumed as two additional parallel 140 foot long 48-inch diameter RCP culverts.	VTA is obligated under the Master Agreement with COM to accommodate improvements covered in master plans that would otherwise be impacted by the SVBX project improvements.	100-year-capacity culverts across VTA corridor is Base Level.	TBD	City is responsible for the additional cost to extend the culverts across the UPRR right of way, if requested.
7		14"	The City of Milpitas has decided not to install a 14-inch diameter casing for future utility near Jurgens Dr.	VTA is not obligated to install this facility.	N/A	none	

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LOC #	TYPE	SIZE	UTILITY CROSSINGS DESCRIPTION - SCOPE OF WORK	VTA Obligation	VTA Expense	City of Milpitas Cost Share	Cost Share Basis
8	SS	8"	The Parties agree that the 8-inch sanitary sewer pipe along east side of tracks near Minnis Circle at approx. STA 215+50 is not impacted by the Project.	VTA is not obligated to relocate this facility.	N/A	none	
9	SS	42"	The City of Milpitas has decided not to replace approx. 160 LF of 42-inch RCP with casing at Balboa Dr.	VTA is not obligated to upgrade this facility.	N/A	none	
10	RW	24"	Install casing for future 24-inch recycled water crossing (SBWR M-5) at Abel St.	VTA is obligated under the Master Agreement with COM to provide accommodation for improvements covered in master plans that would otherwise be impacted by the SVBX project improvements.	Accommodation of Master Plan Improvements are included as Base Level across the VTA right of way.	TBD	If requested, COM would be responsible for cost of extending casing beyond limits of VTA corridor.
11		14"	Install approx 500 lin ft of new 14-inch diameter HDPE casing for future utility at Abel St (directional drill).	VTA is not obligated to install additional casing.	N/A	Concurrent Non-Project Activity $198,100	Directional Drill 14 inch diameter casing approximately 500 liner feet.

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LOC #	TYPE	SIZE	UTILITY CROSSINGS DESCRIPTION - SCOPE OF WORK	VTA Obligation	VTA Expense	City of Milpitas Cost Share	Cost Share Basis
12		14"	City has decided not to install a new 14-inch diameter casing for future utility near Marylinn Dr.	VTA is not obligated to install additional casing.	N/A	none	
13		18"	City has decided not to install a new 18-inch diameter casing for future utility along south side of Calaveras.	VTA is not obligated to install additional casing.	N/A	none	
14	RW	20"	City has decided not to install a new 20-inch diameter pipe with casing for future recycled water pipe along the south side of Calaveras.	VTA is not obligated to install these facilities.	N/A	none	
15	SS	21"	The City has decided not to replace approx. 70 LF of existing 21-inch VCP with casing along the south side of Calaveras on west side of ROW.	VTA is not obligated to install these facilities.	N/A	none	
16	W	72" & 90"	VTA to coordinate with San Francisco Public Utilities Commission (SFPUC) for existing 72-	N/A	Base Level	none	

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LOC #	TYPE	SIZE	UTILITY CROSSINGS DESCRIPTION - SCOPE OF WORK	VTA Obligation	VTA Expense	City of Milpitas Cost Share	Cost Share Basis
			inch and 90-inch steel water transmission lines and future Bay Division Pipe Line (BDPL) #5 construction south of Turquoise Street.				
17	RW	20"	The existing 20-inch recycled water line with concrete casing near Curtis Ave is in the vicinity of the work and shall be protected in place.	VTA is obligated to protect this facility in place during construction.	Base Level	none	
18	W	2-12" 2-18"	The Parties agree that the two existing 12-inch asbestos cement water pipes and casings each approx 70 LF in length are not affected by the Project and shall be protected in place. VTA shall protect in place two existing 18-inch ductile iron pipe with 30-inch steel casing approx 70 LF in length.	VTA is obligated to protect this facility in place during construction.	Base Level	none	

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LOC #	TYPE	SIZE	UTILITY CROSSINGS DESCRIPTION - SCOPE OF WORK	VTA Obligation	VTA Expense	City of Milpitas Cost Share	Cost Share Basis
19	SS	15"	Replace approx. 70 LF of existing 15-inch VCP and 30-inch Corrugated Metal Pipe (CMP) casing with 18-inch pipe and casing at Curtis Avenue.	VTA is obligated under the agreement with COM to accommodate improvements covered in the COM master plans that would otherwise be impacted by the SVBX project improvements.	Base Level work includes installation of casing and carrier pipe.	Concurrent Non-Project The City is responsible for the incremental cost of carrier pipe material (18 inch diameter versus 15 inch diameter).	
20	W	12"	Install 24-inch diameter casing for future 12-inch water pipe to convey flow from Curtis Well to Gibraltar Pump Station.	VTA is obligated under the agreement with COM to accommodate improvements covered in master plans that would otherwise be impacted by the SVBX project improvements.	Base Level	none	
21	SD	5'x4'	Replace existing storm drain (drainage channel and pipe) beginning at Piper Dr. cul-de-sac with approximately 1000 LF of 5'x4' Reinforced Concrete Box (RCB) to the north and tie into existing 5'x4' RCB.	VTA is obligated to install new drainage facility.	Base Level	none	

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LOC #	TYPE	SIZE	UTILITY CROSSINGS DESCRIPTION - SCOPE OF WORK	VTA Obligation	VTA Expense	City of Milpitas Cost Share	Cost Share Basis
22	Multiple	-	VTA shall install only those new connection points for water, sewer, and storm utilities serving proposed Milpitas Station Housing/ Citation/ Swenson development located in future Street A. Points of connection shall be extended easterly beyond all underground utility crossings in and parallel to Piper Drive. Exact x-y coordinates for connection points shall be provided by the developer no later than the award date of the C700 contract. Water connections shall be constructed to City backbone standard and shall terminate with a gate valve and blind flange. Storm and sewer connections shall terminate in a manhole.	None	None, Concurrent Non-Project	$68,900 for the three utility tie-ins at Street A at approx station 360+30	50 ft of 18 inch water line 70 ft of 36 inch storm drain 40 ft of 10 inch sanitary sewer The private developer shall install the remaining utility connection points.

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LOC #	TYPE	SIZE	UTILITY CROSSINGS DESCRIPTION - SCOPE OF WORK	VTA Obligation	VTA Expense	City of Milpitas Cost Share	Cost Share Basis
23	SD	21"	Connect existing 21-inch CMP to new 54-inch RCP storm drain or new 5'x4' RCB, near Piper Dr. approx. at STA 354+10.	VTA is obligated to reconnect existing drainage facilities in kind.	Base Level	none	
24	SD	12"	Connect existing 12-inch CMP to new 54-inch RCP storm drain or new 5'x4' RCB, near Piper Dr. approx. at STA 357+15.	VTA is obligated to reconnect existing drainage facilities in kind.	Base Level	none	
25	SD	18"	Connect existing 18-inch RCP to new 54-inch RCP storm drain or new 5'x4' RCB, near Piper Dr. approx. at STA 358+45.	VTA is obligated to reconnect existing drainage facilities in kind.	Base Level	none	
26	SD	12"	Connect existing 12-inch RCP to new 54-inch RCP storm drain near Piper Dr. approx. at STA 359+50.	VTA is obligated to reconnect existing drainage facilities in kind.	Base Level	none	
27	SD	24"	Connect existing 24-inch CMP to new 54-inch RCP storm drain near Piper Dr. approx. at STA 361+90.	VTA is obligated to reconnect existing drainage facilities in kind.	Base Level	none	

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LOC #	TYPE	SIZE	UTILITY CROSSINGS DESCRIPTION - SCOPE OF WORK	VTA Obligation	VTA Expense	City of Milpitas Cost Share	Cost Share Basis
28	SD	12"	Connect existing 12-inch RCP to new 54-inch RCP storm drain near Piper Dr. approx. at STA 365+00.	VTA is obligated to reconnect existing drainage facilities in kind.	Base Level	none	
29	SD	21"	Connect existing 21-inch RCP to new 54-inch RCP storm drain near Montague and Piper Dr. intersection.	VTA is obligated to reconnect existing drainage facilities in kind.	Base Level	none	
30	SD	54"	Replace existing storm drainage channel and pipe with approximately 1800 LF of parallel 54-inch RCP, beginning near Capitol Ave and extending north to connect to proposed 5'x4' RCB near Piper Dr. cul-de-sac. Work is in accordance with City Storm Drain Master Plan.	VTA is obligated to install this drainage facility as a project improvement.	Base Level	none	
31	SS	8"	Relocate approx 600 LF of 8-inch sewer line which is along east side of tracks south of Montague.	VTA is obligated to relocate the existing sanitary sewer as part of the SVBX project.	Base Level	none	

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LOC #	TYPE	SIZE	UTILITY CROSSINGS DESCRIPTION - SCOPE OF WORK	VTA Obligation	VTA Expense	City of Milpitas Cost Share	Cost Share Basis
32	Multiple	-	Extend service laterals in east-bound Montague traffic lanes to accommodate widening for new frontage road for parking garage including but not limited to water meter, hydrants, sewer, street lights.	VTA is obligated to extend laterals and adjust surface improvements to accommodate the SVBX project.	Base Level	none	
33	RW	12"	Install new 12-inch pipe and 21-inch casing in Montague.	VTA is obligated under the agreement with COM to accommodate improvements covered in master plans that would otherwise be impacted by the SVBX project improvements. Base Level. Since the recycled water pipe is infeasible at Piper Drive, recycled water casings at Montague and Capitol Overcrossings (#33 and #46) are provided instead.	Installation of the casing is Base Level.	Concurrent Non-Project Activity The City is responsible for the cost of the 12 inch carrier pipe.	

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LOC #	TYPE	SIZE	UTILITY CROSSINGS DESCRIPTION - SCOPE OF WORK	VTA Obligation	VTA Expense	City of Milpitas Cost Share	Cost Share Basis
34		14"	Install 14-inch diameter casing for future utility in South Milpitas Blvd bridge extension.		N/A	Concurrent Non-Project Activity	City is responsible for cost of X linear feet of 14 inch diameter casing.
35a	RW	12"	Install new 12-inch recycled water pipe and 21-inch casing in future S. Milpitas Blvd. extension to Capitol.	VTA is obligated under the agreement with COM to accommodate the installation of 12" RW line within South Milpitas Blvd.	Base Level	none	
35b	RW	12"	City has decided not to install a new 12-inch recycled water pipeline along Capitol Avenue.	VTA is not obligated to construct these improvements.	N/A	none	
36	SD	27"	Connect existing 27-inch RCP to new 54-inch storm drain near future S. Milpitas extension.	VTA is obligated to adjust existing utilities to accommodate the SVBX project.	Base Level	none	
37a	Multiple	-	Construct S. Milpitas Blvd. roadway extension including curb, sidewalk, gutters, streetlights, traffic signals, underground utilities, etc.	Improvements per master agreement	Base level includes cost of Western Segment.	City responsible for cost of Eastern Segment	Cost share arrangements are specified in the Master Agreement.

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LOC #	TYPE	SIZE	UTILITY CROSSINGS DESCRIPTION - SCOPE OF WORK	VTA Obligation	VTA Expense	City of Milpitas Cost Share	Cost Share Basis
37b	Multiple	-	City has decided not to construct recycled water line to extend northward and tie into new casing at Montague Expressway at this time.	None	N/A	none	
38	W	24"	Install new Santa Clara Valley Water District (SCVWD) turnout with Zone 2 pressure reducing valve (PRV) and 24-inch piping to distribution system along new South Milpitas Blvd extension. New pipelines shall meet City backbone standard.	VTA is obligated under the agreement with COM to accommodate improvements covered in the COM master plans that would otherwise be impacted by the SVBX project improvements.	To be determined	To be determined	Work includes a feasibility study, providing sufficient right of way for two vaults and installation of tees, valves, and piping.
39	W	12"	City has decided not to upsize existing Zone 1 water pipeline between Capitol Ave and Lundy Place from 12-inch to 18-inch diameter at this time.	None	N/A	none	
40a and 40a2	W	12"	Relocate and upsize from 12-inch to 18-inch Zone 2 water pipeline for approximately 960 LF from Montague	VTA obligated to relocate the waterline in kind.	Relocation in kind is Base Level.	Concurrent Non-Project Activity $283,800	Cost differential to install approximately 1300 linear feet of 18 inch

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LOC #	TYPE	SIZE	UTILITY CROSSINGS DESCRIPTION - SCOPE OF WORK	VTA Obligation	VTA Expense	City of Milpitas Cost Share	Cost Share Basis
			Expressway southward to Capitol Avenue overcrossing and continue southward 340 linear feet to tie-in at Crossings driveway. New pipelines shall meet City backbone standard. Excludes overcrossing				diameter pipe in lieu of 12 inch diameter pipe.
40b	W	12"	Relocate and upsize from 12-inch to 18-inch Zone 2 water pipeline for approximately 1977 northward from Montague Expressway to the tie-in point near the storm and sanitary sewer tie-in points. New pipelines shall meet City backbone standard.	VTA obligated to relocate the waterline in kind.	Relocation in kind is Base Level.	Concurrent non-Project Activity $194,300	Cost differential to install approximately 1,977 linear feet of 18 inch diameter pipe in lieu of 12 inch diameter pipe.
40c	W	12”	The Parties agree to exclude upsizing of the existing 12 inch pipe north of 40 b to 18 inch from tie- in point approximately 2,000 linear feet north to Curtis Avenue extension from	None	N/A	none	

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LOC #	TYPE	SIZE	UTILITY CROSSINGS DESCRIPTION - SCOPE OF WORK	VTA Obligation	VTA Expense	City of Milpitas Cost Share	Cost Share Basis
			the work.				
41	W	12"	The Parties agree that the Capitol PRV is outside the disturbed area and work consists of "protect in place". If the DB Contractor later determines that the PRV must be relocated to facilitate the work, the City desires a Change Order to upsize from 12-inch to 18-inch.	None	N/A	None, unless City later requests a Change Order to upsize the PRV. The full cost of any upsizing would be a City cost.	
42	W	12"	Upsize existing 12-inch to 18-inch Zone 2 water pipeline and casing crossing tracks in Montague Expressway overcrossing. New pipelines shall meet City backbone standard.	VTA is obligated to relocate the waterline in kind.	Relocation in kind is Base Level.	Concurrent Non-Project Activity $10,100	Cost differential to provide approximately 130 linear feet of 18 inch diameter pipe inside casing in lieu of 12 inch diameter pipe in casing in Montague overcrossing.

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LOC #	TYPE	SIZE	UTILITY CROSSINGS DESCRIPTION - SCOPE OF WORK	VTA Obligation	VTA Expense	City of Milpitas Cost Share	Cost Share Basis
43		14"	City has decided not to install a new 14-inch diameter casing for future utility in Montague.	None	N/A	none	
44	W	24"	Install new 24-inch Zone 2 water pipeline and casing that will cross tracks at new South Milpitas Blvd extension.	VTA is obligated to construct new water main and services within S. Milpitas Blvd. and across BART.	Base Level	None	
45	W	18"	Existing 12 inch diameter pipeline is being relocated from east side to west side of tracks. This segment is located in Capitol Avenue overcrossing that will tie into existing pipe on the south side. City requests upsize to 18 inch pipe (or equivalent capacity). New water pipe shall meet City backbone standard.	VTA is obligated to replace/relocate this facility in kind.	Relocation in kind is Base Level.	Concurrent Non-Project Activity $12,600	Cost differential to install approximately 160 linear feet of 18 inch diameter pipe inside casing in lieu of 12 inch diameter pipe in casing.

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LOC #	TYPE	SIZE	UTILITY CROSSINGS DESCRIPTION - SCOPE OF WORK	VTA Obligation	VTA Expense	City of Milpitas Cost Share	Cost Share Basis
46	RW	21	Install one 21-inch diameter casing in Capitol Avenue overcrossing for future 12 inch diameter recycled water pipeline.	VTA is obligated under the agreement with COM to accommodate improvements covered in master plans that would otherwise be impacted by the SVBX project improvements. Since the recycled water pipe is infeasible at Piper Drive, recycled water casings at Montague and Capitol Overcrossings (#33 and #46) are provided instead.	Base Level	None	
47a and 47a2	W	12"	Upsize existing 12-inch to 18-inch Zone 1 water pipeline from the Capitol PRV northward through the new Capitol Avenue overcrossing to the point of connection with the existing 12 inch pipeline. Excludes overcrossing. New pipelines shall meet City backbone standard.	VTA is obligated to replace/relocate this facility in kind.	Relocation in kind is Base Level.	Concurrent Non-Project Activity $103,000	Cost differential to install approximately 440 linear feet of 18 inch diameter pipe inside casing in lieu of 12 inch diameter pipe.

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LOC #	TYPE	SIZE	UTILITY CROSSINGS DESCRIPTION - SCOPE OF WORK	VTA Obligation	VTA Expense	City of Milpitas Cost Share	Cost Share Basis
47b	W	12”	Upsize existing 12-inch to 18-inch Zone 1 water pipeline and casing crossing tracks in Capitol Avenue. New pipelines shall meet City backbone standard.	VTA is obligated to replace/relocate this facility in kind.		Concurrent Non-Project activity $10,100	Cost differential to provide approximately 130 linear feet of 18 inch diameter pipe inside casing in lieu of 12 inch diameter pipe in casing in Capitol Avenue.
48	W	12"	Upsize existing 12-inch to 18-inch Zone 1 water pipeline and casing at SVBX crossing along Lundy Place at southern City limit. New pipelines shall meet City backbone standard.	VTA is obligated to replace/relocate this facility in kind.	Relocation in kind is Base Level.	Concurrent Non-Project activity Cost to be determined	Cost differential to provide approximately X linear feet of 18 inch diameter pipe inside casing in lieu of 12 inch diameter pipe in casing in Lundy Place at southern City limit.
49	W	18"	This pipeline segment is not needed since Capitol PRV is not being relocated.	None	N/A	none	

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LOC #	TYPE	SIZE	UTILITY CROSSINGS DESCRIPTION - SCOPE OF WORK	VTA Obligation	VTA Expense	City of Milpitas Cost Share	Cost Share Basis
50	W	42"	Relocate SCVWD's 42-inch Welded Steel Pipe (WSP) water transmission line parallel to tracks on east side from southern City limits to Montague.	VTA is obligated to replace/relocate this facility in kind.	Base Level	none	
51	SD	78"	Relocate City of San Jose's 78-inch CMP storm drain siphon near Lundy Place.	VTA is obligated to construct new Storm Drain Siphon.	Base Level	none	
52	W	18"	This 18-inch Zone 2 water pipeline is not needed since the Capitol PRV is not being relocated.	None	N/A	none	
53a			Modifications to the footprint, size, and discharge features of the Crossings Apartment's detention basin are needed to accommodate the parallel utility corridor and should be included as part of the Base Level project..	VTA is obligated to replace/relocate this facility in kind.	Base Level	none	

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LOC #	TYPE	SIZE	UTILITY CROSSINGS DESCRIPTION - SCOPE OF WORK	VTA Obligation	VTA Expense	City of Milpitas Cost Share	Cost Share Basis
53b	SD	New	The Parties agree to modify the City's storm drain system along Capitol Avenue in order to disconnect the City's storm drain system from the San Jose storm drain system. Design and install an 18 inch diameter storm drain pipe from the City southern boundary at Capitol Avenue to the new 54 inch pipe just north of the Crossings detention basin. A short segment of existing storm drain pipe shall be abandoned.	The storm drain pipe is not affected by the Project.	N/A	Concurrent Non-Project activity Cost to be determined	Cost to provide approximately 750 linear feet of 18 inch pipe to connect with VTA's proposed 54 inch storm drain pipe just north of the Crossings detention basin. All work shall be performed within the Milpitas city limits.
54	Multiple	-	City has determined that Capitol Avenue improvements are not required at this time.	None	N/A	none	
55	RW	12"	The Parties have agreed that installing a recycled water pipe in Piper Dr from Milpitas Station/Citation developer projects to	VTA is obligated under the agreement with COM to accommodate improvements covered in master plans that would otherwise be	N/A	None	

Draft

LOC #	TYPE	SIZE	UTILITY CROSSINGS DESCRIPTION - SCOPE OF WORK	VTA Obligation	VTA Expense	City of Milpitas Cost Share	Cost Share Basis
			Montague Expressway is infeasible. Install new recycled water casings at Montague and Capitol Overcrossings instead.	impacted by the SVBX project improvements. Base Level. Since the recycled water pipe is infeasible at Piper Drive, recycled water casings at Montague and Capitol Overcrossings (#33 and #46) are provided instead.			

Draft

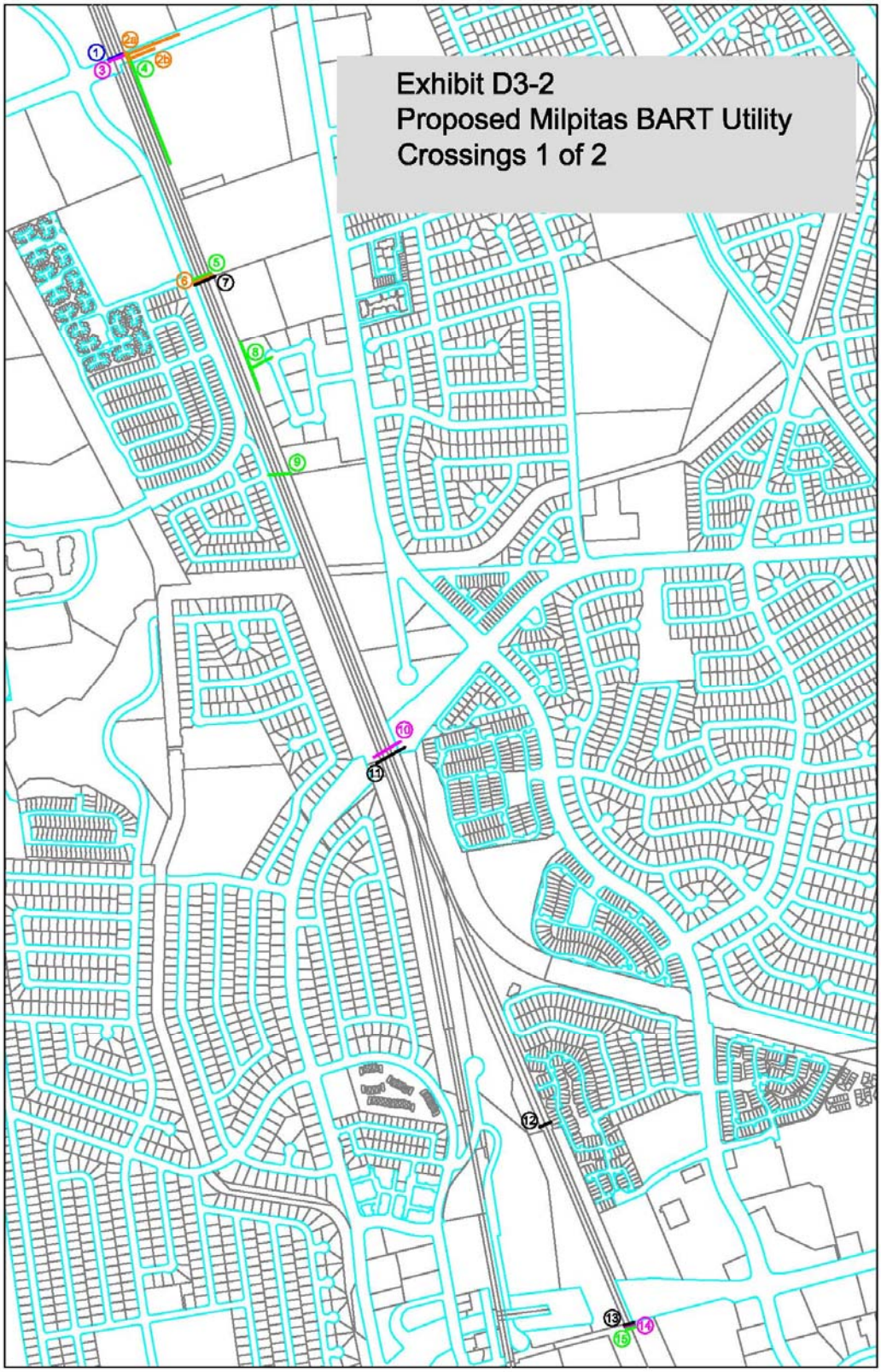


Exhibit D3-2
Proposed Milpitas BART Utility
Crossings 1 of 2

Draft

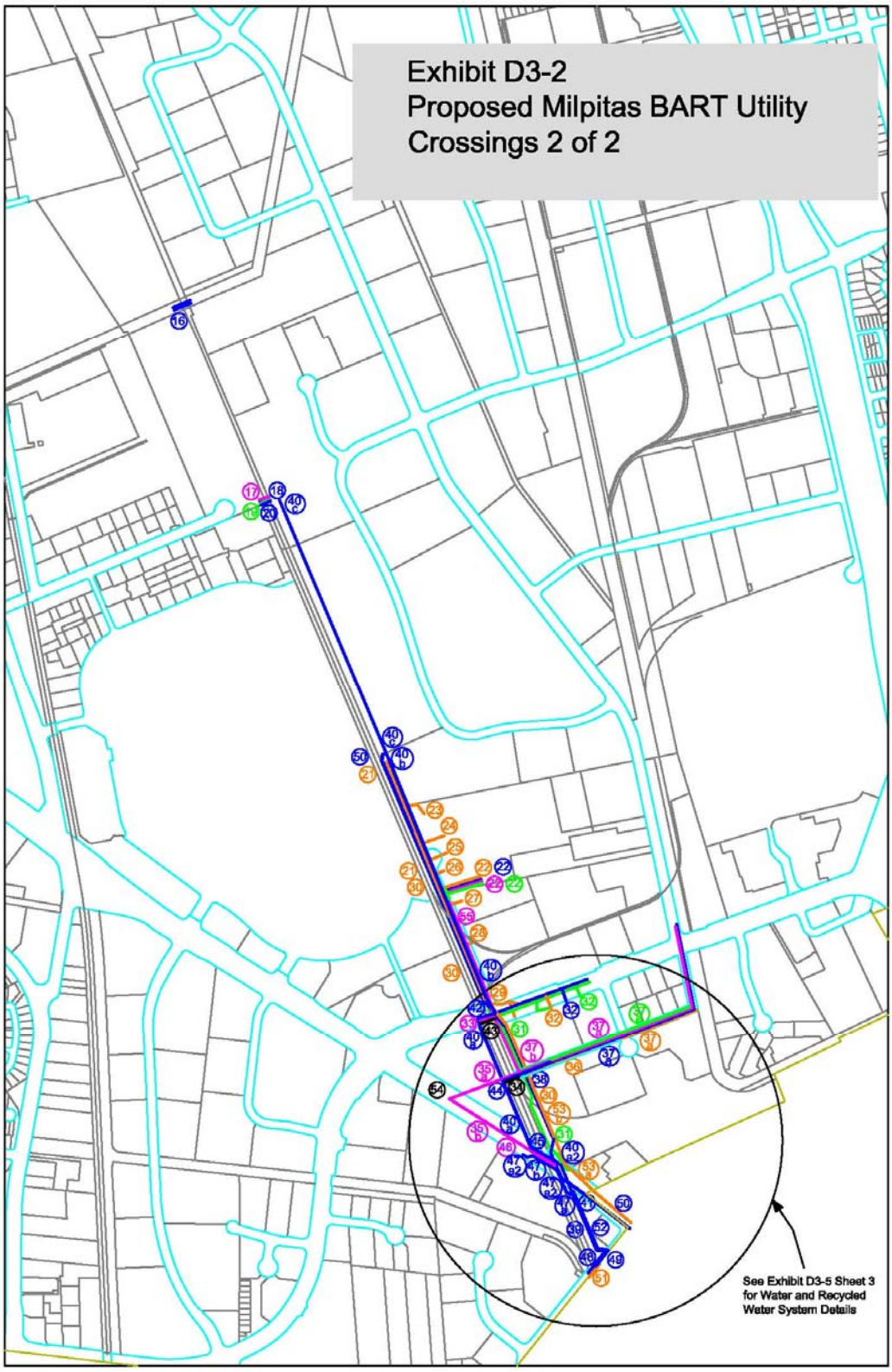
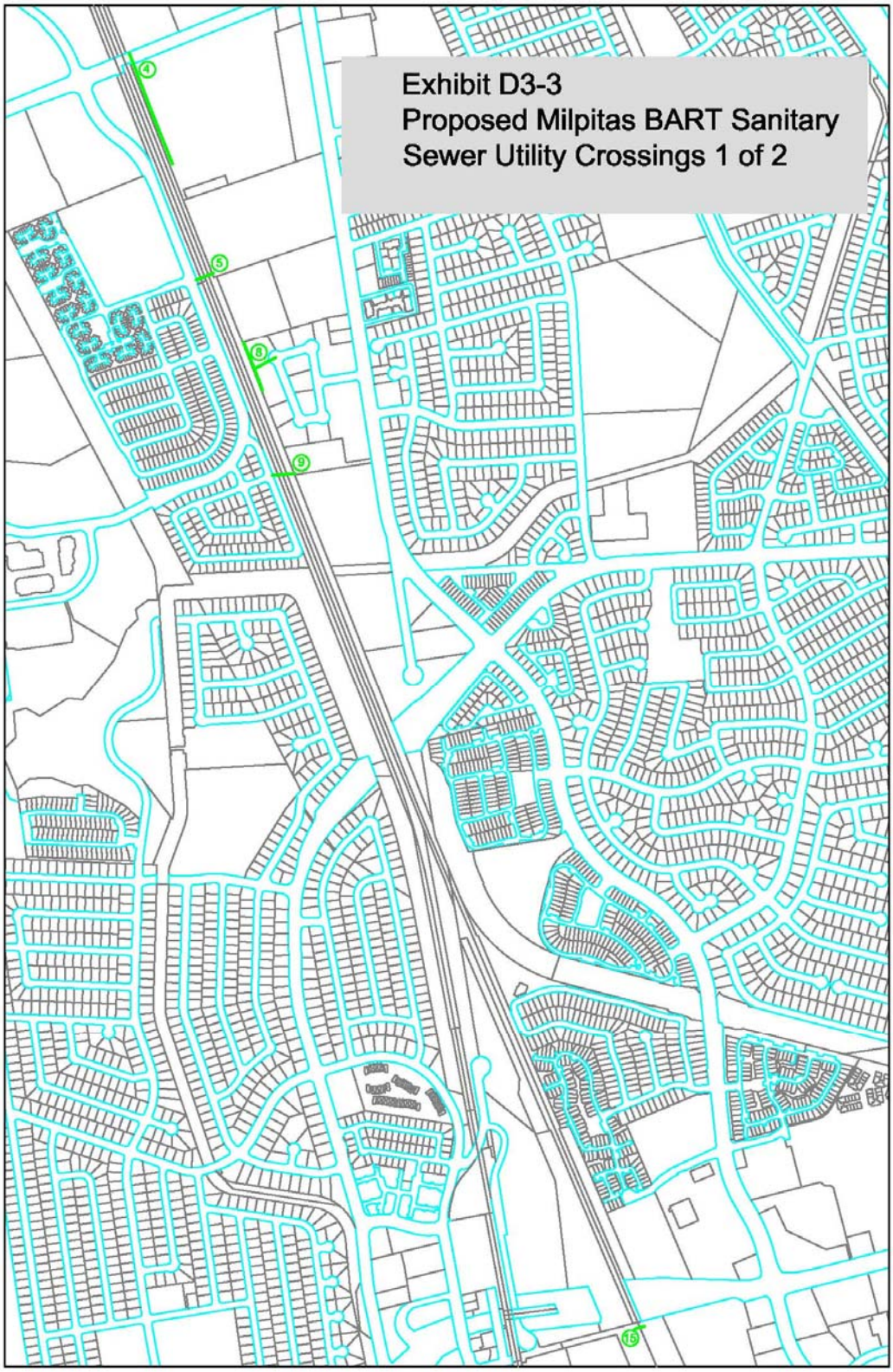


Exhibit D3-2
Proposed Milpitas BART Utility
Crossings 2 of 2
See Exhibit D3-5 Sheet 3
for Water and Recycled
Water System Details

Draft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Proposed Milpitas BART Sanitary
Sewer Utility Crossings 1 of 2
4
5
8
9
15

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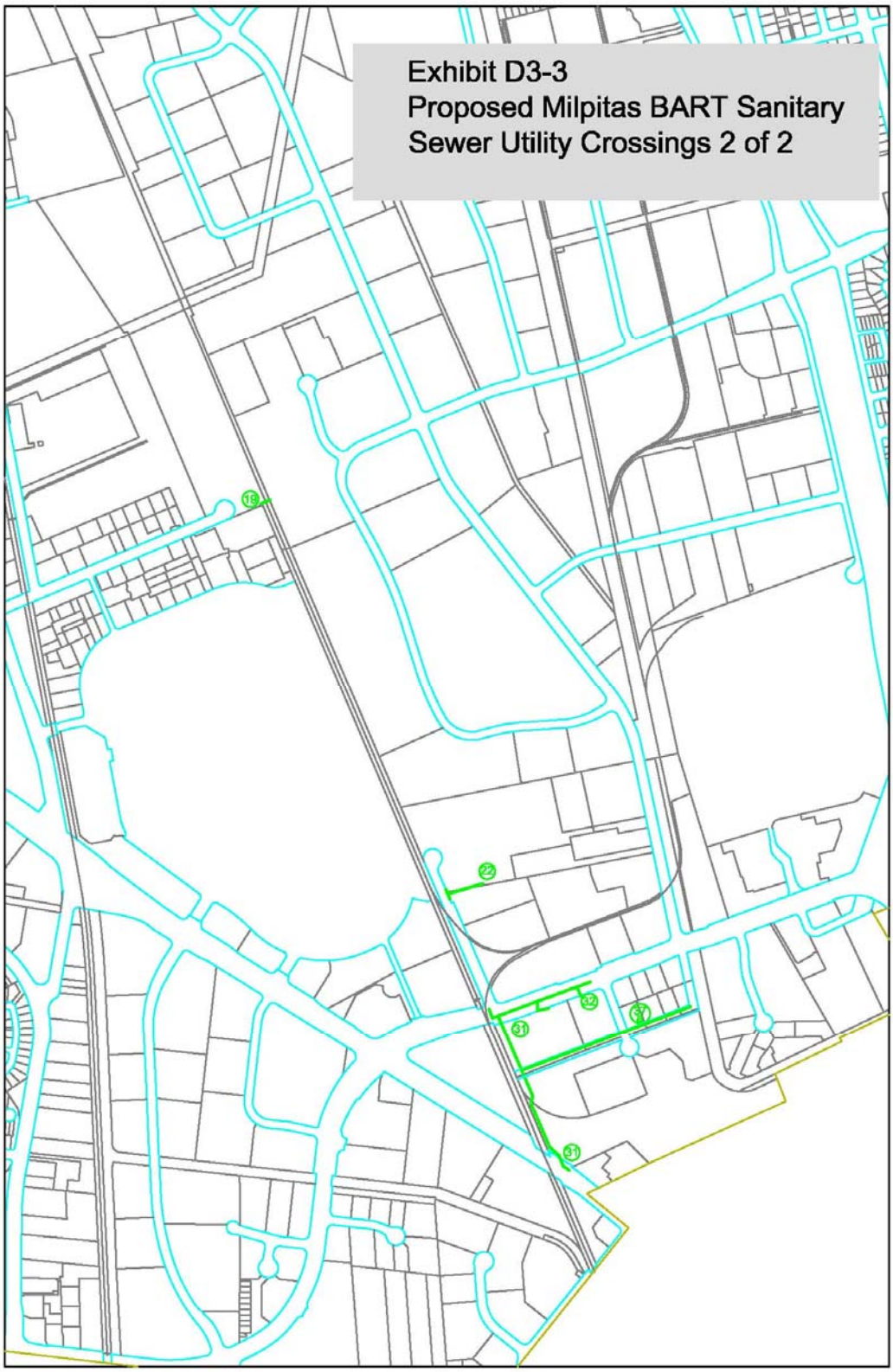
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Proposed Milpitas BART Sanitary
Sewer Utility Crossings 2 of 2
19
22
31
32
37
31

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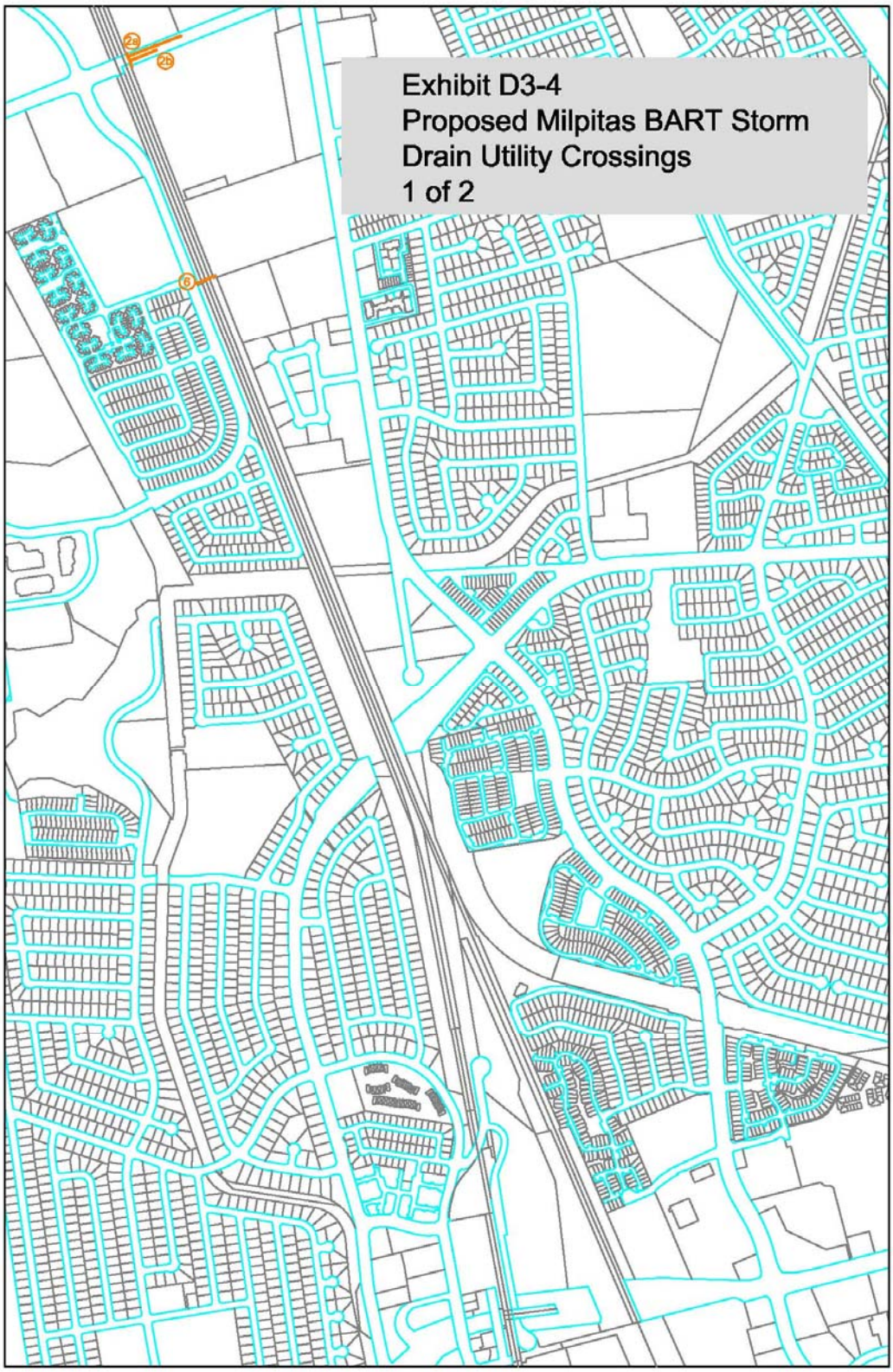
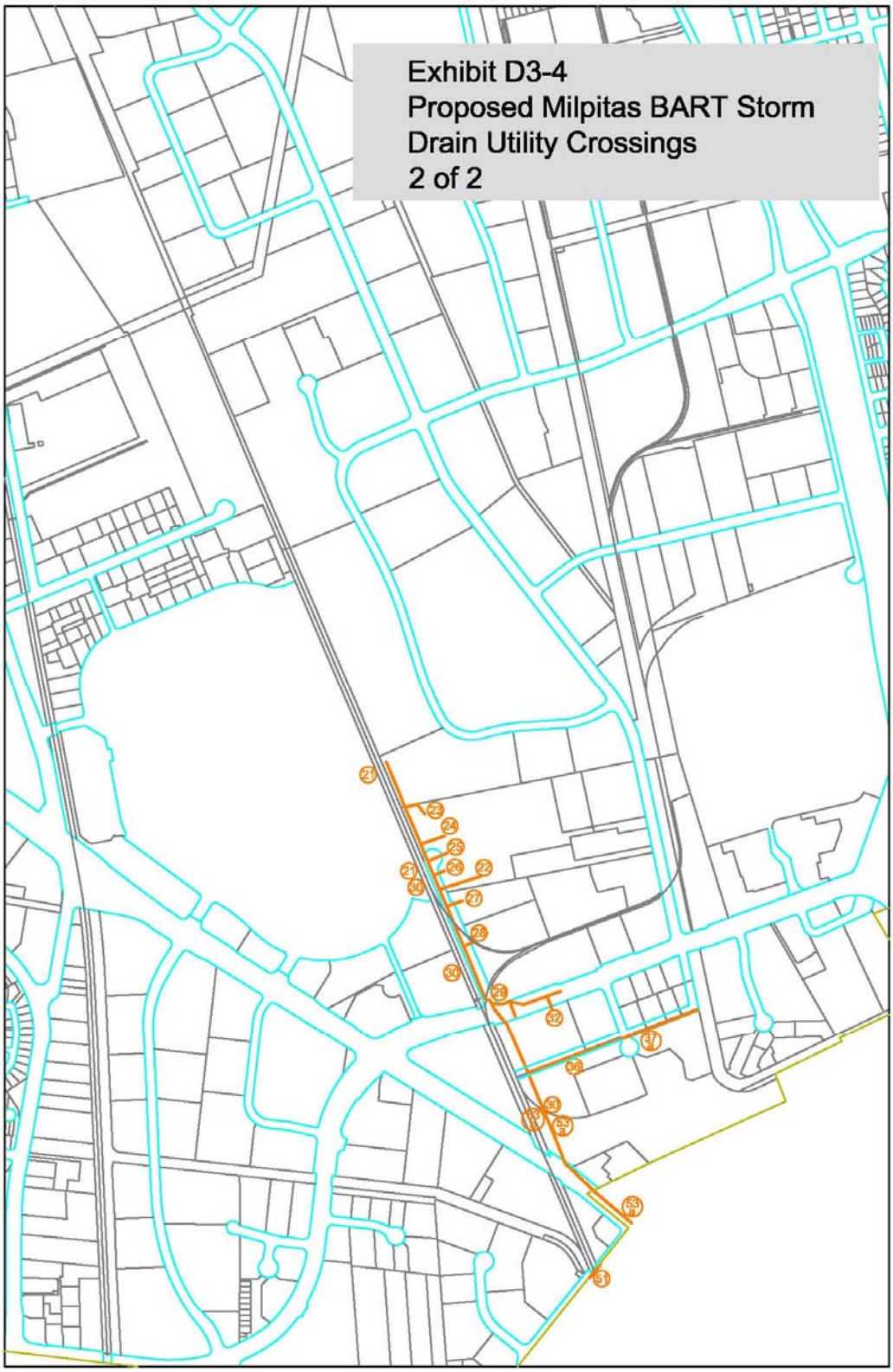


Exhibit D3-4
Proposed Milpitas BART Storm
Drain Utility Crossings
1 of 2

Draft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Proposed Milpitas BART Storm
Drain Utility Crossings
2 of 2

Draft

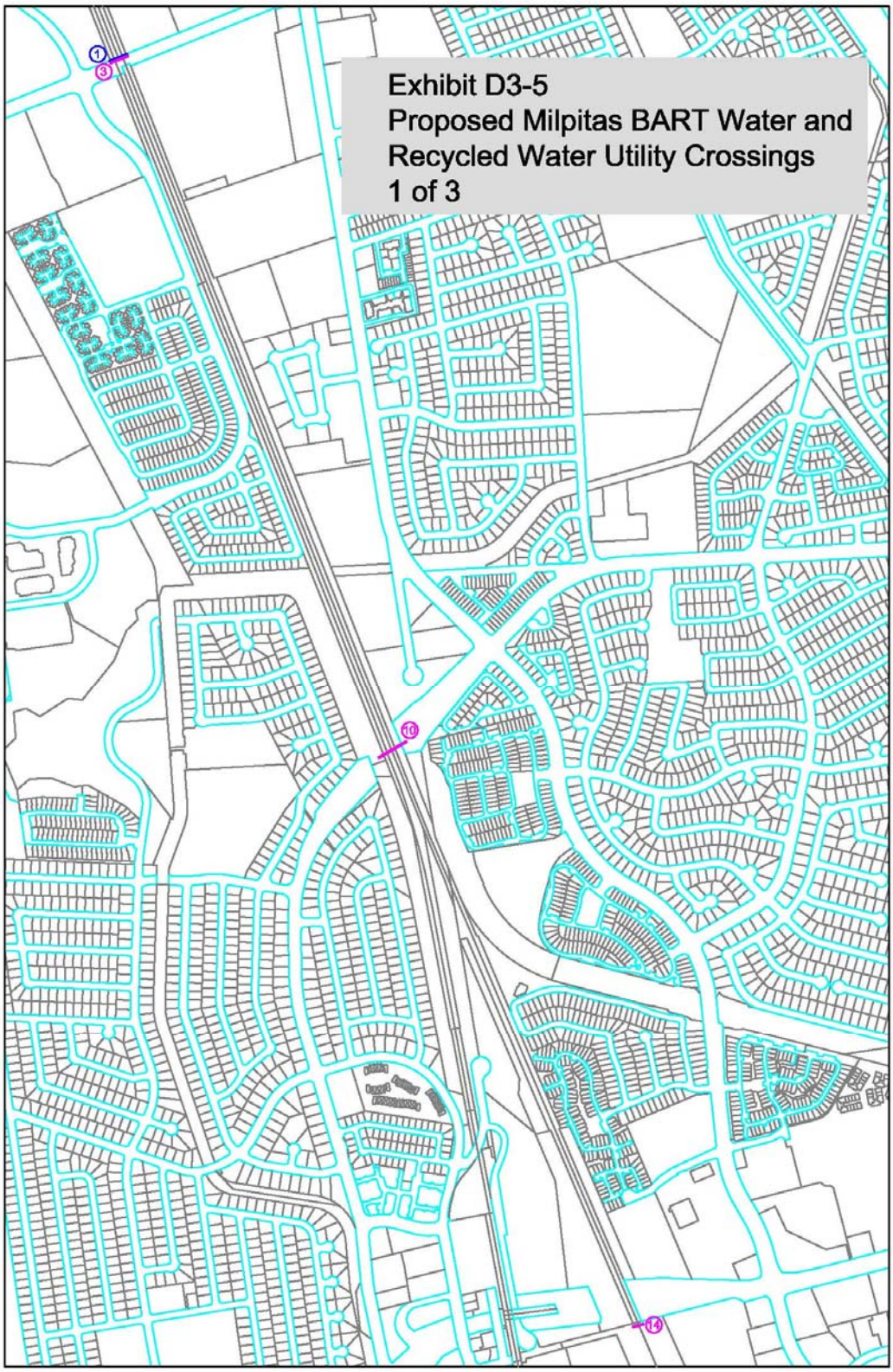
Exhibit D3-5
Proposed Milpitas BART Water and
Recycled Water Utility Crossings
1 of 3

Draft

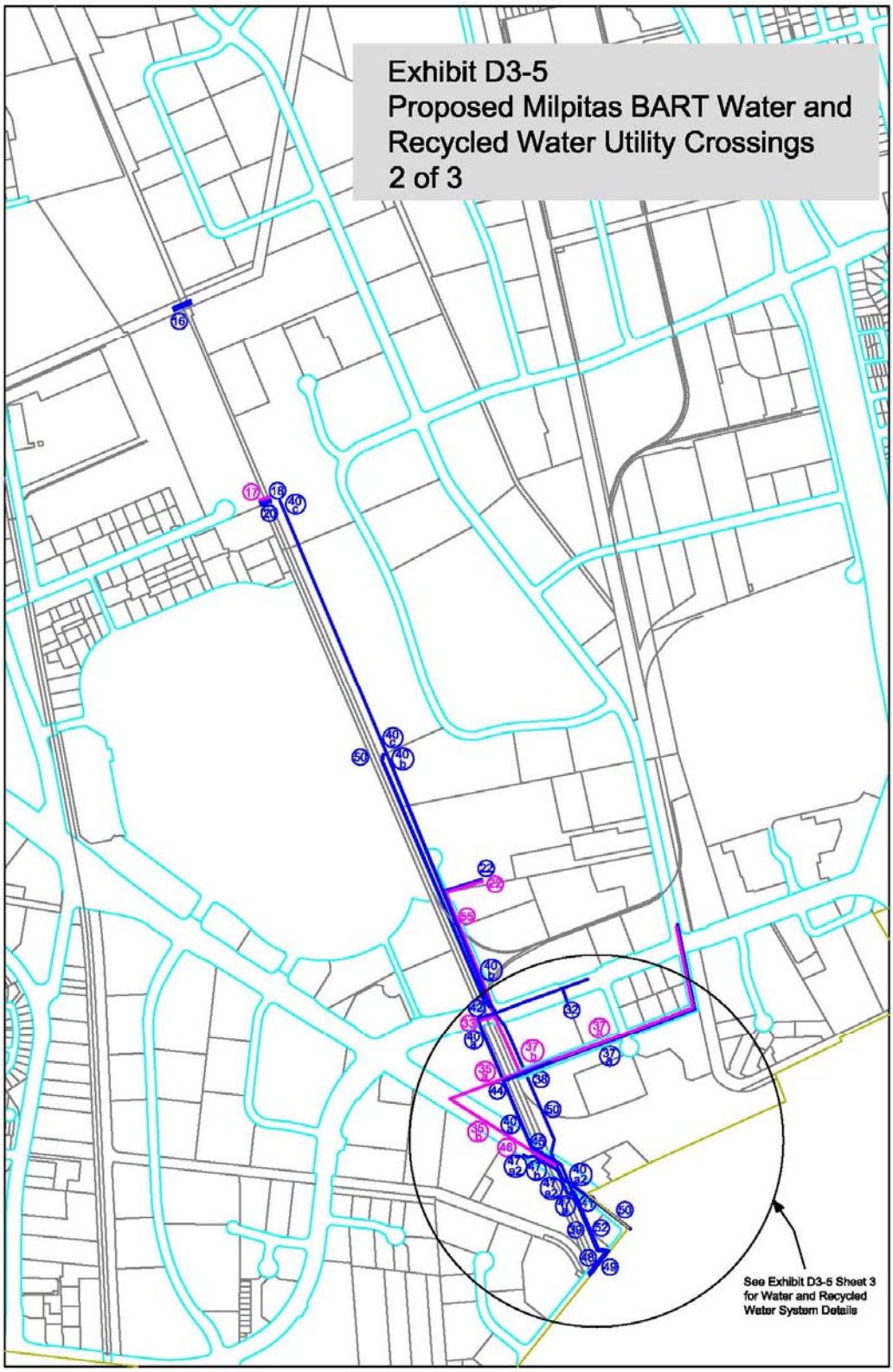
Exhibit D3-5
Proposed Milpitas BART Water and Recycled Water Utility Crossings
2 of 3
See Exhibit D3-5 Sheet 3 for Water and Recycled Water System Details

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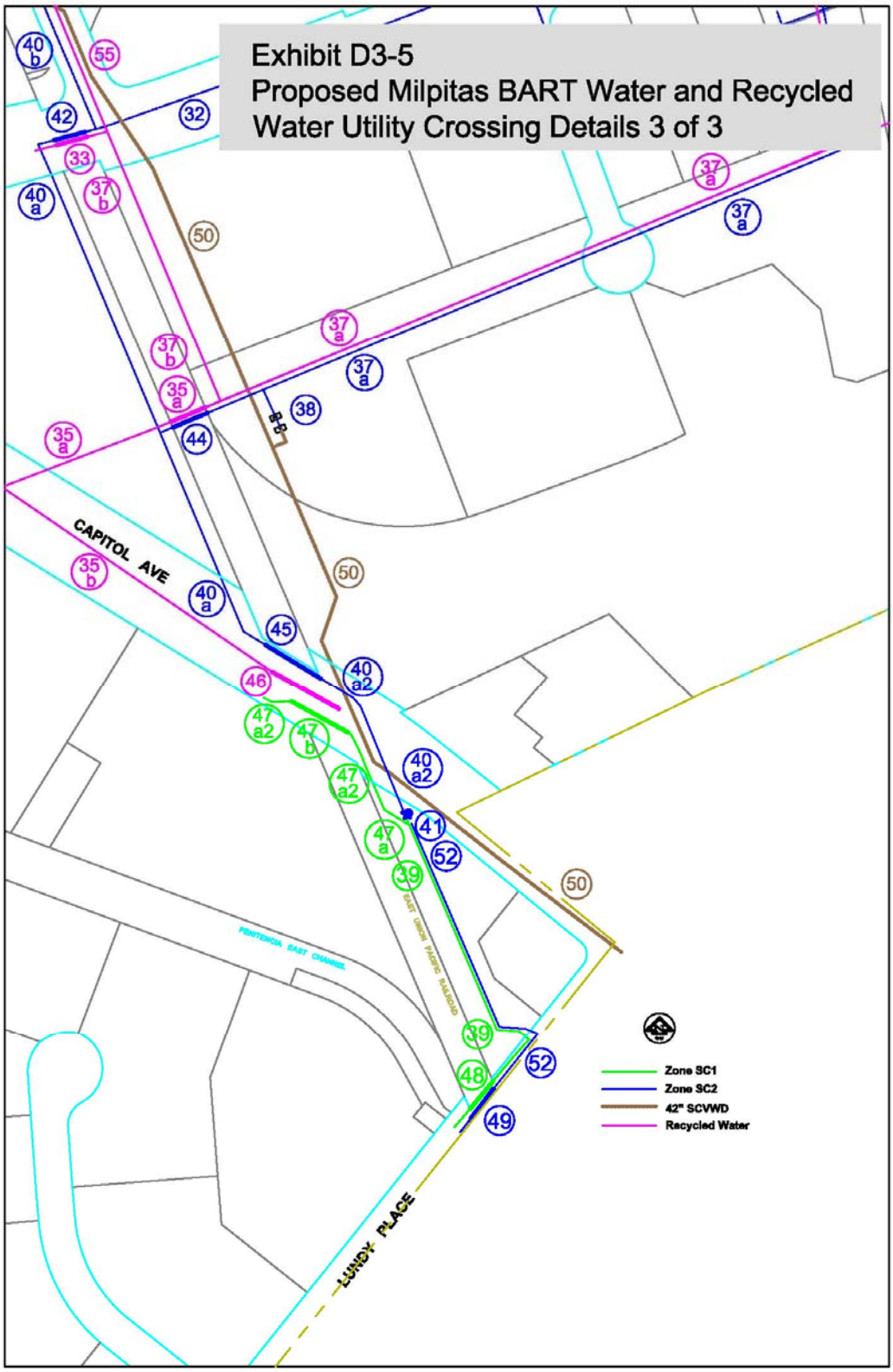
Exhibit D3-5
Proposed Milpitas BART Water and Recycled Water Utility Crossing Details 3 of 3
CAPITOL AVE
LUNDY PLACE
Zone SC1
Zone SC2
42" SCVWD
Recycled Water