

**FIRST AMENDMENT
TO
FUNDING AGREEMENT NO. 010-DMV-08/09-BOS**

THIS FIRST AMENDMENT to that Funding Agreement NO. 010-DMV-08/09-BOS made and entered into by and between the **EL DORADO AIR QUALITY MANAGEMENT DISTRICT**, a county air pollution control district formed pursuant to California Health and Safety Code Section 401000 et. seq. (hereinafter referred to as "AQMD"), and the **EL DORADO COUNTY DEPARTMENT OF GENERAL SERVICES**, a political subdivision of the State of California (hereinafter referred to as "COUNTY");

RECITALS

WHEREAS, AQMD is providing partial funding for COUNTY's El Dorado Hills SMUD Corridor Class I Bike Path Project pursuant to Funding Agreement NO. 010-DMV-08/09-BOS, incorporated herein and made by reference a part hereof;

WHEREAS, on April 21, 2009, COUNTY's Board of Supervisors approved the reorganization and reassignment of the core functions of the General Services Department to the Department of Transportation;

WHEREAS, the parties hereto desire to amend Funding Agreement NO. 010-DMV-08/09-BOS to revise all references to the Department of General Services to the Department of Transportation in both the Agreement and in Exhibit A thereto; and to update the Contact Person information in the Exhibit Summary Sheet (Cover) in Exhibit A;

WHEREAS, the parties hereto desire to amend Funding Agreement NO. 010-DMV-08/09-BOS to extend the term of the Agreement for one (1) additional year, amending **Article 3. TERM**;

WHEREAS, the parties hereto desire to amend Funding Agreement NO. 010-DMV-08/09-BOS to change COUNTY's notices recipient, amending **Article 11. NOTICES TO PARTIES**;

WHEREAS, the parties hereto desire to amend Funding Agreement NO. 010-DMV-08/09-BOS to change COUNTY's Agreement Administrator, amending **Article 17. AGREEMENT ADMINISTRATOR**;

NOW, THEREFORE, in consideration of the foregoing and the mutual promises and covenants hereinafter contained, AQMD and COUNTY mutually agree to amend the terms of the Agreement in this First Amendment to Funding Agreement NO. 010-DMV-08/09-BOS, as follows:

All references to the "Department of General Services" in the Agreement and in Exhibit A thereto are hereby amended to read, "Department of Transportation."

The "Contact Person" information in the Exhibit Summary Sheet (Cover) of Exhibit A is hereby amended to read:

Contact Person: Thomas A. Fossum, Supervising Civil Engineer,
Facilities Engineering Division
Address: 3000 Fairlane Court, Suite 2, Placerville, CA 95667
Telephone #: (530) 621-5982 FAX#: (530) 621-1681

The following Articles of Funding Agreement NO. 010-DMV-08/09-BOS are hereby amended to read as follows:

3. TERM

The term of this Agreement shall be for the period of July 1, 2008 through December 31, 2010 unless terminated earlier in accordance with Article 7, TERMINATION.

11. NOTICES TO PARTIES

All notices to be given by the parties hereto shall be in writing and served by depositing same in the United States Post Office, postage prepaid and return receipt requested. Notices shall be in duplicate and addressed as follows:

To AQMD:

El Dorado County
Air Quality Management District
2850 Fairlane Court
Placerville, CA 95667
Attn: Marcella McTaggart,
Air Pollution Control Officer

To COUNTY:

County of El Dorado
Department Of Transportation
3000 Fairlane Court, Suite 2
Placerville, CA 95667
Attn.: Thomas A. Fossum
Supervising Civil Engineer

With a Copy to:

County of El Dorado
Department Of Transportation
2850 Fairlane Court
Placerville, CA 95667
Attn.: Tim C. Prudhel,
Contract Services Officer


17. AGREEMENT ADMINISTRATOR

The AQMD Officer or employee with responsibility for administering this Agreement is Marcella McTaggart, Air Pollution Control Officer, or successor.

The COUNTY Officer or employee with responsibility for administering this Agreement is Thomas A. Fossum, Supervising Civil Engineer, Facilities Engineering Division, Department of Transportation, or successor.


Except as herein amended, all other parts and sections of Funding Agreement NO. 010-DMV-08/09-BOS shall remain unchanged and in full force and effect.

Agreement Administrator Concurrence:

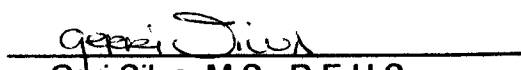
By: 
Marcella McTaggart,
Air Pollution Control Officer
El Dorado County Air Quality
Management District

Dated: 04-01-2004

Requesting Department Concurrence:

By: 
Marcella McTaggart,
Air Pollution Control Officer
El Dorado County Air Quality
Management District

Dated: 09-01-2009

By: 
Geri Silva, M.S., R.E.H.S.
Director
El Dorado County Environmental
Management Department

Dated: September 11, 2009

IN WITNESS WHEREOF, the parties hereto have executed this First Amendment to Funding Agreement NO. 010-DMV-08/09-BOS on the dates indicated below, the latest of which shall be deemed to be the effective date of this Amendment.

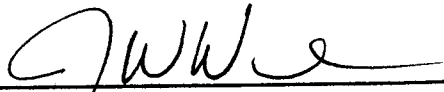
**--EL DORADO COUNTY AIR QUALITY
MANAGEMENT DISTRICT--**

By: _____ Dated: _____
Ron Briggs
Chairman
"AQMD"

Attest:
Suzanne Allen de Sanchez
Clerk

By: _____ Dated: _____
Deputy Clerk

**--EL DORADO COUNTY
DEPARTMENT OF TRANSPORTATION--**

By:  Dated: 9/15/09
James W. Ware, P.E.
Director of Transportation
"COUNTY"