

**SEVENTH AMENDMENT TO THE INTERLOCAL AGREEMENT
VRF PROJECT DEVELOPMENT AGREEMENT FOR THE
DARRINGTON ROADWAY IMPROVEMENT PROJECT**

THIS SEVENTH AMENDMENT TO THE INTERLOCAL AGREEMENT (the “Amendment”) is made and entered into effective as of the ____ day of _____, 2024, by and between EL PASO COUNTY, TEXAS (the “County”) and the CAMINO REAL REGIONAL MOBILITY AUTHORITY (“Authority”), (collectively, the “Parties”), for the purposes described herein.

WITNESSETH:

WHEREAS, the County has entered into an Interlocal Agreement dated December 16, 2013, and a Transportation Project and Pledge Agreement dated April 9, 2014 with the Authority wherein the County has agreed to transfer all Special Vehicle Registration Fees to the Authority and the Authority has agreed to use those funds, and such other funds which may be designated by the County from time to time, to finance and pay for the construction of certain County designated transportation projects within El Paso County and that certain transportation project described as Darrington Roadway Improvement Project (the “Project”); and

WHEREAS, the Project is located in El Paso County which is within or adjacent to the Authority’s area of jurisdiction; and

WHEREAS, the County and CRRMA entered into an Interlocal Agreement – VRF Project Development Agreement for the Darrington Roadway Improvement Project dated February 22, 2016 (the “Interlocal Agreement”) related to the development of the Project, and the Parties have subsequently amended the Interlocal Agreement six times to add scope and funding for various additional design and construction activities requested by the County from time to time; and

WHEREAS, the County and CRRMA now desire to further amend the Interlocal Agreement for the Authority to provide certain right of way acquisition activities for the Project.

NOW, THEREFORE, in consideration of the mutual covenants and agreements herein contained, the undersigned Parties agree as follows:

1. Replacement of EXHIBIT B-1. The Parties hereby agree to delete **EXHIBIT B-1** from the Interlocal Agreement, as amended, in its entirety and replace it with **EXHIBIT B-2**, which is attached hereto.

2. Replacement of EXHIBIT C-6. The parties hereby agree to delete **EXHIBIT C-6** from the Interlocal Agreement, as amended, in its entirety and replace it with **EXHIBIT C-7**, which is attached hereto.

3. Ratification. Except as expressly amended by this Amendment, the Interlocal Agreement, as amended, and its exhibits shall remain in full force and effect.

4. Execution in Counterparts. This Amendment may be simultaneously executed in several counterparts, each of which shall be an original and all of which shall be considered fully executed as of the date first written above, when both Parties have executed an identical counterpart, notwithstanding that all signatures may not appear on the same counterpart.

IN WITNESS WHEREOF, the Parties have executed and attested this Amendment by their officers thereunto duly authorized.

EL PASO COUNTY, TEXAS

**CAMINO REAL REGIONAL
MOBILITY AUTHORITY**

By: _____
Ricardo A. Samaniego
County Judge

By: _____
Joyce A. Wilson
Chair

ATTEST:

By: _____
Monica L. Perez
Board Secretary

EXHIBIT B-2

DARRINGTON ROADWAY IMPROVEMENTS PROJECT PARTY RESPONSIBILITIES

- 1. PLANNING: County**
- 2. DESIGN: Authority, through a design firm**
- 3. ENVIRONMENTAL PERMITTING: NOT APPLICABLE**
- 4. RIGHT-OF-WAY ACQUISITION: Authority, through a consultant firm**
- 5. CONSTRUCTION LETTING: Not applicable at this time**
- 6. CONSTRUCTION: Not applicable at this time**
- 7. FINANCIAL OBLIGATIONS: CRRMA Senior Lien VRF Bonds, Series 2014**
- 8. REPORTING: Authority**
- 9. PERFORMANCE STANDARDS: County**
- 10. MARKETING AND PUBLIC OUTREACH: None**
- 11. UTILITY RELOCATION: TO BE DETERMINED**

EXHIBIT C-7

DARRINGTON ROADWAY IMPROVEMENTS PROJECT ESTIMATED PROJECT BUDGET

DESCRIPTION	TOTAL ESTIMATED COST	CRRMA PAYS WITH VRF BONDS*	CRRMA PAYS WITH OTHER FUNDS
ROW	\$359,768.42	\$359,768.42	\$0.00
UTILITY RELOCATION	\$0.00	\$0.00	\$0.00
RAILROAD PERMIT & SERVICES	\$0.00	\$0.00	\$0.00
ENGINEERING	\$1,230,692.69	\$1,125,692.69	\$105,000.00
CONSTRUCTION	\$5,395,000.00	\$5,000,000.00	\$395,000.00
MISCELLANEOUS	\$0.00	\$0.00	\$0.00
TOTAL	\$ 6,985,461.11	\$6,485,461.11	\$500,000.00

NOTES: The authority granted herein by the County for the CRRMA's use of VRF Bonds* anticipates the use of 2014 bond proceeds. However, the CRRMA is also permitted to utilize proceeds generated through an additional VRF bond issuance completed in 2017. Further, the CRRMA is permitted to move funds among line items noted above, after consultation with and approval from the County. The categories identified above are inclusive of design and administrative costs; provided, however, that Authority administrative costs shall not exceed 3% of the total project cost.