

**Contract Agreement No. 05-FSP-01  
Amendment # 2**

This Amendment Number 2 to Contract No. 05-FSP-01 is made and entered into this 7th day of June 2006 by and between the SACRAMENTO TRANSPORTATION AUTHORITY (hereinafter referred to as "Authority") and SIERRA HART AUTO CENTER (hereinafter referred to as "Contractor").

**RECITALS**

WHEREAS, Authority, a California local transportation authority exists under the authority of Section 180000 et seq. of the California Public Utilities Code; and

WHEREAS, Authority and Contractor are currently parties to Contract Agreement No. 05-FSP-01, dated May 4, 2005, for Freeway Service Patrol (FSP) services; and

WHEREAS, Contract Agreement No. 05-FSP-01 provides for the renegotiation of the hourly rate of compensation paid to the contract if the price of regular unleaded gasoline falls below \$2.00/gallon or rises above \$3.20/gallon; and

WHEREAS, Authority has determined that the price of regular unleaded gasoline has in the past exceeded the range and continues to fluctuate; and

WHEREAS, Authority and Contractor mutually agree that an indexed fuel cost adjustment is fair and reasonable; and

NOW THEREFORE, in consideration of the conditions herein contained, Authority and Contractor do hereby agree as follows;

**AGREEMENT**

**1.00 PAYMENT**

The rate of compensation for Contract Agreement No. 05-FSP-01 shall be:

FSP Services, per patrolling tow truck	Hourly Rate: <b><u>\$57.00</u></b>
FSP Services, per patrolling service truck	Hourly Rate: <b><u>\$44.00</u></b>

***Plus or minus a fuel cost adjustment (FCA) calculated on a month-to-month basis as follows:***

***In months where the average price of fuel is above the range specified herein:***

$$(A - \$3.20) * 2.75 = \text{fuel cost adjustment per hour}$$

***In months where the average price of fuel is below the range specified herein:***

$$(A - \$2.00) * 2.75 = \text{fuel cost adjustment per hour}$$

***Where A is the month average price per gallon of regular unleaded in northern California as determined by the California Energy Commission and published on the CEC's website at [www.energy.ca.gov](http://www.energy.ca.gov).***

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**2.00 OTHER TERMS AND CONDITIONS TO REMAIN IN EFFECT**

Except as specifically amended herein, all other terms and conditions of Contract No. 05-FSP-01 shall remain in full force and effect.

**IN WITNESS WHEREOF**, the parties hereto have executed this Amendment as of the date indicated below.

**SIERRA HART AUTO CENTER**

**SACRAMENTO TRANSPORTATION AUTHORITY**

\_\_\_\_\_  
Rick A. Hart  
President

\_\_\_\_\_  
Brian A. Williams  
Executive Director

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Date)

Tax I.D. Number: 68-0343954