

**THIRD AMENDMENT TO
TRANSIT SERVICE AGREEMENT BETWEEN
DALLAS AREA RAPID TRANSIT BUS SERVICE, LGC, STAR TRANSIT AND THE
CITY OF MESQUITE**

This Third Amendment (“Third Amendment”) to Interlocal Public Transit Service Agreement by and between Dallas Area Rapid Transit Bus Service, LGC (“LGC”), STAR Transit (“STAR”) and The City of Mesquite (“City”) collectively referred to herein as “the Parties” and individually referred to herein as a “Party” is made and entered into as of August 14, 2018.

WITNESSETH

WHEREAS, as of October 28, 2014, LGC, STAR and the City entered into an Agreement (“Agreement”) for bus service (referred to herein and in the Agreement as “Service”) pursuant to DART Resolution 140107 approved on Oct. 7th, 2014; and

WHEREAS, LGC, STAR and the City executed a First Amendment to the Agreement as of January 10, 2017 and a Second Amendment to the Agreement as of November 8, 2017; and

WHEREAS, LGC, STAR and the City now wish to further amend the Agreement as set forth herein to reflect the Parties’ agreements regarding further Service.

NOW THEREFORE, in consideration of the mutual covenants set forth in this Third Amendment, the receipt and sufficiency of which is hereby acknowledged, the Parties hereby amend the Agreement as set forth below.

Section 1. Amendment to Agreement. The parties hereby agree to amend and restate the Agreement by amending Section 1.01, Section 2.01, Section 4.12, and Section 5.06 to read as follows:

Section 1. Term and Termination

1.01 The term of this Agreement shall begin on the 1st day of January 2015 and terminate at midnight on the 30th day of September 2019. Upon termination or expiration of the term, any rights granted herein to access the DART system also terminate.

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Section 2. Fees, Fares, Costs and Service Modifications

2.01 The Service shall be between the Hanby Station Park & Ride Lot in Mesquite and the Lawnview Station in Dallas and according to amended Exhibit A, attached to this Third Amendment and incorporated herein for all purposes.

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Section 4. LGC Duties and Responsibilities

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4.12. Commencing on the second business day of October 2018, and on the second business day of every month thereafter during the term hereof, LGC shall pay STAR Transit in arrears the amounts corresponding to the monthly Service provided, as shown in the amended Exhibit D hereof and incorporated herein for all purposes.

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Section 5. CITY Duties and Responsibilities

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5.06. Commencing September 1, 2018, and on the first day of every month thereafter during the term hereof, CITY shall pay LGC, in advance, the amounts corresponding to the monthly Service to be provided, as shown in amended Exhibit D hereof and incorporated herein for all purposes.

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Section 2. No Further Modifications. All other provisions of the Agreement, other than as specifically addressed herein, shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have accepted, made and executed this Third Amendment upon the terms and conditions above stated on the day and year first above written.

SIGNATURES CONTINUE ON NEXT PAGE

LGC:

By: _____
_____(Printed Name)
_____(Title)

Date:_____

CITY OF MESQUITE:

By: _____
_____(Printed Name)
_____(Title)

Date:_____

STAR TRANSIT:

By: _____
_____(Printed Name)
_____(Title)

Date:_____

Amended Exhibit A

	Rate Base 10/1/17- 12/31/17	1/1/18- 9/30/18	10/1/18- 12/31/18	Calendar 2018	1/1/19- 9/30/19	FY19 Total
Period						
Weekdays	62	191	63	254	191	254
Peak Vehicles	2	2	2		2	
Daily Revenue Hours	0	15.0	15.0		15.0	
Daily Revenue Miles	0	263.3	263.3		263.3	
Period Revenue Hours	0	2865	945		2865	
Period Revenue Miles	0	50290.3	16587.9		50290.3	

Amended Exhibit D

DART Payments to STAR Transit for FY19

Months	Days per Month	Payments to STAR Transit
Oct-18	23	\$ 18,640.32
Nov-18	20	\$ 16,208.98
Dec-18	20	\$ 16,208.98
Jan-19	22	\$ 17,829.87
Feb-19	20	\$ 16,208.98
Mar-19	21	\$ 17,019.43
Apr-19	22	\$ 17,829.87
May-19	22	\$ 17,829.87
Jun-19	20	\$ 16,208.98
Jul-19	22	\$ 17,829.87
Aug-19	22	\$ 17,829.87
Sep-19	20	\$ 16,208.98
	254	\$ 205,854.00

Mesquite Payments to DART for FY19

Months	Days per Month	Mesquite Payments to DART
Oct-18	23	\$ 24,486.31
Nov-18	20	\$ 21,292.44
Dec-18	20	\$ 21,292.44
Jan-19	22	\$ 23,421.69
Feb-19	20	\$ 21,292.44
Mar-19	21	\$ 22,357.06
Apr-19	22	\$ 23,421.69
May-19	22	\$ 23,421.69
Jun-19	20	\$ 21,292.44
Jul-19	22	\$ 23,421.69
Aug-19	22	\$ 23,421.69
Sep-19	20	\$ 21,292.44
	254	\$ 270,414.00