



**Date:** February 16, 2022  
**To:** HIGH-PERFORMANCE TRANSPORTATION ENTERPRISE BOARD  
**From:** NICK FARBER, DIRECTOR, HPTE  
**Subject:** FOURTH AMENDMENT TO HPTE / E-470 TOLLING SERVICES AGREEMENT

Purpose

The purpose of this memo is to describe the Fourth Amendment to HPTE / E-470 Tolling Services Agreement (TSA).

Action

The HPTE Board is asked to adopt a resolution that supports the staff recommendation to approve the Fourth Amendment to the TSA.

Background:

The Fourth Amendment to the TSA:

- Amends the expiration the HPTE / E-470 TSA from 12:01 p.m. June 30, 2023 to June 30, 2028.
- Adds a section that both parties acknowledge and agree that it will be a significant effort to agree to the proper Wind-Down provisions of the Tolling Services Agreement. To that end, both HPTE and E-470 agree to negotiate and agree to terms and conditions relating to the TSA's Wind-Down no later than December 31, 2024.

Options / Decision Matrix

1. **Staff Recommendation:** Approve Resolution #378 for the approval of the Fourth Amendment to the HPTE / E-470 TSA.
2. Review but do not approve the Amendment. Provide instructions on the next steps.

Attachment

Attachment A: FOURTH AMENDMENT TO MANAGED LANES TOLLING SERVICES AGREEMENT BY AND BETWEEN HIGH-PERFORMANCE TRANSPORTATION ENTERPRISE AND E-470 PUBLIC HIGHWAY AUTHORITY

Attachment B: Resolution #378 Approving Fourth Amendment to the Master Tolling Services Agreement