

STATE OF NORTH CAROLINA
COUNTY OF WAKE

AMENDMENT TO ADA PARATRANSIT
SERVICES AGREEMENT

This Amendment to ADA Paratransit Services Agreement (the or this “**Amendment**”) is made and entered into this ___ day of _____, 2022 by and between the Town of Apex, a municipal corporation of the State of North Carolina (“**Town**”), and Wake County, a political subdivision of the State of North Carolina (“**County**”). Town and County may hereinafter be referred to collectively as the “**Parties.**”

WITNESSETH

WHEREAS, the Town and County entered into an agreement entitled, “ADA Paratransit Services Agreement” on or about _____, 2022 (the “**Agreement**”) in which the County agreed to serve as the general Americans with Disabilities Act paratransit operator for the Town in accordance with the GoApex Paratransit Policy; and

WHEREAS, the Parties desire to update certain provisions of the Agreement to address the need for staff members of the Parties to make minor adjustments to the attachments incorporated into the Agreement as the need arises; and

WHEREAS, both Parties wish to memorialize the same through this Amendment and amend certain provisions of the Agreement.

NOW, THEREFORE, in consideration of the foregoing, the Parties do hereby agree to amend the Agreement as follows:

1. Amendment. Section 10 of the Agreement, entitled “Amendment,” is hereby amended to read as follows:

“This Agreement and its attachments contain the full understanding of the Parties. Any extension, modification, or addendum to this Agreement must be in writing and executed with the same formality as this Agreement, except as otherwise provided herein.

It is recognized that minor modifications of the attachments to the Agreement that do not impact the substance of the Agreement may be needed from time to time. Staff representatives of the Parties are permitted to update and amend the attachments to this Agreement with changes that are solely administrative in nature, in order to support the day-to-day implementation of the Agreement. The designated staff representative for the Town of Apex shall be the Director of Planning. The designated staff representative for Wake County shall be the Wake County Human Services Transportation Manager. These changes may include, but are not limited to: editing text for clarity, updating contact information when needed, updating processes that assist with staff’s implementation of the Agreement, or other items not affecting the intent of the

Agreement or agreed-upon costs. Proposed changes shall be made in writing and will go into effect upon agreement of staff representatives of both parties, and shall be accompanied by adequate communication to customers and interested parties. For the purpose of said writing, confirmation through electronic mail by the staff representatives shall be sufficient. This permission shall not apply to extensions, modifications, or addenda affecting the text or intent of the Agreement itself.”

2. Effective Date. This Amendment shall be effective upon execution by both Parties.

IN WITNESS WHEREOF, the Parties have entered into this Amendment effective this ____ day of _____, 2022.

Wake County

Town of Apex

By: _____
(Print Name)

Catherine Crosby, Town Manager

(Signature)

Attest:

Title: _____

Allen L. Coleman, CMC, NCCCC
Town Clerk

Attest:

This instrument has been preaudited in the manner required by the Local Government Budget and Fiscal Control Act.

(Secretary, if a corporation)

Finance Director