

Appendix 1

| Purple Line P3 Agreement Risk/Responsibility Allocation | |
|---------------------------------------------------------------------|----------------|
| Record of Decision (ROD) from FTA (achieved) | Owner |
| Final design approval by public partner | Concessionaire |
| Design errors/omissions | Concessionaire |
| Third party, permits, and external review approvals | Shared |
| Implementation of ROD & stakeholder commitments | Shared |
| FTA Full Funding Grant Agreement (FFGA) approval | Owner |
| Project funding during construction and operations | Shared |
| Interest rate fluctuations during solicitation process | Shared |
| Right of way acquisition | Owner |
| Utility relocations | Concessionaire |
| Unanticipated utilities and unreasonable utility delays | Shared |
| Contractor interface issues during construction | Concessionaire |
| Commodity inflation during project construction | Concessionaire |
| Labor inflation during project construction | Concessionaire |
| Contractor-caused cost overruns and schedule delays | Concessionaire |
| Unanticipated hazardous materials | Shared |
| Owner or Third Party directed changes | Owner |
| Quality Assurance/Quality Control | Shared |
| Geotechnical risks | Shared |
| Intersections, grade crossings, and signal operations | Shared |
| Timely rolling stock procurement | Concessionaire |
| Rolling stock interface with systems | Concessionaire |
| Integration of project elements (LRVs, systems, track, etc.) | Concessionaire |
| Stakeholder outreach & communications | Shared |
| Commissioning & final acceptance | Concessionaire |
| Changes in government law impacting the project | Shared |
| Fare policy and rate setting | Owner |
| Fare revenue and ridership | Owner |
| Force Majeure events | Shared |
| Performance of the system and vehicles | Concessionaire |
| Operation of system and vehicles | Concessionaire |
| Maintenance of the system and vehicles | Concessionaire |
| Maintenance of roadways | Shared |
| State of Good Repair and Capital Renewal Work | Concessionaire |
| Inflation during operating period | Shared |
| State of Good Repair on Hand Back to Owner | Concessionaire |