

AMENDMENT NO. 4 TO COOPERATIVE PROJECT AGREEMENT
Short-Term Regional Transportation Program (STRTP)
Project D5 Urban, Willow Ave. from Decatur to Shepherd Ave.

This Amendment to STRTP Project D5 Urban, Willow Ave. from Decatur to Shepherd Ave. is made and entered into the ___ day of _____, 2016 by and between the Fresno County Transportation Authority ("Authority") and the City of Fresno ("Responsible Agency").

1. PARTIES. The Authority and the City of Fresno are collectively referred to herein as "the Parties".

2. RECITALS.

2.1 WHEREAS, the Parties entered into the Cooperative Project Agreement for Project D5 Urban, Willow Ave. from Decatur Ave. to Shepherd Ave. ("Agreement"), dated May 25, 2011, for funding of a transportation improvement project ("**Project**") in Fresno County pursuant to the Measure "C" Short-Term Regional Transportation Program Handbook ("**Handbook**"), and the Fresno County Measure "C" Expenditure Plan ("**Expenditure Plan**"), which was approved by the voters of Fresno County in November, 2006; and,

WHEREAS, the Parties previously modified the terms of the original Agreement by approval and execution of: Amendment No. 1 to the Agreement, dated October 10, 2012; Amendment No. 2 to the Agreement, dated May 29, 2013; and Amendment No. 3, dated September 10, 2014, respectively (hereinafter collectively referenced as "the Prior Amendments"); and

WHEREAS, Authority is authorized to approve and revise Project funding for payment to Responsible Agency in accordance with the Agreement, and the Expenditure Plan, as well as all applicable provisions of the Strategic Implementation Plan ("**SIP**"), regarding the Project D5 Urban, Willow Ave. from Decatur Ave. to Shepherd Ave.; and,

WHEREAS, Authority shall provide funding to Responsible Agency for eligible Project costs "not to exceed" **\$1,341,000** of Measure "C" funding and that will remain unchanged by this Amendment.

2.2 The Parties now desire to amend the statements defining and delineating the Project Scope, Project Schedule and Project Funding Program, as set forth in the original Agreement, based on the following:

- Responsible Agency desires to reallocate, from Project Phase 2 (Right of Way Acquisition) to Project Phase 3 (Construction), a portion of the approved Measure "C" Regional Transportation Program ("**Measure 'C'**") funding for the transportation improvement Project D5 Urban, Willow Ave. from Decatur Avenue to Shepherd Avenue, per the revised Exhibits as more thoroughly described in Section 3.1 of this Amendment No. 4. This reallocation of \$60,000

from Phase 2 to Phase 3 of the Project does not alter the total funding amount of \$1,341,000 authorized by the original Agreement, as previously modified by the Prior Amendments thereto.

3. TERMS.

3.1 Exhibit "A" (Project Scope), Exhibit "B" (Project Schedule) and Exhibit "C" (Project Funding Program), which hereinafter shall be referenced collectively the "Original Exhibits" as set forth in Section 1.1 of the original Agreement, and which were fully incorporated therein by the provisions of Section 3.23 thereof and were previously modified by the Prior Amendments thereto, shall be and are hereby replaced by: Exhibit "A4" (Project Scope), Exhibit "B4" (Project Schedule) and Exhibit "C4" (Project Funding Program), which are attached hereto and incorporated herein by this reference, commencing upon the Effective Date of this Amendment No. 4 to the Agreement.

3.2 All work performed by the Responsible Agency under the Agreement prior to the Effective Date of this Amendment No. 4 shall be governed by and compensated pursuant to the applicable Exhibits and pursuant to the terms of the original Agreement, as previously modified by the Prior Amendments thereto. All work performed commencing upon the Effective Date of this Amendment No. 4 shall be governed by and compensated pursuant to the Agreement as modified by this Amendment No. 4.

3.3 Effective Date. The Effective Date of this Amendment No.4 to the Agreement shall be 12:01 a.m. of the day following the date upon which it is signed by the Parties. In the event this Amendment No. 4 to the Agreement is signed by the Parties on different dates, the Effective Date shall be 12:01 a.m. of the day following that date upon which it is signed by the second of the Parties.

3.4 All other terms and conditions contained in the Cooperative Project Agreement are unaffected by this Amendment No. 4 and shall remain in full force and effect.

[Signatures on following page]

IN WITNESS WHEREOF, the undersigned Parties have executed this Agreement on the day and year first written above.

FRESNO COUNTY TRANSPORTATION AUTHORITY

By _____ ATTEST
(Signature) By _____
(Signature)

Name HARRY ARMSTRONG Name DIANA SEDIGH-DARBANDI
(Typed) (Typed)

Title Chair of the Authority Title Executive Director (Acting)

APPROVED AS TO LEGAL FORM:
DANIEL C. CEDERBORG, COUNTY
COUNSEL

APPROVED AS TO ACCOUNTING
FORM:
By _____
(Signature)

By _____
(Signature)

Name MICHAEL E. ROWE Name VICKI CROW, C.P.A.

Title Senior Deputy County Counsel Title Auditor-Controller/Treasurer-Tax Collector

CITY OF FRESNO
ATTEST

By _____ By _____
(Signature) (Signature)

Name SCOTT L. MOZIER, PE. TE. Name _____

Title PUBLIC WORKS DIRECTOR Title _____

APPROVED AS TO FORM
DOUGLAS SLOAN, City Attorney

BY: _____
Raj Singh Badhesha, Deputy



EXHIBIT A4 – PROJECT SCOPE

Urban Project D5/A4 – Willow Ave. from Decatur to Shepherd Ave.



Responsible Agency

City of Fresno

Project Limits

The project limits include 1.25 miles of new travel lanes on Willow Avenue between Decatur Ave. and Shepherd Ave and 100' of eastbound Nees Ave.

Project Phase *(Choose the Project Phase(s) applicable to this Agreement)*

- Phase 1 - Preliminary Engineering *[Includes Preliminary Design/Engineering (PS&E) and Environmental]*
- Phase 2 - Right-of-Way Acquisition
- Phase 3 - Construction *(Includes Project Construction & Construction Management)*

Project Phase(s) Scope *(Provide detail to describe the Phase(s) that is the subject of this Agreement as checked above)*

The project will widen southbound Willow Avenue between Decatur and Shepherd Avenue to three southbound travel lanes. An eastbound lane will be added to the west leg of the Willow/Nees Avenue intersection to eliminate congestion at the intersection of Willow and Nees. The Scope of the project includes the construction of curb and gutter, asphalt concrete pavement, signing and striping, sidewalk, trees, streetlights, irrigation canal piping, a pedestrian trail and traffic signal modification at Willow and Nees. The project includes dual left turn lanes on all four legs of the Willow/Nees intersection to meet current and future traffic demands. Phase 3 involves the appraisal, acquisition processing and purchase of property for street right-of-way purposes involving 7 parcels and all the acquisitions are partial-take acquisitions.

Complete Project Scope Phase 1 Geometric design was prepared by City staff based on the original Official Plan Line and this design has been adopted to prepare PS&E for the project. Additionally the City and the County have designated Willow Avenue and Nees Avenue to be an underground utility district and all utility companies will underground their facilities after the acquisition of the right of way prior to construction. Phase 2 includes the processing and acquisition of ROW for 7 parcels along the proposed widening between Decatur Avenue and Shepherd Avenue. Phase 3 will involve construction of the Project, the associated traffic control operations and construction management activities.

Project Purpose

The purpose of this project is to provide for improved mobility, improve traffic safety and to eliminate congestion along the Willow Avenue corridor.

Transportation Benefit

The project is expected to improve air quality, reduce traffic congestion thereby improving travel time, and motorist and pedestrian safety.

Implications of Not Doing the Project

This is a part of the ongoing effort to improve air quality in the Fresno by improving the efficiency of Willow Avenue. If this project is not implemented more pollutants will be added to the due to worsening level of service (LOS) on Willow Avenue.

Community Engagement

The project limits are within a moderately populated residential and commercial area. Residents and property owners will be kept informed of the Project's status and schedule through Project newsletters, the City's website and local media.

Construction Staging

Stage construction may be implemented due to the potential impacts on adjacent residents, businesses and schools, which use this street to access their property.

Detours

During construction of this Project, it is unlikely that detours will be needed for this project. Access to residences and businesses will be provided and maintained throughout construction.

Current Status

Notice of completion was file with the Fresno County Recorder's Office.

Contact For inquiries, you may contact Robert Andersen, P.E., Assistant Director, with the City of Fresno Public Works Dept. at (559) 621-8811.



EXHIBIT C4 - PROJECT FUNDING PROGRAM

Urban Project D5/A4 – Willow Ave., Decatur. to Shepherd Ave.



Responsible Agency

City of Fresno

Project Limits

The project will widen southbound Willow Avenue between Decatur and Shepherd Avenue to three southbound travel lanes. An eastbound lane will be added to the west leg of the Willow/Nees Intersection to eliminate congestion at the intersection of Willow and Nees. The Scope of the project includes the construction of curb and gutter, asphalt concrete pavement, signing and striping, sidewalk, trees, streetlights, irrigation canal piping, a pedestrian tail and traffic signal modification at Willow and Nees. The project includes dual left turn lanes on all four legs of the property for street right-of-way purposes involving 7 parcels and all the acquisitions are partial-take acquisitions.

Phase 1 Geometric design was prepared by City staff based on the original Official Plan Line and this design has been adapted to prepare PS&E for the project. Additionally the City and the County have designated Willow Avenue and Nees Avenue to be an underground utility district and all utility companies will underground their facilities after the acquisition of the right-of-way prior to construction. Phase 2 includes the processing and acquisition of ROW for 7 parcels along the proposed widening between Decatur Avenue and Shepherd Avenue. Phase 3 will involve construction of the project, the associated traffic control operations and construction management activities.

The Project limits include 1.25 miles of added travel lane on Willow Avenue between Decatur Avenue and Shepherd Avenue.

Project Phase

- Phase 1 - Preliminary Engineering *[Includes Preliminary Design/Engineering (PS&E) and Environmental]*
- Phase 2 - Right-of-Way Acquisition
- Phase 3 - Construction *(Includes Project Construction & Construction Management)*

Contact

For inquiries, you may contact Scott Mozier, P.E., City Engineer, with the City of Fresno Public Works Dept. at (559) 621-8650.

Funding Program (\$ in millions)

Measure "C" Short-Range Regional Transportation Program | Project Funding Program Project D5 – Exhibit C4

PROJECT PHASE	START YEAR	END YEAR	PRIOR COST & FUNDING	NEW ALLOCATION							TOTAL COST & FUNDING
				REGIONAL TRANSPORTATION PROGRAM FY 2007/08 - 2017/18							
				2007/12	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18	
Preliminary Engineering *1 FUNDING PROGRAM	Prior	Prior	\$0.290	\$0.000	\$0.000	\$0.000	\$0.241	\$0.000	\$0.000	\$0.000	\$0.531
Measure "C" Original Program											\$0.000
Measure "C" Extension							\$0.241				\$0.241
RTMF											\$0.000
STIP											\$0.000
TCRP											\$0.000
Local Development Fees											\$0.000
Federal Aid			\$0.290								\$0.290
Other State (Specify)											\$0.000
Other Local (Specify)											\$0.000
Other Local (Specify)											\$0.000
Other Local (Specify)											\$0.000
TOTAL FUNDING PHASE 1:			\$0.000	\$0.290	\$0.000	\$0.000	\$0.241	\$0.000	\$0.000	\$0.000	\$0.531
PROJECT PHASE	START YEAR	END YEAR	PRIOR COST & FUNDING	NEW ALLOCATION							TOTAL COST & FUNDING
				REGIONAL TRANSPORTATION PROGRAM FY 2007/08 - 2017/18							
				2007-12	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18	
Right-of-Way *2 FUNDING PROGRAM	2009/10	2010/11	\$0.000	\$0.441	\$0.568	\$0.000	\$0.000	\$0.000	\$0.000	\$0.000	\$1.009
Measure "C" Original Program											\$0.000
Measure "C" Extension				\$0.072	\$0.568						\$0.640
RTMF											\$0.000
STIP											\$0.000
TCRP											\$0.000
Local Development Fees											\$0.000
Federal Aid			\$0.369								\$0.369
Other State (Specify)											\$0.000
Other Local (Specify)											\$0.000
Other Local (Specify)											\$0.000
Other Local (Specify)											\$0.000
TOTAL FUNDING PHASE 2:			\$0.000	\$0.441	\$0.568	\$0.000	\$0.000	\$0.000	\$0.000	\$0.000	\$1.009
PROJECT PHASE	START YEAR	END YEAR	PRIOR COST & FUNDING	NEW ALLOCATION							TOTAL COST & FUNDING
				REGIONAL TRANSPORTATION PROGRAM FY 2007/08 - 2017/18							
				2007/12	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18	
Construction *3 FUNDING PROGRAM	2011/12	2012/13	\$0.000	\$0.000	\$2.480	\$0.000	\$0.000	\$0.060	\$0.000	\$0.000	\$2.540
Measure "C" Original Program											\$0.000
Measure "C" Extension					\$0.40			\$0.06			\$0.460
RTMF											\$0.000
STIP											\$0.000
TCRP											\$0.000
Local Development Fees											\$0.000
Federal Aid					\$2.08						\$2.080
Other State (Specify)											\$0.000
Other Local (Specify)											\$0.000
Other Local (Specify)											\$0.000
Other Local (Specify)											\$0.000
TOTAL FUNDING PHASE 3:			\$0.000	\$0.000	\$2.480	\$0.000	\$0.000	\$0.060	\$0.000	\$0.000	\$2.540
TOTAL FUNDING ALL PHASES:			\$0.000	\$0.731	\$3.048	\$0.000	\$0.241	\$0.060	\$0.000	\$0.000	\$4.080

*1 Preliminary Engineering: Preliminary Design/Engineering (PS/E), Environmental

*2 Right-of-Way Acquisition

*3 Project Construction & Construction Management