

P000338

AMENDMENT NO. 4 TO COOPERATIVE PROJECT AGREEMENT
Short-Term Regional Transportation Program (STRTP)
Project N-1 Urban, Veterans Blvd/SR99 Interchange and Grade Separation

This Amendment to STRTP Project N-1 Urban, Veterans Blvd/SR99 Interchange and Grade Separation Project is made and entered into on October 28, 2015, 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 N-1 Urban, Veterans Blvd/SR99 Interchange and Grade Separation, ("Agreement"), dated June 1st, 2009, for funding of a transportation improvement project ("Project") in Fresno County pursuant to the Measure "C" Strategic Implementation Plan ("SIP"), 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 December 7, 2011, Amendment No. 2 to the Agreement, dated October 10, 2012, and Amendment No. 3 to the Agreement, dated December 11, 2013, respectively (hereinafter referenced as "the Prior Amendments"), providing funding for specified components of Phase 1 ("Preliminary Engineering") and Phase 2 ("Right of Way Acquisition") of the Project; and

WHEREAS, Authority is authorized to approve and revise Project funding for payment to Responsible Agency in accordance with the Agreement, the SIP and the Expenditure Plan regarding the Project N-1 Urban, Veterans Blvd/SR99 Interchange and Grade Separation; and,

WHEREAS, Authority shall provide funding to Responsible Agency for eligible Project costs "not to exceed" the cumulative amount of \$29,556,000 of Measure "C" funds (Original and Extension) and Regional Transportation Mitigation Fee ("RTMF") funds 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:

11/25/15

- Responsible Agency desires to reallocate approximately \$401,572 from Phase 2 to Phase 1 of the Project, while the balance of the funds set aside for the Veterans Blvd/SR99 Interchange and Grade Separation Project remains unchanged. Said Measure "C" Regional Transportation Program ("Measure C") and RTMF (as applicable) funding will allow the Project to further proceed with Phase 1 and Phase 2 of Project N-1 Urban, Veterans Blvd/SR99 Interchange and Grade Separation Project, per the revised Exhibits as more thoroughly described in Section 3.1 of this Amendment.

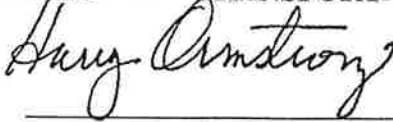
3. TERMS.

- 3.1 Exhibit "A" (Project Scope), Exhibit "B" (Project Schedule) and Exhibit "C" (Project Funding Program), which hereinafter shall be referenced collectively as 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 which previously were 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 and any Amendment prior to the Effective Date of Amendment No. 4 shall be governed by and compensated pursuant to the applicable Exhibits, 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 attached Exhibits A4, B4 and C4, and the terms of 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 
(Signature)

Name HARRY ARMSTRONG
(Typed)


Title CHAIRMAN

APPROVED AS TO LEGAL FORM:
KEVIN BRIGGS, INTERIM COUNTY
COUNSEL

By 
(Signature)

Name MICHAEL E ROWE

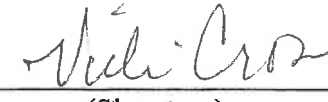
Title Senior Deputy County Counsel

ATTEST
By 
(Signature)

Name RON PETERSON
(Typed)

Title EXECUTIVE DIRECTOR

APPROVED AS TO ACCOUNTING
FORM:

By 
(Signature)

Name VICKI CROW

Title Auditor-Controller/Treasurer-Tax Collector

CITY OF FRESNO

By 
(Signature)

Name SCOTT L. MOZIER, PE

Title Public Works Director

ATTEST
By 
(Signature)

Name YVONNE SPENCE, CMC

Title City Clerk

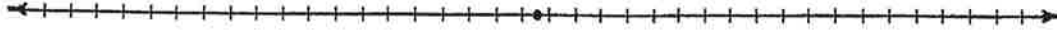
APPROVED AS TO FORM:
City Attorney's Office
Douglas T. Sloan, City Attorney

BY:  10.8.15
Raj Singh Badhesha, Deputy City Attorney



EXHIBIT A4 – PROJECT SCOPE

Urban Project N-1 – Veterans Blvd/SR-99 Interchange and Grade Separation



Responsible Agency
City of Fresno

Project Limits

The project limits for Urban Project N-1 are from Shaw Avenue to Herndon Avenue, approximately 2.2 miles.

Project Phase

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

Project Phase(s) Scope

Phase 1 includes development of PS&E and PAVED work. The PAVED work, which is included in Phase 1 of the Project, is complete. The portion of the work includes the development and approval of the Project Report and Project Environmental Impact Report. The PS&E work is currently underway and moving towards final construction documents. Phase 2 is the Right of Way (ROW) acquisition phase of the project, which includes the appraisal, acquisition processing and purchase of the ROW necessary for the project.

Complete Project Scope

The project scope is the construction of Veterans Boulevard to its ultimate six-lane configuration between Barstow Avenue and Bullard Avenue, with a new overcrossing of State Route 99, on- and off-ramps, the connection to Golden State Boulevard, a bridge spanning Golden State Boulevard, future High-Speed Rail and the Union Pacific Railroad; the project proposes a four-lane facility from Bullard Avenue north to Herndon Avenue and from Barstow Avenue south to Shaw Avenue. The project is consistent with the recorded Official Plan Line approved by the City and County in 1996 for the planned superarterial roadway alignment. The project will include traffic signals at the freeway interchange off-ramps and signalized intersections at Shaw Avenue, Barstow Avenue, Golden State Boulevard connector roadway, Bullard Avenue and Herndon Avenue.

Project Purpose

As described in the Caltrans PSR, the purpose of the project is to provide improved traffic circulation and access to lands adjacent to and surrounding the interchange; provide congestion relief to improve traffic flow on the existing local and regional transportation system; to accommodate local development and corresponding increases in traffic volumes; and to be consistent with existing and planned local and regional development.

Transportation Benefit

The project will provide an east-west connection from west Fresno to north Fresno and a greatly improved freeway interchange access for northwest Fresno. The project will also provide a grade-separated crossing of the Union Pacific Railroad and future High-Speed Rail facilitating access to SR-99 for the Herndon Avenue corridor. The project will relieve congestion at the adjacent SR-99 interchanges at Herndon Avenue and Shaw Avenue, which are inadequate to serve existing and future traffic demands.

Implications of Not Doing the Project

Veterans Boulevard is an integral component of the City of Fresno 2035 General Plan and the regional road network. The traffic operational analysis that has been prepared for the Project Report and Environmental Impact Report shows level of service "F" at the intersections and interchanges in the project vicinity.

Community Engagement

The project limits are within a populated residential and industrial area. A Notice of Preparation meeting was held in February 2010 informing the community of the EIR preparation. The environmental document approval process also included community meetings and a public hearing process. The City also participates in on-going High-Speed Rail community open house meetings to share updates on the project and how it is being coordinated with the work being done by the California High-Speed Rail Authority.

Construction Staging

The first phase of construction will be in coordination with the High-Speed Rail project to construct the grade separation over the Union Pacific Railroad and future High-Speed Rail facilities while connecting Golden State Boulevard to the Riverside drive and Bullard Avenue intersection. The second phase will include the remaining scope of the project including the SR-99 interchange and extensions to Shaw

Measure "C" Short-Range Regional Transportation Program | Project Scope – Project U-N-1 - Exhibit A4
Page Two

Avenue and Herndon Avenue. Construction of both phases will be continuous and during construction adjacent residences and businesses will be provided access at all times. Falsework will be erected over SR-99 and the Union Pacific Railroad to maintain continuous operations.

Detours

Short-term limited detours may be necessary for Golden State Boulevard and a very short night-time freeway detour will be required for falsework placement. Otherwise existing transportation facilities will be unaffected by the project.

Current Status

The PAVED work, which is included in Phase 1 of the Project, is complete. The portion of the work includes the development and approval of the Project Report and Project Environmental Impact Report. The remaining preliminary engineering work in Phase 1 is approximately sixty percent complete. Phase 2 is approximately thirty percent complete with the necessary right-of-way for the grade separation acquired and the remaining right-of-way for the SR-99 interchange and extensions to Shaw Avenue and Herndon Avenue in process.

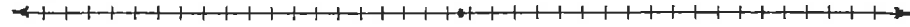
Contact

For inquiries, you may contact Andrew Benelli, P.E., City Engineer with the City of Fresno Public Works Dept. at (559) 621-8723.



EXHIBIT B4 – PROJECT SCHEDULE

Urban Project N-1 – Veterans Blvd/SR-99 Interchange and Grade Separation



Responsible Agency
City of Fresno

Project Limits

The project limits for Urban Project N-1 are from Shaw Avenue to Herndon Avenue, approximately 2.2 miles.

Project Phase

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

Contact

For inquiries, you may contact Andrew Benelli, P.E., City Engineer with the City of Fresno Public Works Dept. at (559) 821-8723.

Project Schedule

PROJECT/PHASE	START	END	REGIONAL TRANSPORTATION PROGRAM FY 2007/08 -2017/18																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																				
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#1 Preliminary Engineering Preliminary Design/Engineering (PS&E), Environmental

#2 Right-of-Way Acquisition

#3 Project Construction & Construction Management



EXHIBIT C4 -PROJECT FUNDING PROGRAM

Urban Project N-1 – Veterans Blvd/SR-99 Interchange and Grade Separation

Responsible Agency
City of Fresno

Project Limits

The project limits for Urban Project N-1 are from Shaw Avenue to Herndon Avenue, approximately 2.2 miles.

Project Phase

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

Contact

For inquiries, you may contact Andrew Benelli, P.E., City Engineer with the City of Fresno Public Works Dept. at (559) 621-8723.

Funding Program (\$ in millions – see attached)

Measure "C" Short-Range Regional Transportation Program | Project Funding Program – Project U-N-1 - Exhibit C4

PROJECT PHASE	START YEAR	END YEAR	PRIOR COST & FUNDING '2007/08-10/11	NEW ALLOCATION							TOTAL COST & FUNDING
				REGIONAL TRANSPORTATION PROGRAM FY 2007/08 - 2017/18							
				2011/12	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18	
Preliminary Engineering ¹¹			\$2,000	\$8,836	\$0,402	\$0,000	\$0,000	\$0,000	\$0,000	\$0,000	\$11,238
FUNDING PROGRAM											
Measure "C" Original Program				\$8,836	\$0,402						\$9,238
Measure "C" Extension			\$1,500								\$1,500
RTMF											\$0,000
STIP											\$0,000
TCRP											\$0,000
Local Development Fees			\$0,500								\$0,500
Federal Aid											\$0,000
Other State (SLPP)											\$0,000
Other Local (Specify)											\$0,000
Other Local (Specify)											\$0,000
Other Local (Specify)											\$0,000
TOTAL FUNDING PHASE 1:			\$2,000	\$8,836	\$0,402	\$0,000	\$0,000	\$0,000	\$0,000	\$0,000	\$11,238
PROJECT PHASE	START YEAR	END YEAR	PRIOR COST & FUNDING '2007/08-10/11	NEW ALLOCATION							TOTAL COST & FUNDING
				REGIONAL TRANSPORTATION PROGRAM FY 2007/08 - 2017/18							
				2011/12	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18	
Right-of-Way ¹²			\$0,000	\$0,000	\$13,999	\$3,421	\$0,000	\$0,000	\$0,000	\$0,000	\$17,420
FUNDING PROGRAM											
Measure "C" Original Program					\$1,398						\$1,398
Measure "C" Extension					\$12,427	\$1,441					\$13,868
RTMF					\$1,572	\$1,980					\$3,552
STIP											\$0,000
TCRP											\$0,000
Local Development Fees											\$0,000
Federal Aid											\$0,000
Other State (SLPP)											\$0,000
Other Local (Specify)											\$0,000
Other Local (Specify)											\$0,000
Other Local (Specify)											\$0,000
TOTAL FUNDING PHASE 2:			\$0,000	\$0,000	\$13,999	\$3,421	\$0,000	\$0,000	\$0,000	\$0,000	\$18,818
PROJECT PHASE	START YEAR	END YEAR	PRIOR COST & FUNDING '2007/08-10/11	NEW ALLOCATION							TOTAL COST & FUNDING
				REGIONAL TRANSPORTATION PROGRAM FY 2007/08 - 2017/18							
				2011/12	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18	
Construction ¹³	2011/12	2012/13	\$0,000	\$0,000	\$0,000	\$0,000	\$0,000	\$0,000	\$0,000	\$0,000	\$0,000
FUNDING PROGRAM											
Measure "C" Original Program											\$0,000
Measure "C" Extension											\$0,000
RTMF											\$0,000
STIP											\$0,000
TCRP											\$0,000
Local Development Fees											\$0,000
Federal Aid											\$0,000
Other State (SLPP)											\$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	\$0,000	\$0,000	\$0,000	\$0,000	\$0,000	\$0,000	\$0,000
TOTAL FUNDING ALL PHASES:			\$2,000	\$8,836	\$14,401	\$3,421	\$0,000	\$0,000	\$0,000	\$0,000	\$30,056

¹¹ Preliminary Engineering: Preliminary Design/Engineering (PDE), Environmental

¹² Right-of-Way Acquisition

¹³ Project Construction & Construction Management