

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

This Amendment No. 1 to STRTP Project N-1 Urban, Veterans Blvd/SR99 Interchange and Grade Separation Project is made and entered into the 7th day of December, 2011 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" 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, Authority is authorized to approve and revise Project funding for payment to Responsible Agency in accordance with the Agreement, the Handbook and the Expenditure Plan regarding the Project, identified as N-1 Urban, Veterans Blvd/SR99 Interchange and Grade Separation; and,

WHEREAS, at the time of approval of the original Agreement, it was contemplated by the Parties that Authority ultimately shall provide funding to Responsible Agency for eligible Project costs "not to exceed" **\$8,836,000** of Measure "C" funding, and that mutual intent will remain unchanged by this Amendment No. 1.

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 draw down the balance of the funds set aside for the Veterans Blvd. Project. Said funds will allow for the Project to proceed to the next Phase of PS&E of the approved Measure "C" Regional Transportation Program ("Measure "C") funding for the transportation improvement 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 No. 1.

* New fund 22511 - Orig MeaC Regional Hwy Prog.

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 fully incorporated therein by the provisions of Section 3.23 thereof, shall be and are hereby replaced by: Exhibit "A-1" (Project Scope), Exhibit "B-1" (Project Schedule) and Exhibit "C-1" (Project Funding Program), which are attached to this Amendment No. 1 and incorporated herein by this reference, commencing upon the Effective Date of this Amendment No. 1 to the Agreement.
- 3.2 All work performed by the Responsible Agency under the Agreement prior to the Effective Date of this Amendment shall be governed by and compensated pursuant to the Original Exhibits and the Agreement. All work performed commencing upon the Effective Date of this Amendment shall be performed and compensated pursuant to the Agreement as amended herein and the Exhibits attached to this Amendment No. 1 .
- 3.3 Effective Date. The Effective Date of this Amendment No.1 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. 1 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 Excepting only those provisions modified herein, all other terms and conditions contained in the original Cooperative Project Agreement are unaffected by this Amendment No. 1 and shall remain in full force and effect.

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

FRESNO COUNTY TRANSPORTATION AUTHORITY

By 
(Signature)

ATTEST
By 
(Signature)

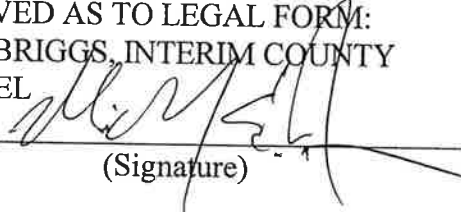
Name Harry Armstrong
(Typed)

Name Ron Peterson
(Typed)


Title Chair of the Authority

Title Executive Director

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

By 
(Signature)

APPROVED AS TO ACCOUNTING
FORM:

By 
(Signature)

Name MICHAEL E. ROWE

Name VICKI CROW

Title Senior Deputy County Counsel

Title Auditor-Controller/Treasurer-Tax Collector

AGENCY NAME

ATTEST

By 
(Signature)

By 
(Signature)

Name PATRICK N. WIEMILLER

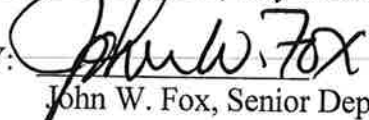
Name Cindy Bruer

Title Public Works Director

Title Deputy City Clerk

APPROVED AS TO FORM

JAMES SANCHEZ, City Attorney

BY: 
John W. Fox, Senior Deputy

Date: 11/22/2011



EXHIBIT A-1 – 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.

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]

*Phase 1 - Plans, Specifications, and Estimates (PS&E) only. Right-of-way and construction phases are to be scheduled in the Measure C Mid-Term and Long-Term Programs.

Project Phase(s) Scope

This PS&E phase of the project includes the preparation and completion of Acquisition and Construction documents for the project. Measure C funds are addressing the project limits of Barstow Avenue to Bullard Avenue, specifically consisting of the Veterans Boulevard / State Route 99 interchange, connection to Golden State Boulevard and Veterans Boulevard / Union Pacific Railroad grade separation. To address logical termini requirements of the NEPA process, local development impact fees are augmenting this phase of the project to prepare acquisition and construction documents for a 4-lane Veterans Boulevard on the ultimate 6-lane Official Plan Line alignment between Shaw Avenue and Barstow Avenue, and also from Bullard Avenue to Herndon Avenue, representing a total project limit of Shaw Avenue to Herndon Avenue for the PS&E phase of the project.

Complete Project Scope

The PA/ED phase of the project is near completion. A Draft Project Report has been prepared by the City of Fresno and is being circulated for final corrections and Caltrans District Director signature. The City of Fresno has funded the preparation of A Draft Environmental Impact Report prepared by Caltrans which is being circulated for final corrections and Caltrans Environmental Office Chief signature. Public Circulation of the EIR is anticipated in Winter 2011/12. Notice of Determination/Record of Decision is anticipated in late-Spring 2012. Project Approval is expected in Summer 2012.

The next phase (PS&E) has been included the FY 2010/2011 in the Measure "C" Extension 2010 Short Term Regional Transportation Program. Future phases will be right-of-way acquisition and utility relocation, concluding with Construction and associated Construction Management services. 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 and a grade separation at the Union Pacific Railroad crossing; 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 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.

Urban Project N-1 – Veterans Blvd/SR-99 Interchange and Grade Separation Exhibit A1

Page Two

Implications of Not Doing the Project

Veterans Boulevard is an integral component of the City of Fresno 2025 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 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 will include community meetings and a public hearing process. Residents and property owners will be kept informed of the Project's status by a newsletter that will be available on a web site as well as through a project e-mail distribution list.

Construction Staging

Construction will be continuous and during construction adjacent residences and businesses will be provided access at all times. Falsework will be erected over SR-99 to maintain freeway traffic.

Detours

Short-term limited detours will 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 PA/ED phase is near completion and the DPR and DEIR are close to signature. The project is ready to proceed with the PS&E phase.

Contact

For inquiries, you may contact Scott Mozier, P.E., City Engineer with the City of Fresno Public Works Dept. at (559) 621-8811.

Urban Project N1 – Veterans Blvd/SR-99 Interchange and Grade Separation

[illegible]

3 Project Construction & Construction Management



EXHIBIT C1 - PROJECT FUNDING PROGRAM

Urban Project N1 – 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.

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]*

*Phase 1 – Project Approval / Environmental Document (PA/ED) only. Right-of-way and construction phases are to be scheduled in the Measure C Mid-Term and Long-Term Programs

Contact

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

Funding Program (\$ in millions- See Attached)

Measure "C" Short-Range Regional Transportation Program / Project Funding Program – Exhibit C1 (Continued)

PROJECT PHASE	START YEAR	END YEAR	PRIOR COST & FUNDING	NEW ALLOCATION										TOTAL COST & FUNDING
				SHORT-TERM PROGRAM FY 2007/08 - 2016/17										
				2007/08	2008/09	2009/10	2010/11	2011/12	2012/13	2013/14	2014/16	2016/17		
Preliminary Engineering ¹			\$0.000	\$0.000	\$1.000	\$1.000	\$0.000	\$8.836		\$0.000		\$0.000	\$10.836	
FUNDING PROGRAM														
Measure "C" Original Program								\$8.836					\$8.836	
Measure "C" Extension					\$0.750	\$0.750							\$1.500	
RTMF													\$0.000	
STIP													\$0.000	
TCRP													\$0.000	
Local Development Fees					\$0.250	\$0.250							\$0.500	
Federal Aid													\$0.000	
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	\$0.000	\$1.000	\$1.000	\$0.000	\$8.836	\$0.000	\$0.000	\$0.000	\$0.000	\$10.836	

PROJECT PHASE	START YEAR	END YEAR	PRIOR COST & FUNDING	NEW ALLOCATION										TOTAL COST & FUNDING
				SHORT-TERM PROGRAM FY 2007/08 - 2016/17										
				2007/08	2008/09	2009/10	2010/11	2011/12	2012/13	2013/14	2014/16	2016/17		
Right-of-Way ²			\$0.000	\$0.000	\$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 (Specify)													\$0.000	
Other Local (Specify)													\$0.000	
Other Local (Specify)													\$0.000	
Other Local (Specify)													\$0.000	
TOTAL FUNDING PHASE 2:			\$0.000	\$0.000	\$0.000	\$0.000	\$0.000	\$0.000	\$0.000	\$0.000	\$0.000	\$0.000	\$0.000	

PROJECT PHASE	START YEAR	END YEAR	PRIOR COST & FUNDING	NEW ALLOCATION										TOTAL COST & FUNDING
				SHORT-TERM PROGRAM FY 2007/08 - 2016/17										
				2007/08	2008/09	2009/10	2010/11	2011/12	2012/13	2013/14	2014/16	2016/17		
Construction ³	2008/09	2009/10	\$0.000	\$0.000	\$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 (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	\$0.000	\$0.000	\$0.000	\$0.000	\$0.000	\$0.000	\$0.000	\$0.000	\$0.000	
TOTAL FUNDING ALL PHASES:			\$0.000	\$0.000	\$1.000	\$1.000	\$0.000	\$8.836	\$0.000	\$0.000	\$0.000	\$0.000	\$10.836	

¹ Preliminary Engineering, Preliminary Design/Engineering (PDE), Environmental

² Right of Way Acquisition

³ Project Construction & Construction Management

Short-Term Regional Transportation Program

URBAN PROJECT N1 VETERANS BLVD. SR 99 INTERCHANGE & GRADE SEPARATION

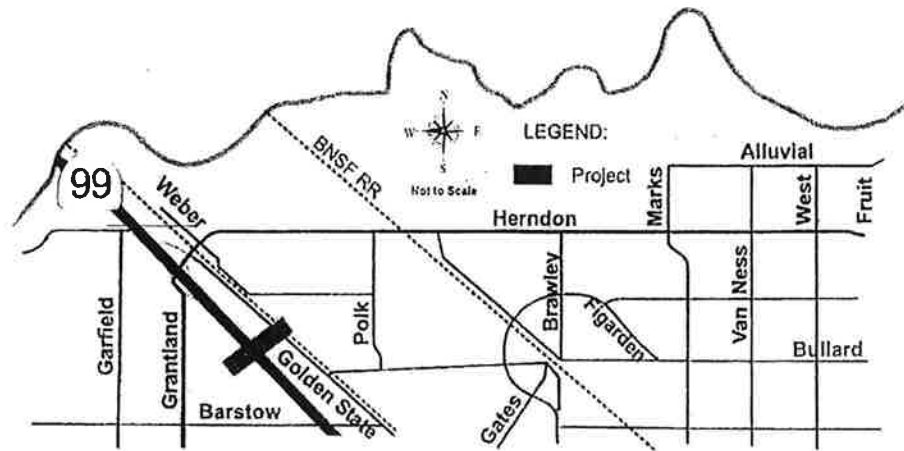
Planned Improvement: Freeway Interchange & Grade Separation at Union Pacific Rail Road & Golden State Blvd.

Inflated Cost: \$31.712 million (Short-term Program)

Year of Completion: 2022 (Additional \$121.008 million in the Long-term Program)

Priority Number: 9

Responsible Agency: City of Fresno



Revision Date: December 8, 2010

Project Schedule/Cost Estimates/Funding Program:

PROJECT PHASE	START YEAR	END YEAR	PRIOR COST & FUNDING	SHORT-TERM PROGRAM FY 2007/08 - 2016/17												TOTAL COST & FUNDING
				2007/08	2008/09	2009/10	2010/11	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17			
Preliminary Engineering *1	2008/09	2010/11			\$1,000	\$1,000	\$8,836								\$10,836	
Right-of-Way *2	2016/17	2016/17												\$20,876	\$20,876	
Construction *3																
TOTAL COST					\$1,000	\$1,000	\$8,836							\$20,876	\$31,712	
FUNDING PROGRAM																
Measure "C" Extension					\$0.760	\$0.760								\$1,762	\$3,262	
Prior Measure "C"							\$8,836								\$8,836	
Other Local					\$0.250	\$0.250									\$0,500	
STIP														\$14,868	\$14,868	
RTMF														\$4,266	\$4,266	
TOTAL FUNDING					\$1,000	\$1,000	\$8,836							\$20,876	\$31,712 M	

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

*2 Right-of-Way Acquisition

*3 Project Construction & Construction Management