

FEBRUARY 6, 2019
FCTA Board Meeting
Consent Calendar
Item II-E

Approval of Measure C Extension Regional Transportation Program Rural Project I
(Mt View) Amendment No 4 to Agreement with the County of Fresno

MIKE LEONARDO
Executive Director

MEMORANDUM

TO: Fresno County Transportation Authority

FROM: Mike Leonardo, Executive Director

DATE: February 6, 2019

SUBJECT: Approval of Regional Transportation Program - Mountain View Avenue Rural Tier 1 Project 1-I Project Agreement Amendment No 4

RECOMMENDATION: Staff recommends that the Authority Board approve Amendment No 4 to Fresno County Mountain View Avenue Widening Project Agreement

DISCUSSION: FCTA entered into a Project Agreement with Fresno County for Regional Rural Project 1-I Mountain View Avenue Widening in November 2009. This agreement was subsequently amended three times:

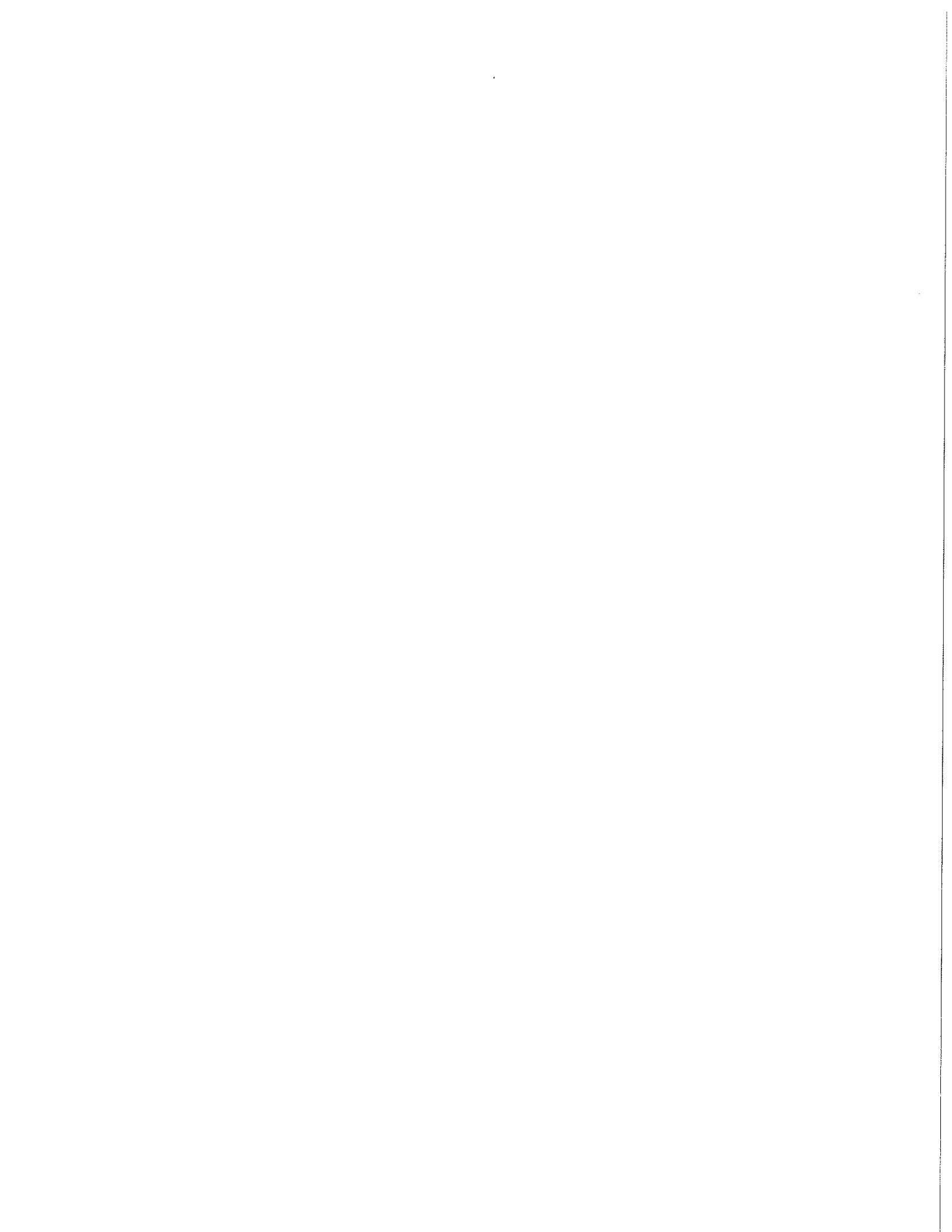
Amendment No 1 – Reallocated \$1,063,000 from Design to Right of Way, and authorized \$1,453,000 for Construction

Amendment No 2 – Increased Design by \$900,000 and Construction by \$2,591,000

Amendment No 3 – Reallocated \$60,000 from Construction to Design, reallocated \$260,000 from Construction to Right of Way, and increased Construction allocation by \$14,200,000

The total not-to-exceed project cost based on these amendments was \$23,538,000.

Fresno County is preparing their final invoicing for this project and has requested an additional amendment to reflect the actual final costs. Amendment No 4 will reallocate \$48,444 from Construction to Right of Way, reduce the Preliminary Engineering allocation by \$12,859, and reduce the Construction allocation by \$5,030,120. This will result in an overall decrease of the project cost from \$23,538,000 to \$18,495,021, a net decrease of \$5,042,979.



Supplement 1

**AMENDMENT NO. 4 TO
COOPERATIVE PROJECT AGREEMENT
Short-Term Regional Transportation Program**

Rural Project 1 I – Mountain View Avenue Widening

This Amendment No. 4 to Cooperative Project Agreement ("**Amendment No. 4**") is made and entered into on _____, by and between the County of Fresno ("**Responsible Agency**") and the Fresno County Transportation Authority ("**Authority**"), hereinafter collectively referred to as "the Parties".

1. RECITALS

1.1 WHEREAS, The Parties entered into the Cooperative Project Agreement for Rural Project 1 I – Mountain View Avenue Widening, dated November 10, 2009 ("**Agreement**"), which subsequently was amended on November 6, 2012 ("**Amendment No. 1**"), on December 3, 2013 ("**Amendment No. 2**"), and on August 11, 2015 ("**Amendment No. 3**"), for the funding of a transportation improvement project ("**Project**") in Fresno County pursuant to the Measure "C" Extension Strategic Implementation Plan ("the **SIP**"), and the Fresno County Measure "C" Expenditure Plan ("the **Expenditure Plan**"), which was approved by the voters of Fresno County in November 2006;

WHEREAS, it is the intent of the parties hereto, by this Amendment No. 4, to extend the expiration date of the original Agreement to allow for completion of the Project;

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 Rural Project 1 I – Mountain View Avenue Widening; and

WHEREAS, Authority shall provide funding to Responsible Agency for eligible Project costs "not to exceed" \$23,538,000 of Measure "C" Regional Transportation Program funding.

1.2 The Parties now desire to amend the statement defining and delineating the Project Funding Program, as set forth in the original Agreement and previously modified by Amendments No. 1, No. 2, and No. 3 thereto, based on the following:

1 Responsible Agency desires to reallocate \$48,444 from the Construction fund to the
2 Right of Way fund, reduce the Preliminary Engineering fund by \$12,859, and reduce the
3 Construction fund by \$5,030,120, which will collectively reduce the total project funding from
4 \$23,538,000 to \$18,495,021.

5 **2. TERMS**

6 2.1 The effective date of this Amendment No. 4 to the Agreement shall be retroactive to
7 July 1, 2018 and shall remain in full force and effect through June 30, 2019, unless
8 earlier terminated as provided in Section 3.2 or 3.4 of the Agreement.

9 2.2 Exhibit "C" (Project Funding Program), which was fully incorporated into the
10 Agreement, by the provisions of Section 3.23 thereof, and was previously modified
11 by Amendments No. 1, 2 and 3 thereto, shall be and is hereby replaced by: Exhibit
12 "C4" (Project Funding Program), which is attached hereto and incorporated herein
13 by this reference, commencing upon the Effective Date of this Amendment No. 4 to
14 the Agreement.

15 2.3 All work performed by Responsible Agency under the Agreement, for which an
16 invoice is submitted to Authority prior to the Effective Date of this Amendment No. 4,
17 shall be governed by and compensated pursuant to the applicable Exhibits, pursuant
18 to the terms of the Agreement as previously modified by Amendments No. 1, 2, and
19 3 thereto. All such work, for which an invoice is submitted after the Effective Date of
20 this Amendment No. 4, shall be governed by and compensated pursuant to the
21 attached Exhibit C4, and the terms of the Agreement as modified by this Amendment
22 No. 4.

23 2.4 All other terms and conditions contained in the Agreement as amended are
24 unaffected by this Amendment No. 4 and shall remain in full force and effect.
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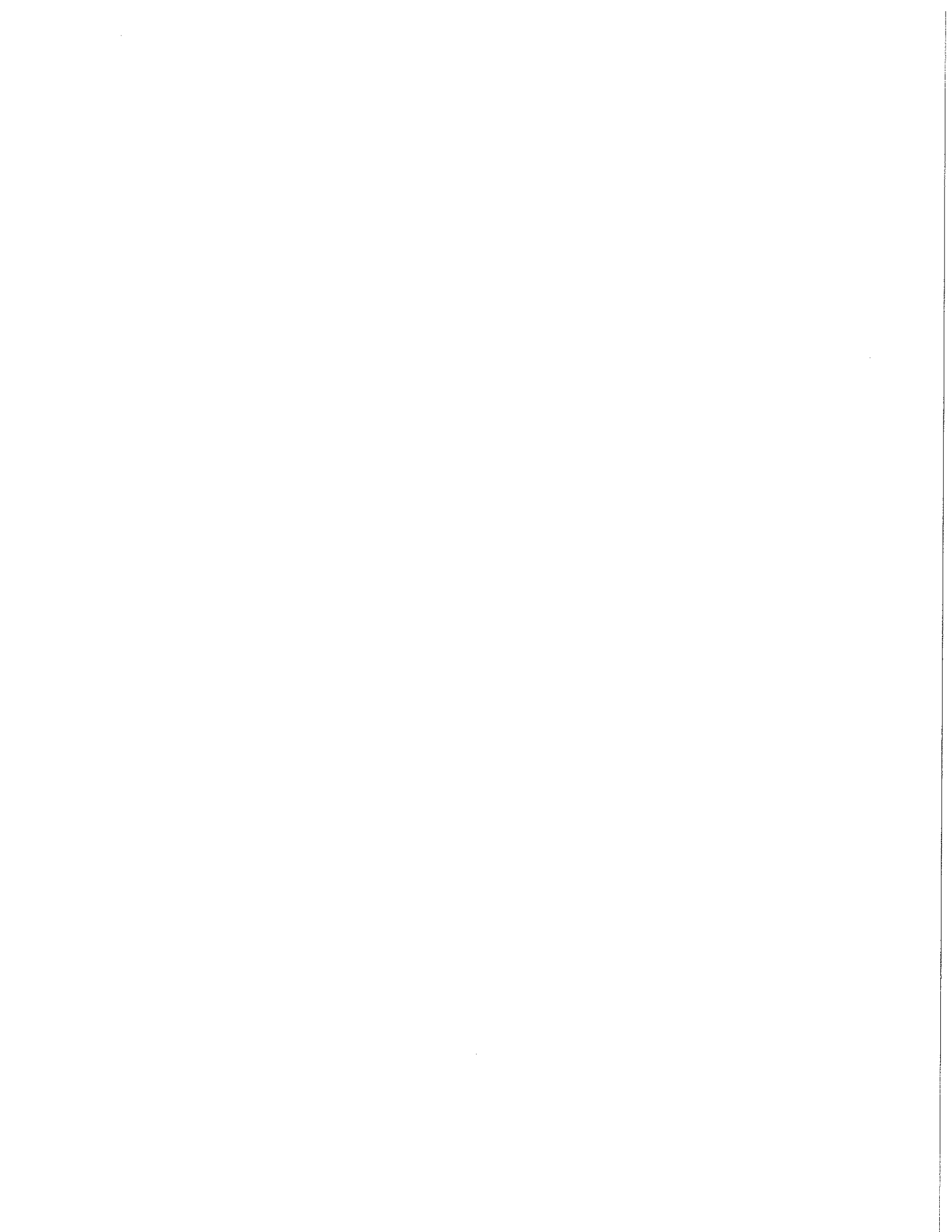
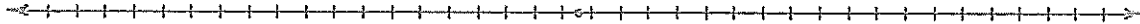




EXHIBIT C4- PROJECT FUNDING PROGRAM

Project I/A4 – Mountain View Avenue Widening



Responsible Agency
County of Fresno

Project Limits
The project limits include 4.0 miles of added travel lanes on Mountain View Ave. between Bethel Ave. and the Tulare County Line.

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 Mohammad Alimi, Design Engineer with the County of Fresno Department of Public Works and Planning, at (559) 600-4109.

Funding Program (\$18,495,021 Measure C Extension Funds) Dollars are in millions

(Double click on Table on the following page to complete for all Project phases – It is important for the Authority to understand the funding program for the entire Project; not just the Project phase(s) that is checked above and the subject of this Agreement).

Measure "C" Short-Range Regional Transportation Program | Rural Project I/A3 Funding Program – Exhibit C4

PROJECT PHASE	START YEAR	END YEAR	PRIOR COST & FUNDING							TOTAL COST & FUNDING
				2007/2011	2012/13	2013/14	2014/15	2015/16	2018/19	
Preliminary Engineering	2009	2015	\$0.000	\$0.997	\$0.000	\$0.960	\$0.000	\$0.000	(\$0.013)	\$1.944
FUNDING PROGRAM										
Measure "C" Original Program										\$0.000
Measure "C" Extension				\$0.997		\$0.960			(\$0.013)	\$1.944
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 1:			\$0.000	\$0.997	\$0.000	\$0.960	\$0.000	\$0.000	\$0.013	\$1.944
Preliminary Engineering	2009	2015	\$3.397	\$0.000	\$0.260	\$0.000	\$0.000	\$0.000	\$0.048	\$3.705
FUNDING PROGRAM										
Measure "C" Original Program										\$0.000
Measure "C" Extension				\$3.397		\$0.260			\$0.048	\$3.705
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:			\$3.397	\$0.000	\$0.260	\$0.000	\$0.000	\$0.000	\$0.048	\$3.705
Construction	2012	2017	\$0.000	\$0.553	\$3.171	\$0.000	\$14.200		(\$5.078)	\$12.846
FUNDING PROGRAM										
Measure "C" Original Program										\$0.000
Measure "C" Extension				\$0.553	\$3.171		\$14.200		(\$5.078)	\$12.846
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	\$0.553	\$3.171	\$0.000	\$14.200		(\$5.078)	\$12.846
TOTAL FUNDING ALL PHASES:			\$0.000	\$4.394	\$0.553	\$4.391	\$0.000	\$14.200	(\$5.043)	\$18.495

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

*2 Right-of-Way Acquisition

*3 Project Construction & Construction Management