AMENDMENT NO. 3 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 [date] day of [month], 2014 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, and Amendment No. 2 to the Agreement, dated May 29, 2013, respectively (hereinafter 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 Construction Phase to the Preliminary Engineering Phase, a portion of the approved Measure "C" Regional Transportation Program ("Measure 'C'") funding for the transportation improvement Project D5 Urban, Willow Ave. from Decatur Ave. to Shepherd Ave., per the revised Exhibits as more thoroughly described in Section 3.1 of
this First Amendment. This reallocation does not alter the total funding amount 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 “A3” (Project Scope), Exhibit “B3” (Project Schedule) and Exhibit “C3” (Project Funding Program), which are attached hereto and incorporated herein by this reference, commencing upon the Effective Date of this Amendment No. 3 to the Agreement.

3.2 All work performed by the Responsible Agency under the Agreement prior to the Effective Date of this Amendment No. 3 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. 3 shall be governed by and compensated pursuant to the Agreement as modified by this Amendment No. 3.

3.3 Effective Date. The Effective Date of this Amendment No.3 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. 3 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. 3 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 ___________________________ ATTEST ___________________________
   (Signature)                        (Signature)
Name HARRY ARMSTRONG               Name RON PETERSON
   (Typed)                                    (Typed)
Title Chair of the Authority        Title Executive Director

APPROVED AS TO LEGAL FORM:
DANIEL C. CEDERBORG, COUNTY COUNSEL
By ___________________________ By ___________________________
   (Signature)                        (Signature)
Name MICHAEL E ROWE                Name VICKI CROW
Title Senior Deputy County Counsel Title Auditor-Controller/Treasurer-Tax Collector

CITY OF FRESNO

ATTEST

By ___________________________ By ___________________________
   (Signature)                        (Signature)
Name SCOTT L. MOZIER              Name Cindy Bruer
Title PUBLIC WORKS DIRECTOR       Title Deputy City Clerk

APPROVED AS TO FORM
DOUGLAS SLOAN, City Attorney

BY: ___________________________
   (Signature)
   Deputy: RAJ SINGH BADHESHA

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EXHIBIT A3 – PROJECT SCOPE

Urban Project D5/A3 – 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 1000' of eastbound Nees Ave.

Project Phase(s) (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
The project was bid and will be awarded on July 31 2014.

Contact For inquiries, you may contact Scott Mozier, P.E., City Engineer, with the City of Fresno Public Works Dept. at (559) 621-8811.
Measure “C” Short-Range Regional Transportation Program | Project D5/A2 Schedule – Exhibit B2

**EXHIBIT B3 – PROJECT SCHEDULE**

Project D5/A3 – Willow Ave. Widening from Decatur to Shepherd

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 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.

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 and construction management activities. The project limits include 1.25 miles of added travel lanes on Willow Ave. between Decatur Ave. and Shepherd Ave.

Project Phase *(Choose all 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)*

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

**Project Schedule** *(Double click on Table below to complete for all Project phases – It is important for the Authority to understand the schedule for the entire Project; not just the Project phase(s) that is checked above and the subject of this Agreement. Revise Fiscal Years in table below to reflect schedule for all phases of the Project.)*

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*1 Preliminary Engineering: Preliminary Design/Engineering (PS&E), Environmental
*2 Right-of-Way Acquisition
*3 Project Construction & Construction Management*
EXHIBIT C3 - PROJECT FUNDING PROGRAM

Urban Project D5/A3 – 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 rail 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)