

MEMORANDUM

TO: Fresno County Transportation Authority

FROM: Terry Ogle, Executive Director

DATE: April 24, 2024

SUBJECT: Amendment No. 8 to the Cooperative Project Agreement, Short-Term Regional Transportation Program; Rural Project F – Golden State Corridor Economic Development Infrastructure Improvements with the Fresno Council of Governments (Fresno COG)

RECOMMENDATION: Approve Amendment No. 8 to the Cooperative Project Agreement, Short-Term Regional Transportation Program; Rural Project F – Golden State Corridor Economic Development Infrastructure Improvements.

DISCUSSION: On December 16, 2009, the FCTA Board approved funding for the Golden State Corridor Infrastructure Improvement Project. As the project has progressed, the agreement has been amended seven times in order to facilitate completion of the design phase of the project. Fresno COG is the Responsible Agency for the project.

Mark Thomas is under contract to Fresno COG for completion of the project design. The Golden State Corridor runs parallel to the Union Pacific Railroad (UPRR) and all intersecting side streets associated with the project cross the railroad, therefore UPRR and the California Public Utilities Commission (CPUC) must approve the PS&E and all related documents for elements of the project within the railroad right of way. The project team has worked closely with UPRR and the CPUC for over five years on the development of the Golden State project. In past discussions with the Board, staff has brought up the challenges in dealing with the UPRR crossings along the Golden State Corridor. In summary, UPRR is considering this as a corridor project and is requiring upgrades at most of the crossings throughout the corridor, even at locations where there are no proposed project changes. Further, UPRR has not been willing to provide a final list of improvements. They have been making demands incrementally with no commitment that the current list of improvements is final. Board members may recall that this is resulting in the railroad improvement costs for Phase 2 of this project far exceeding local road improvement costs. Consequently, in discussion with the County,

Cities of Selma, Fowler & Kingsburg, FCOG and Mark Thomas the consensus is to move forward with preparation of a modified Phase 2 package to separate the intersection improvements (without railroad improvements) and preparing plans. The next step will be for the County of Fresno to receive an estimate from their current contractor and issue a construction change order to the current Phase 1 paving construction activities and construct the pavement rehab gaps within the corridor.

It should be noted that staff will make one more attempt to resolve outstanding issues with UPRR because the efforts previously invested with them may arrive at a final resolution on all the rail crossings. If not successful in our discussion with UPRR, then we will move forward with the two identified priority intersections in each city for improvement; both roadway and railroad as previously discussed with the Board. Each of these intersections would become discrete projects with each city being responsible for delivery of those intersections. All costs associated with the intersections, including City project support costs would be reimbursable by Measure C through the Golden State project.

Preparation of the modified Phase 2 package is an additional design scope and includes separating the GSB intersection improvements (without railroad improvements) and preparing plans to be included as a construction change order to the Phase 1 construction activities for the pavement rehab gaps along the corridor plus time for extra coordination with the agencies/UPRR for the at-grade crossing improvements.

Staff and design team concurred with these modifications and requested Mark Thomas to submit an estimate for the added scope of work and associated design costs. The attached letter from Mark Thomas identifies the added scope of work and related costs. The purpose of this amendment is to add these estimated costs to the project's authorized budget so that Mark Thomas can proceed with modifying the final design package.

This Amendment No. 8 will increase the contract by \$347,775 bringing the total not-to-exceed amount to \$6,466,237.

County Counsel has reviewed and accepted the proposed Amendment and staff recommends the Board approve Amendment 8 to the original agreement with Fresno COG.