

F. ANN RODRIGUEZ, RECORDER
RECORDED BY: MRB
DEPUTY RECORDER
1562 PE-1

RTAUT
REGIONAL TRANSPORTATION AUTHORITY
PICK UP



DOCKET: 13552
PAGE: 2577
NO. OF PAGES: 11
SEQUENCE: 20090870523
05/06/2009
RES 15:43
PICKUP
AMOUNT PAID \$ 10.00

RESOLUTION No. 2009-24

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE REGIONAL TRANSPORTATION AUTHORITY OF PIMA COUNTY ADOPTING AN AMENDMENT TO INTERGOVERNMENTAL AGREEMENT WITH CITY OF TUCSON FOR DESIGN AND CONSTRUCTION OF GRANT ROAD (RTA #18) OF A TRANSPORTATION IMPROVEMENT PROJECT

WHEREAS, the Regional Transportation Authority of Pima County (the "RTA") is an Arizona special taxing district, duly formed and existing, pursuant to A.R.S. 48-5302, et seq., for the purposes of coordinating multi-jurisdictional cooperation in transportation planning, improvements and fund-raising as a municipal corporation through taxation and bonding, with the public's input and voter approval; and

WHEREAS, the City of Tucson (the "Lead Agency") is a body politic and corporate of the State of Arizona; and

WHEREAS, pursuant to A.R.S. 48-5309 (A), the RTA adopted, and the voters approved, a twenty-year, comprehensive, multi-modal regional transportation plan (the "Plan"); and

WHEREAS, The RTA and Lead Agency have entered into an intergovernmental agreement for the Design and Construction of Grant Road (RTA #18), recorded docket number 12994, pursuant to A.R.S 11-952; and

WHEREAS, the Lead Agency and the RTA wish to cooperate in the Design and Construction of Grant Road (RTA #18) ("the Project"); and

WHEREAS, the Project is one of the transportation improvement projects included in the Plan or is eligible for funding as part of a categorical program included in the Plan; and

WHEREAS, pursuant to A.R.S. 48-5304 (18), the RTA has the authority to enter into agreements to exercise its powers and carry out its responsibilities; and

WHEREAS, staff from the RTA and the Lead Agency have drafted an amendment to intergovernmental agreement, attached hereto as Exhibit A and incorporated herein by this reference (the "amendment"); and

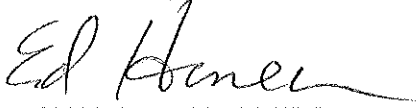
11

WHEREAS, the Board of Directors of the RTA has reviewed the provisions of the amendment and finds that adopting it is in the best interests of the RTA and is in furtherance of the Plan.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the RTA that the amendment, attached hereto as Exhibit A, is hereby approved and adopted.

BE IT FURTHER RESOLVED that the Executive Director of the RTA is hereby authorized and directed to take all steps necessary and proper to cooperate with the Lead Agency on the Project and comply with the amendment.

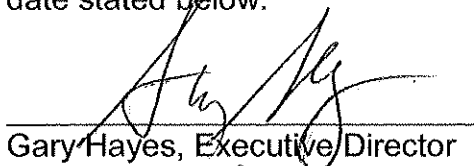
PASSED AND ADOPTED by the Board of Directors of the Regional Transportation Authority this 30 of April, 2009.



Ed Honea, Board Chair

Certification:

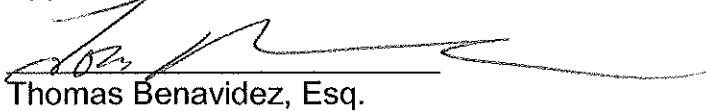
Gary Hayes, the Executive Director of the RTA, hereby certifies and attests that he has access to the official records of the Board of the RTA, that the foregoing Resolution was duly adopted by the Board of the RTA, at a duly noticed and public meeting, and that this Resolution has not been altered or amended and remains in full force and effect on the date stated below.



Gary Hayes, Executive Director

Date: 5/6/09

Approved as to form:



Thomas Benavidez, Esq.

4-2009-04-30

EXHIBIT A
[Amendment to Intergovernmental Agreement]

CITY OF TUCSON

**AMENDMENT TO INTERGOVERNMENTAL AGREEMENT RECORDED
IN DOCKET. 12994, PAGE 2533**

Resolution 20567, 01-23-07, City of Tucson Contract 0264-07

PROJECT: RTA Project 18 — Grant Road: Oracle Road to Swan Road

TIP Number 55.06

PARTIES: City of Tucson and Regional Transportation Authority

AMENDMENT NO. 2

ORIGINAL TERM: <u>February 16, 2007</u>	ORIGINAL AMOUNT:	\$ 1,467,000
CURRENT TERMINATION DATE: <u>Not specified</u>	PRIOR AMENDED AMOUNT	\$ 3,733,000
AMENDED TERMINATION DATE: <u>Not Applicable</u>	AMOUNT THIS AMENDMENT	\$ 5,000,000
	NEW AMENDED TOTAL	\$10,200,000

AMENDMENT NUMBER 2

WHEREAS, the Regional Transportation Authority of Pima County (RTA) has entered into an Intergovernmental Agreement (IGA Number 12994-2533) with the City of Tucson to provide transportation improvements to Grant Road: Oracle Road to Swan Road; and

WHEREAS, the original IGA funding amount was \$1,467,000 for planning and preliminary design phase; and

WHEREAS, Amendment No. 1, as Resolution 20920, dated 04-08-08, increased the total amount of the Agreement to provide \$3,733,000 in additional RTA funding associated with planning and preliminary design; and

WHEREAS, the parties wish to increase the total amount of the Agreement to provide \$5,000,000 in additional RTA funding to move the project into the final phase of planning and the first phase of design, and advance right-of-way acquisition.

NOW, THEREFORE, the Agreement is amended as follows:

CHANGES: Exhibit C attached hereto and incorporated herein by reference increases RTA funding for the design of the Grant Road: Oracle Road to Swan Road Project

From: "... \$5,200,000"

To: "...\$10,200,000"

The effective date of this Amendment shall be March 3, 2009. All other provisions not specifically changed by this Amendment shall remain in full force and effect.

City Clerk Note: Amendment 2, Exhibit A to Resolution No. 21230 does not include Exhibit A, as Exhibit A was already passed and adopted by Resolution No. 20567 on January 23, 2007, and does not include Exhibit B, as Exhibit B was already passed and adopted by Resolution No. 20920 on April 8, 2008.
RWR:SM:dp 02/24/09 *RS*

EX A TO RESOLUTION NO. 21230
CITY OF TUCSON CONTRACT NO. 0264-07

In Witness Whereof, the Regional Transportation Authority of Pima County has caused this Amendment to be executed by its Chair of the Board and attested by the Executive Director, and the City of Tucson has caused this Amendment to the Agreement to be executed by the Mayor of the City of Tucson and attested by its City Clerk.

REGIONAL TRANSPORTATION AUTHORITY

Ed Honea
Ed Honea, Chair of the Board

5-1-09
Date

ATTEST: Gary G. Hayes
Gary G. Hayes, Executive Director

5/6/09
Date

CITY OF TUCSON
Robert E. Walkup
Robert E. Walkup, Mayor

March 3, 2009
Date

ATTEST: [Signature]
City Clerk

March 3, 2009
Date

ATTORNEY CERTIFICATION

The foregoing Amendment to the Agreement by and between the Regional Transportation Authority of Pima County and the City of Tucson has been reviewed pursuant to A.R.S. 11-952 by the undersigned who have determined that it is in proper form and is within the powers and authority granted under the laws of the State of Arizona to those parties to the Agreement represented by the undersigned.

Regional Transportation Authority of Pima County

Thomas Benavidez
Thomas Benavidez, Attorney for the Authority

4-30-09
Date

City of Tucson
[Signature]
City Attorney

2-12-09
Date

Regional Transportation Authority of Pima County

Exhibit C to Exhibit A to Resolution No. 21230

1 RTA Ballot/Project Number: RTA 18 - Grant Road
2 RTA Plan Element: I. Roadway Improvement Element
3 RTA Plan Sub-Element (if applicable):
4 TIP Project Number: 55.06

5 Project Name:

Grant Road - Oracle Road to Swan Road

6 Work Phase Covered by this Exhibit:
(check all that apply)

Planning	<input checked="" type="checkbox"/>
Design	<input checked="" type="checkbox"/>
Right of Way	<input checked="" type="checkbox"/>
Construction	<input type="checkbox"/>
Project Management	<input checked="" type="checkbox"/>
Environmental/Other	<input checked="" type="checkbox"/>

7 Project Manager Information (person responsible for status reports):
Name: Melissa Antol
Mailing Address: 201 N. Stone Ave, 4th Floor, Tucson, AZ 85701
Telephone Number: 791-4371
Fax. Number: 791-4239
Email Address: melissa.antol@tucsonaz.gov

8 Authorized Representative(s) (for signing & submitting pay requests):
Name: Tiffany Hochard
Mailing Address: 201 N. Stone Ave, 6th Floor, Tucson, AZ 85701
Telephone Number: 837-6713
tiffany.hochard@tucsonaz.gov

9 Map of Project Limits No

10 Narrative Description of Project Scope, including improvements to be made and project intent (discuss how project will address problematic areas):

This funding will allow for the next step in the planning process of the entire Grant Road Corridor. The work involved consists of additional land use planning, right-of-way acquisition investigation, and the beginning of geometric design work. The end result will be 30% engineering drawings and land use plans, along with a right-of-way acquisition strategy.

11 Maximum RTA Project Funding Amount \$160,850,000

Regional Transportation Authority of Pima County

Exhibit C

12	Current RTA Funding Request (this exhibit)	<u>\$5,000,000</u>		
13	Amount of Previous RTA Funding Allocations	<u>\$5,200,000</u>		
14	RTA Funding Remaining	<u>\$150,650,000</u>		
15	Project Budget (this exhibit only):			
		In-House	Outsourced	Total
	Planning		\$1,000,000	\$1,000,000
	Design		\$2,550,000	\$2,550,000
	Right of Way		\$1,000,000	\$1,000,000
	Construction			\$0
	Project Management	\$400,000		\$400,000
	Environmental/Other	\$50,000		\$50,000
	Total Project Budget (this exhibit only):	<u>\$450,000</u>	<u>\$4,550,000</u>	<u>\$5,000,000</u>
16	Project Budget by Funding Source (this exhibit only)			
		RTA	Non-RTA	Total
	Planning	\$1,000,000		\$1,000,000
	Design	\$2,550,000		\$2,550,000
	Right of Way	\$1,000,000		\$1,000,000
	Construction			\$0
	Project Management	\$400,000		\$400,000
	Environmental/Other	\$50,000		\$50,000
	Total Project Funding (must equal no. 15)	<u>\$5,000,000</u>	<u>\$0</u>	<u>\$5,000,000</u>
17	Total Project Funding Sources (this exhibit only)			
	RTA			<u>\$5,000,000</u>
	STP			
	12.6 Funds			
	2.4 Funds			
	Impact Fees			
	Bond Funds			
	General Fund			
	Other			
	Total Funding Sources (must equal no. 16):			<u>\$5,000,000</u>
18	Total Project Budget by Funding Source			
		RTA	Non-RTA	Total
	Planning	\$3,350,000		\$3,350,000
	Design	\$2,215,000		\$2,215,000
	Design Concept Reports	\$300,000		\$300,000
	Right of Way	\$103,194,000		\$103,194,000
	Construction	\$41,791,000	\$6,000,000	\$47,791,000
	Project Management	\$10,000,000		\$10,000,000
	Environmental/Other			\$0
	Total Project Funding	<u>\$160,850,000</u>	<u>\$6,000,000</u>	<u>\$166,850,000</u>

**Regional Transportation Authority of Pima County
Exhibit C**

19	Total Project Funding Sources	
	RTA	<u>\$160,850,000</u>
	STP	<u> </u>
	12.6 Funds	<u> </u>
	2.4 Funds	<u> </u>
	Impact Fees	<u> </u>
	Bond Funds	<u> </u>
	General Fund	<u> </u>
	Fare Box Revenue	<u> </u>
	FTA Funds	<u> </u>
	Other	<u> \$6,000,000 </u>
	Total Funding Sources (must equal no. 18):	<u>\$166,850,000</u>

20 Identify other project components not covered by this agreement (if any):
Final roadway design, right-of-way acquisition, and construction.

21 Estimated construction start date and duration of construction: N/A

22	Expected Reimbursement Schedule: (related to this exhibit amount only)	Fiscal Year 2009	Fiscal Year 2010	Fiscal Year 2011
	January	<u> </u>	<u>\$175,000</u>	<u>\$200,000</u>
	February	<u> </u>	<u>\$175,000</u>	<u>\$200,000</u>
	March	<u> </u>	<u>\$175,000</u>	<u>\$200,000</u>
	April	<u>\$300,000</u>	<u>\$175,000</u>	<u>\$200,000</u>
	May	<u>\$350,000</u>	<u>\$175,000</u>	<u>\$200,000</u>
	June	<u>\$400,000</u>	<u>\$175,000</u>	<u> </u>
	July	<u> </u>	<u>\$50,000</u>	<u>\$200,000</u>
	August	<u> </u>	<u>\$100,000</u>	<u>\$200,000</u>
	September	<u> </u>	<u>\$100,000</u>	<u>\$200,000</u>
	October	<u> </u>	<u>\$150,000</u>	<u>\$200,000</u>
	November	<u> </u>	<u>\$150,000</u>	<u>\$200,000</u>
	December	<u> </u>	<u>\$150,000</u>	<u>\$200,000</u>
	Total	<u>\$1,050,000</u>	<u>\$1,750,000</u>	<u>\$2,200,000</u>

11/20/2009 10:00:00 AM

ADOPTED BY THE
MAYOR AND COUNCIL

March 3, 2009

RESOLUTION NO. 21230

RELATING TO INTERGOVERNMENTAL AGREEMENTS; APPROVING AND AUTHORIZING AMENDMENT NO. 2 TO THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF TUCSON AND THE REGIONAL TRANSPORTATION AUTHORITY OF PIMA COUNTY (RTA) FOR IMPROVEMENTS TO GRANT ROAD: ORACLE ROAD TO SWAN ROAD; AND DECLARING AN EMERGENCY.

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF TUCSON, ARIZONA, AS FOLLOWS:

SECTION 1. Amendment No. 2 to the Intergovernmental Agreement between the City of Tucson and the Regional Transportation Authority of Pima County (RTA) for improvements to Grant Road: Oracle Road to Swan Road, attached hereto as Exhibit "A," is hereby approved.

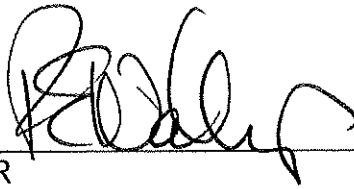
SECTION 2. The Mayor is hereby authorized and directed to execute Amendment No. 2 to the Intergovernmental Agreement for and on behalf of the City of Tucson and the City Clerk is directed to attest the same.

SECTION 3. The various City officers and employees are authorized and directed to perform all acts necessary or desirable to give effect to this resolution.

SECTION 4. WHEREAS, it is necessary for the preservation of the peace, health, and safety of the City of Tucson that this resolution become immediately


effective, an emergency is hereby declared to exist and this resolution shall be effective immediately upon its passage and adoption.

PASSED, ADOPTED AND APPROVED by the Mayor and Council of the City of Tucson, Arizona, March 3, 2009




MAYOR

ATTEST:



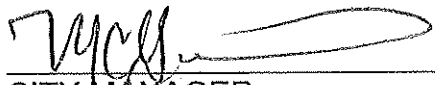
CITY CLERK

APPROVED AS TO FORM:



CITY ATTORNEY

REVIEWED BY:



CITY MANAGER

MMD
MMD/dc
2/11/2009 1:56 PM

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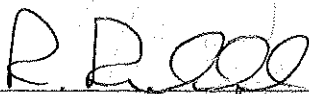
Certificate of Clerk
● *City of Tucson* ●

State of Arizona
County of Pima } *ss*

I, Roger W. Randolph, the City Clerk of the City of Tucson, Arizona, do hereby certify that the foregoing is a true and correct copy of Resolution No. 21230 which was passed and adopted by the Mayor and Council of the City of Tucson, Arizona, at a meeting held on March 3, 2009, at which a quorum was present.

In Witness Whereof, I have hereunto set my hand and affixed the seal of the City of Tucson, Arizona on March 6, 2009.

Total of 2 pages
(Exhibit not included)



City Clerk

2009 MAR 10 10:00 AM

