



SEQUENCE: 20112700318
NO. PAGES: 10
RES 09/27/2011 15:58
MAIL
AMOUNT PAID: \$10.50

RTAUT
REGIONAL TRANSPORTATION AUTHORITY
JACKI ONTIVEROS
177 N CHURCH AVE 405
TUCSON AZ 85701

RESOLUTION No. 2011-45

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE REGIONAL TRANSPORTATION AUTHORITY OF PIMA COUNTY ADOPTING AN AMENDMENT TO INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF TUCSON FOR DESIGN AND CONSTRUCTION OF GRANT ROAD: ORACLE TO SWAN (RTA #18), 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: Oracle to Swan (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: Oracle to Swan (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

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 22nd day of September, 2011.



Jennifer Eckstrom, Board Chair

Certification:

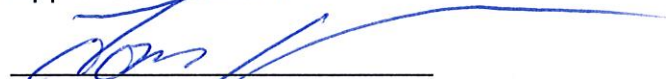
Gary Hayes, the Executive Director of the RTA, hereby certifies and attests that he has access to the official records of the Board of the RTA, that the foregoing Resolution was duly adopted by the Board of the RTA, at a duly noticed and public meeting, and that this Resolution has not been altered or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



Gary Hayes, Executive Director

Date: 

Approved as to form:



Thomas Benavidez, Esq.

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. 4

ORIGINAL TERM: <u>February 16, 2007</u>	ORIGINAL AMOUNT:	\$ 1,467,000
CURRENT TERMINATION DATE: <u>Not specified</u>	PRIOR AMENDED AMOUNT	\$17,200,000
AMENDED TERMINATION DATE: <u>Not Applicable</u>	AMOUNT THIS AMENDMENT	\$10,350,000
	NEW AMENDED TOTAL	\$27,550,000

AMENDMENT NUMBER 4

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, Amendment No. 2, as Resolution 21230, dated 03-03-09, increased 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; and

WHEREAS, Amendment No. 3, as Resolution 21342, dated 07-07-09, increased the total amount of the Agreement to provide \$7,000,000 in additional RTA funding to accelerate right-of-way acquisition; and

WHEREAS, the parties wish to increase the total amount of the Agreement to provide \$10,350,000 in additional RTA funding for construction of the Grant Road and Oracle Road intersection.

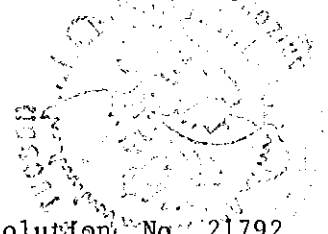
NOW, THEREFORE, the Agreement is amended as follows:

CHANGES: Exhibit E attached hereto and incorporated herein by reference increases RTA funding for construction of the Grant Road and Oracle Road intersection

From: "...\$17,200,000"

To: "...\$27,550,000"

City Clerk File Note:
Exhibits A through D have been adopted with previous resolutions. RWR:SM: rb 8-24-11



The effective date of this Amendment shall be 09-07-11. All other provisions not specifically changed by this Amendment shall remain in full force and effect.

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



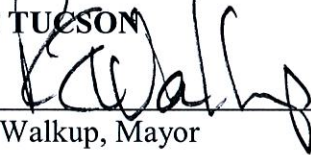
RTA Chair of the Board

9/22/11
Date

ATTEST:


Gary G. Hayes, Executive Director

9/22/11
Date

CITY OF TUCSON


Robert E. Walkup, Mayor

September 7, 2011
Date

ATTEST:



City Clerk

September 7, 2011
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, Attorney for the Authority

9-22-11
Date

City of Tucson


City Attorney

8/9/11
Date

DCP

Regional Transportation Authority of Pima County

Exhibit E to Exhibit A to Resolution No. 21792

- 1 RTA Ballot/Project Number: RTA 18 - Grant Road
- 2 RTA Plan Element: 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 type="checkbox"/> |
| Design | <input type="checkbox"/> |
| Right of Way | <input type="checkbox"/> |
| Construction | <input checked="" type="checkbox"/> |
| Project Management | <input checked="" type="checkbox"/> |
| Environmental/Other | <input type="checkbox"/> |

7 Project Manager Information (person responsible for status reports):

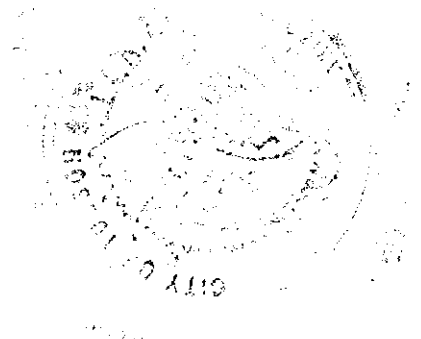
Name: Mike Holder
Mailing Address: 201 N. Stone Ave, 6th Floor, Tucson, AZ 85701
Telephone Number: 791-4371
Fax. Number: 791-4239
Email Address: mike.holder@tucsonaz.gov

8 Authorized Representative(s) (for signing & submitting pay requests):

Name: Roy Cuaron
Mailing Address: 201 N. Stone Ave, 6th Floor, Tucson, AZ 85701
Telephone Number: 791-4371

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 provide for the construction of the Grant Road/Oracle Road intersection improvements, which is the first Grant Road Corridor project segment to be constructed.



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

11	Maximum RTA Project Funding Amount	<u>\$160,850,000</u>		
12	Current RTA Funding Request (this exhibit)	<u>\$10,350,000</u>		
13	Total Amount of Previous RTA Pay Requests	<u>\$17,200,000</u>		
14	RTA Funding Remaining	<u>\$133,300,000</u>		
15	Project Budget (this exhibit only):	In-House	Outsourced	Total
	Planning			\$0
	Design			\$0
	Right of Way			\$0
	Construction		\$9,000,000	\$9,000,000
	Project Management	\$1,350,000		\$1,350,000
	Environmental/Other			\$0
	Total Project Budget (this exhibit only):	<u>\$1,350,000</u>	<u>\$9,000,000</u>	<u>\$10,350,000</u>
16	Project Budget by Funding Source (this exhibit only)	RTA	Non-RTA	Total
	Planning			\$0
	Design			\$0
	Right of Way			\$0
	Construction	\$9,000,000		\$9,000,000
	Project Management	\$1,350,000		\$1,350,000
	Environmental/Other			\$0
	Total Project Funding (must equal no. 15)	<u>\$10,350,000</u>	<u>\$0</u>	<u>\$10,350,000</u>
17	Total Project Funding Sources (this exhibit only)			
	RTA			\$10,350,000
	STP			
	12.6 Funds			
	2.4 Funds			
	Impact Fees			
	Bond Funds			
	General Fund			
	Other			
	Total Funding Sources (must equal no. 16):			<u>\$10,350,000</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
	Right of Way	\$300,000		\$300,000
	Construction	\$103,194,000	\$6,000,000	\$109,194,000
	Project Management	\$41,791,000		\$41,791,000
	Environmental/Other	\$10,000,000		\$10,000,000
	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 E**

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

20 Identify other project components not covered by this agreement (if any):

Design, right-of-way acquisition, and construction of other segments.

21 Estimated construction start date and duration of construction:

October 2011; 12 months

22 Expected Reimbursement Schedule:
(related to this exhibit amount only)

	<u>Fiscal Year 2012</u>	<u>Fiscal Year 2013</u>	<u>Fiscal Year 2014</u>
January	<u>\$1,000,000</u>	_____	_____
February	<u>\$1,000,000</u>	_____	_____
March	<u>\$1,000,000</u>	_____	_____
April	<u>\$1,000,000</u>	_____	_____
May	<u>\$1,000,000</u>	_____	_____
June	<u>\$1,000,000</u>	_____	_____
July	_____	<u>\$1,000,000</u>	_____
August	_____	<u>\$1,000,000</u>	_____
September	_____	<u>\$500,000</u>	_____
October	_____	<u>\$500,000</u>	_____
November	_____	<u>\$500,000</u>	_____
December	<u>\$1,000,000</u>	_____	_____
Total	<u>\$7,000,000</u>	<u>\$3,500,000</u>	<u>\$0</u>



ADOPTED BY THE
MAYOR AND COUNCIL

September 7, 2011

RESOLUTION NO. 21792

RELATING TO TRANSPORTATION; AUTHORIZING AND APPROVING THE EXECUTION OF AMENDMENT NO. 4 TO THE INTERGOVERNMENTAL AGREEMENT FOR TRANSPORTATION FUNDING BETWEEN THE REGIONAL TRANSPORTATION AUTHORITY OF PIMA COUNTY (RTA) AND THE CITY OF TUCSON FOR THE GRANT ROAD CORRIDOR PROJECT AT ORACLE ROAD; AND DECLARING AN EMERGENCY.

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

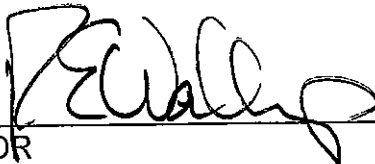
SECTION 1. Amendment No. 4 to the Intergovernmental Agreement for transportation funding between the Regional Transportation Authority of Pima County (RTA) and the City of Tucson for the Grant Road Corridor Project at Oracle Road, attached to this resolution as Exhibit A, is authorized and approved.

SECTION 2. The Mayor is authorized and directed to execute the aforementioned Exhibit A and any and all documents necessary to effectuate the above contemplated transaction for and on behalf of the City of Tucson and the City Clerk is authorized and directed to attest to 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, September 7, 2011.


MAYOR

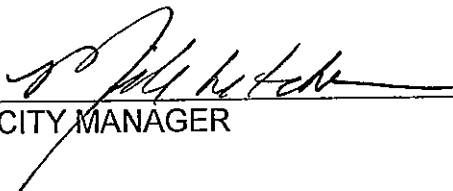
ATTEST:


CITY CLERK

APPROVED AS TO FORM:


CITY ATTORNEY

REVIEWED BY:


CITY MANAGER

DP:mg
8/9/11