

AMENDMENT NO. 1 TO COOPERATIVE AGREEMENT NO. 19-1002205

BETWEEN

SAN BERNARDINO COUNTY TRANSPORTATION AUTHORITY

AND

CITY OF SAN BERNARDINO

FOR

**PROJECT REPORT AND ENVIRONMENTAL DOCUMENT (PA/ED),
PLANS, SPECIFICATIONS AND ESTIMATE (PS&E), RIGHT-OF-WAY (ROW),
AND CONSTRUCTION PHASES FOR THE INTERCHANGE AT UNIVERSITY
PARKWAY AND INTERSTATE 215 (I-215) IN THE CITY OF SAN BERNARDINO**

I. PARTIES

- A. This Amendment No. 1 (AMENDMENT) to Agreement 19-1002205 (AGREEMENT) is made by and between the San Bernardino County Transportation Authority (SBCTA) and the City of San Bernardino (CITY). SBCTA and CITY are each a "Party" and collectively the "Parties" herein.

II. RECITALS

- A. In November 2015, Parties entered into Cooperative Agreement No. 16-100335 to to define the roles and responsibilities and funding for improvements for the PA/ED, PS&E, and ROW phases for the interchange at University Parkway and I-215 in the limits of the City of San Bernardino (PROJECT), and
- B. Cooperative Agreement No. 16-100335 terminated on June 29, 2018, and
- C. The Parties entered into AGREEMENT in July 2019 which assumed the terms and conditions of Cooperative Agreement No. 16-100335 and had an effective date of June 30, 2018, and
- D. The estimated total cost of PROJECT has increased by \$2,509,100 from estimated total of \$15,327,916 to \$17,837,016, and
- E. Parties desire to amend AGREEMENT to define funding responsibilities for the estimated cost increase of PROJECT, and

NOW, THEREFORE, the Parties agree to amend the AGREEMENT as follows:

1. Replace Attachment A in its entirety with the attached Attachment A.1
2. Except as amended by AMENDMENT, all other provisions of the AGREEMENT and amendments thereto shall remain in full force and effect and are incorporated herein by this reference.
3. AMENDMENT is deemed to be included and made part of the AGREEMENT.

4. The Recitals set forth above are incorporated herein by this reference.
5. AMENDMENT is effective upon execution by SBCTA.

-----SIGNATURES ON FOLLOWING PAGE-----

IN WITNESS WHEREOF, Parties have duly executed
Amendment No. 1 to Agreement 19-1002205 below

**SAN BERNARDINO COUNTY
TRANSPORTATION AUTHORITY**

By: 
Curt Hagman
President, Board of Directors

Date: 6/9/22

CITY OF SAN BERNARDINO

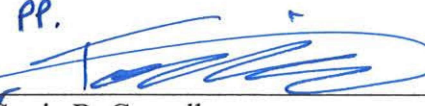
By: 
Robert D. Field
City Manager

Date: 5/16/22

APPROVED AS TO FORM

By: 
for Juanda L. Daniel
Assistant General Counsel 6/9/2022

APPROVED AS TO FORM AND
PROCEDURE:

PP.
By: 
Sonia R. Carvalho
City Attorney

Amendment No. 1 to Agreement 19-1002205

Attachment A.1

Project Scope:

Improve traffic operations at the I-215 University Parkway Interchange by improving freeway access to I-215 and improving local traffic flow on University Parkway by reconstructing existing interchange configuration into a Diverging Diamond Interchange (DDI).

Project Cost Estimate and Funding Shares

After application of buy-down funds, Project costs will be split according to the SBCTA Nexus Study with the Public Share at 84.2% and the Development/Local Share at 15.8%

| | Estimated Costs | Buy-Down | Public Share | Development/Local Share |
|--|------------------------|-----------------|---------------------|--------------------------------|
| Project Approval and Environmental Document (PA/ED) | \$1,062,176 | \$939,716 | \$103,111 | \$19,349 |
| Design (PS&E) | \$1,203,856 | \$1,103,855 | \$84,201 | \$15,800 |
| Right of Way (ROW) | \$2,821,400 | \$612,000 | \$1,860,315 | \$349,085 |
| Construction | \$12,179,584 | \$3,079,429 | \$7,662,331 | \$1,437,824 |
| SBCTA Oversight | \$570,000 | \$0 | \$0 | \$570,000 |
| TOTAL | \$17,837,016 | \$5,735,000 | \$9,709,958 | \$2,392,058 |

Project Milestones

| Milestone | Actual / (Forecast) |
|--------------------------------|----------------------------|
| Start of PA/ED | 6/2017 |
| Environmental Approval | 7/2020 |
| Ready to List | (12/2022) |
| Construction Notice to Proceed | (7/2023) |
| Construction Complete | (7/2024) |