**AMENDMENT NO. 1 TO COOPERATIVE AGREEMENT TO ESTABLISH PROGRAM ELIGIBILITY AND FUNDING REQUIREMENTS**

**Regional Public Transit Program: New Technology Reserve Sub Program**

**Grantee: Fresno County Rural Transit Agency (FCRTA)**

**Project: Kingsburg Resiliency Hub**

 This **Amendment No. 1** to the Program Eligibility and Funding Agreement (“**Cooperative** **Agreement**” or “**Agreement**”) is made and entered into December 11, 2024, by and between the Fresno County Rural Transit Agency (“**Grantee**”) and the Fresno County Transportation Authority (“**Authority**”).

**1. RECITALS**

* 1. WHEREAS, on February 15, 2023, the Parties entered into the Cooperative Agreement to construct a resiliency hub in the City of Kingsburg in the amount of $538,200. The project consists of a solar carport, 15 solar-powered Level II charging stations, and energy storage as a part of the Measure C Regional Public Transit Program subprogram entitled “New Technology Reserve” (NTR), and

WHEREAS, the purpose of the NTR subprogram was to finance research or to provide funding for implementation of projects intended to reduce traffic congestion, energy consumption and air emissions resulting from less vehicular traffic and less surface street congestion; and, improve mobility in more densely developed areas by providing convenient and direct transit service; and

WHEREAS, on October 16, 2024, the Authority’s Board approved an additional reservation of NTR funding in the amount of $986,936 to complete the implementation of Phase 2 of the project as recommended by the Multidisciplinary Advisory Group.

* 1. NOW, THEREFORE, in consideration of the mutual promises and undertakings herein made and the mutual benefits to be derived there from, the parties hereto represent, covenant and agree as follows:

**2. TERMS**

2.1 The terms of the Cooperative Agreement are amended to include:

Funding made available through this Amendment No. 1 is for paving and site work, wireless inductive charging stations, additional battery energy storage system, and an energy management system to fully support implementation of the project, which upon approval will bring the cumulative amount of funding allocated for the Project to $1,525,136 as of the Effective Date of this Amendment No. 1.

2.2 All work performed by the Partnering Agency under the Agreement prior to the Effective Date of this Amendment No. 1 shall be governed by and compensated pursuant to terms of the original Agreement. All work commencing on or after the Effective Date of this Amendment No. 1 shall be performed and compensated pursuant to the Agreement as modified by this Amendment No. 1.

2.3 The Effective Date of this Amendment No. 1 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. 1 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.

2.4 All other terms and conditions contained in the Cooperative Agreement are

unaffected by this Amendment No. 1 and shall remain in full force and effect.

 **IN WITNESS WHEREOF**, the undersigned parties have executed this Amendment No. 1 on the day and year first written above.

**FRESNO COUNTY TRANSPORTATION AUTHORITY**

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| By: |  |  | By: |  |
|  | (Signature) |  |  | (Signature) |
|  |  |  |  |  |
| Name: | Ernest “Buddy” Mendes |  | Name: | Terry Ogle |
|  | (Typed) |  |  | (Typed) |
|  |  |  |  |  |
| Title: | Chairman of the Authority |  | Title: | Executive Director |

APPROVED AS TO LEGAL FORM: APPROVED AS TO ACCOUNTING

 FORM

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| By: |  |  | By: |  |
|  | (Signature) |  |  | (Signature) |
|  |  |  |  |  |
| Name: | Michael E. Rowe |  | Name: | Oscar J. Garcia, CPA |
|  | (Typed) |  |  | (Typed) |
|  |  |  |  |  |
| Title: | Principal Deputy County Counsel |  | Title: | Auditor-Controller/Treasurer-Tax Collector |

**FRESNO COUNTY RURAL TRANSIT AGENCY**

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|  |  |  |  |  |
| By: |  |  | By: |  |
|  | (Signature) |  |  | (Signature) |
|  |  |  |  |  |
| Name: |  |  | Name: | Moses Stites |
|  | (Typed) |  |  | (Typed) |
|  |  |  |  |  |
| Title: | Chairman |  | Title: | General Manager |

APPROVED AS TO LEGAL FORM:

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| --- | --- | --- |
| By: |  |  |
|  | (Signature) |  |
|  |  |  |
| Name: | Bryan D. Rome |  |
|  | (Typed) |  |
|  |  |  |
| Title: | Deputy County Counsel |  |