

**TRANSIT SERVICE AMENDMENT ONE
BETWEEN
THE CITY OF TEMPE
AND
ARIZONA STATE UNIVERSITY
C2014-196**

THIS AMENDMENT dated this 1st day of July, 2015, amends the following items of the Transit Service Agreement CONTRACT C2014-196 entered into between the City of Tempe and Arizona State University, dated the 16th day of October 2014.

The following Schedules replace and supersede those Schedules on the agreement entered into October 16, 2014.

The attached Schedule A replaces and supersedes Schedule A entered into October 16, 2014.

The attached Schedule C replaces and supersedes Schedule C entered into October 16, 2014.

All other terms of the Parties Transit Service Agreement dated October 16, 2014 remain unchanged and in full force and effect.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the _____ day
of _____, 2015.

CITY OF TEMPE, ARIZONA

ARIZONA BOARD OF REGENTS for and on
behalf of ARIZONA STATE UNIVERSITY

Mark W. Mitchell
Mayor

John Riley
Executive Director Purchasing
University Business Services

The above Agreement has been reviewed pursuant to A. R. S. § 11-952, by the undersigned attorney for the City of Tempe, Arizona who has determined that it is in the proper form and is within the powers and authority granted to the City of Tempe, Arizona.

Judith R. Baumann
City Attorney
City of Tempe

The above Agreement has been reviewed pursuant to A. R. S. § 11-952, by the undersigned attorney for Arizona State University who has determined that it is in the proper form and is within the powers and authority granted to Arizona State University.

Lisa Loo
Deputy General Counsel
Arizona State University

ATTEST

Brigitta M. Kuiper
City Clerk
City of Tempe

SCHEDULE A -

OBJECTIVES AND DESCRIPTION OF FLASH BUS SERVICES

The city of Tempe will provide (free) FLASH bus services to the ASU campus and downtown Tempe community to achieve the following objectives:

- To provide mobility to ASU staff, faculty, students, and visitors in and around the ASU campus and downtown Tempe community;
- To provide mobility to downtown Tempe visitors, residents, and employees in and around the ASU campus and downtown Tempe community;
- To reduce the use of private automobiles for as many trips as possible, thus minimizing congestion and air pollution;
- To provide connections to local, express, Orbit, and light rail services.

On December 11, 2015, FLASH McAllister will be discontinued in its entirety. Beginning on January 11, 2016, FLASH Back service hours will be extended until 10 p.m. with 15 minute frequency.

Description of FLASH Bus Services:

FLASH Forward (Map 1):

- Provides clock-wise circulation from ASU Lot 59 to East Campus, to Apache Blvd, to Student Services/Gammage Auditorium, to Mill Avenue, to University Dr., to ASU Lot 59.
- Regular hours of operation (Fall and Spring Semester) will be from 7:00 AM to 1:00 AM Monday through Thursday and 7:00 AM to 10:00 PM on Friday.
- Semester break hours will be from 7:00 AM to 6:00 PM Monday through Friday. Break hours are based on the ASU calendar of events.
- Buses will operate on a frequency between ten (10) and fifteen (15) minutes.

FLASH Back (Map 1):

- Provides counter clock-wise circulation from ASU Lot 59 to University Dr., to Mill Avenue, to Student Services/Gammage Auditorium, to Apache Blvd, to East Campus, to ASU Lot 59.
- Regular hours of operation (Fall and Spring Semester) will be from 7:00 AM to 6:00 PM Monday through Friday.
- Semester break hours will be from 7:00 AM to 6:00 PM Monday through Friday. Break hours are based on the ASU calendar of events.
- Buses will operate on a frequency between ten (10) and fifteen (15) minutes.
- Commencing January 11, 2016, service will be extended until 10:00 P.M. Thursdays and Fridays with 15 minute frequency.

McAllister FLASH (Map 2):

- Provides linear circulation along Packard Dr. and McAllister Ave. between ASU Lot 59 (near Rio Salado Pkwy. & Packard Dr.) and the South Campus Housing area south of Apache Blvd.

between McAllister Ave. & Rural Rd.

- Regular hours of operation are 6:00am to 10:00pm on school days only during the fall and spring semesters. No service shall be provided on weekends, designated ASU holidays, or during winter or summer sessions.
- Bus will operate on a 30-minute frequency
- Service will be discontinued effective December 11, 2015.

Equipment

- The CITY will provide sufficient fleet to meet service supply as specified in Schedule C.
- Buses operating FLASH bus services may utilize liquid natural gas (LNG), Compressed Natural Gas (CNG) or Diesel fuel as part of an electric-hybrid propulsion system.
- Each vehicle will be equipped with wheelchair ramps, front mounting bicycle racks, at least two wheelchair securement areas, air conditioning, headsigns and will meet ADA requirements.
- Alternative identification markers (magnetic signs, decals) needed to communicate the FLASH brand will be subject to mutual agreement between the City and ASU. However, any agreed upon branding will allow buses to be easily deployed to all local, express, and other services.

Map 1: FLASH Forward and Back.



FLASH Forward would travel north/south along Packard Dr. and complete the McAllister Mill/University circle in the clockwise direction.

FLASH Back would travel north/south along Packard Dr. and complete the McAllister Mill/University circle in the counterclockwise direction.

Map 2: FLASH McAllister



**SCHEDULE C -
SCHEDULE OF COSTS (FY 2015-16)**

| FY 2016 ESTIMATED Mileage/Cost Detail (July 1, 2015 - June 30, 2016) | | | | | | | | | | | | | |
|---|--|-------------------------------|--------------------------------|---------------------------------|----------------------|----------------------------|----------------------------|----------------------|----------------------------|-----------------------|-----------------------|---------------------|--|
| Mode | Miles | Contract Var. Cost | Contract Fixed Cost | Contractor Incentive | Fuel Cost | Facilities Cost | Mntmce Agrmnnts | Reg. Svcs | RPTA Admin O.H. | Gross Cost | Credits PM | Net Cost | |
| FLASH (Fall Semester) | 66,177 | \$ 278,605 | \$ 44,339 | \$ 5,890 | \$ 36,397 | \$ 22,500 | \$ 5,294 | \$ 7,279 | \$ 6,618 | \$ 406,922 | \$ (41,030) | \$ 365,893 | |
| FLASH (Spring Semester) | 71,009 | \$ 298,948 | \$ 47,576 | \$ 6,320 | \$ 39,055 | \$ 24,143 | \$ 5,681 | \$ 7,811 | \$ 7,101 | \$ 436,634 | \$ (44,026) | \$ 392,609 | |
| FLASH Total | 137,186 | | | | | | | | | | \$ (85,055) | \$ 758,501 | |
| Orbit Mars | 25,125 | \$ 105,776 | \$ 16,834 | \$ 2,261 | \$ 8,291 | \$ 8,543 | \$ 2,010 | \$ - | \$ 2,513 | \$ 146,228 | \$ (15,578) | \$ 130,650 | |
| Semi-Annual | | | | | | | | | | \$ 989,784 | \$ (144,658) | \$ 889,151 | |
| | | | | | | | | | | | | \$ 444,576 | |
| | <i>Flash Rate per Mile</i> | \$ 4.21 | \$ 0.67 | \$ 0.09 | \$ 0.55 | \$ 0.34 | \$ 0.08 | \$ 0.11 | \$ 0.10 | \$ 6.15 | \$ (0.62) | \$ 5.53 | |
| | <i>Orbit Rate per Mile</i> | \$ 4.13 | \$ 0.71 | \$ 0.09 | \$ 0.33 | \$ 0.34 | \$ 0.08 | \$ - | \$ 0.10 | \$ 5.78 | \$ (0.62) | \$ 5.16 | |
| Miles | Annual miles of service provided | | | | | | | | | | | | |
| Contract Cost | Annual cost charged by First Transit based on fixed and variable costs | | | | | | | | | | | | |
| Contractor Incentive | Maximum performance incentive allocated | | | | | | | | | | | | |
| Fuel | Based on contract price of natural gas | | | | | | | | | | | | |
| Facilities | City of Tempe overhead expenses associated with facilities operations and maintenance | | | | | | | | | | | | |
| Mntmce | Armored car, software, wireless communications, subscriptions, systems maintenance, etc. | | | | | | | | | | | | |
| Reg. Svcs | Regional services including regional communications, vehicle management sys., maint. and support | | | | | | | | | | | | |
| RPTA O.H. | RPTA salaries, fringe and other O.H. | | | | | | | | | | | | |
| Credits | FTA provided preventive maintenance (PM) funds | | | | | | | | | | | | |