

Date: May 27, 2009  
W.I.: 1255  
Referred by: PAC

ABSTRACT

MTC Resolution No. 3909

This resolution approves the allocation of Regional Measure 2 funds for the purchase of two vessels for Transbay Commute ferry services sponsored and implemented by the Water Emergency Transportation Authority (WETA).

This resolution includes the following attachments:

Attachment A - Allocation Summary Sheet

Attachment B - Project Specific Conditions for Allocation Approval

Attachment C - MTC staff's review of WETA's Initial Project Report (IPR) for this project

Attachment D - RM2 Deliverable/Useable Segment Cash Flow Plan

Additional discussion of this allocation is contained in the Executive Director's memoranda and/or cover sheet to the MTC Programming and Allocations Committee memorandum dated May 13, 2009.

Date: May 27, 2009  
W.I.: 1255  
Referred by: PAC

Re: Approval of allocation of Regional Measure 2 funds for the purchase of two vessels for Transbay Commute ferry services

METROPOLITAN TRANSPORTATION COMMISSION  
RESOLUTION No. 3909

WHEREAS, pursuant to Government Code Section 66500 *et seq.*, the Metropolitan Transportation Commission (“MTC”) is the regional transportation planning agency for the San Francisco Bay Area; and

WHEREAS, Streets and Highways Code Sections 30950 *et seq.* created the Bay Area Toll Authority (“BATA”) which is a public instrumentality governed by the same board as that governing MTC; and

WHEREAS, on March 2, 2004, voters approved Regional Measure 2, increasing the toll for all vehicles on the seven state-owned toll bridges in the San Francisco Bay Area by \$1.00, with this extra dollar funding various transportation projects within the region that have been determined to reduce congestion or to make improvements to travel in the toll bridge corridors, as identified in SB 916 (Chapter 715, Statutes of 2004), commonly referred as Regional Measure 2 (“RM2”); and

WHEREAS, RM2 establishes the Regional Traffic Relief Plan and lists specific capital projects and programs and transit operating assistance eligible to receive RM2 funding as identified in Streets and Highways Code Sections 30914(c) & (d); and

WHEREAS, RM2 assigns administrative duties and responsibilities for the implementation of the Regional Traffic Relief Plan to MTC; and

WHEREAS, BATA shall fund the projects of the Regional Traffic Relief Plan by transferring RM2 authorized funds to MTC; and

WHEREAS, MTC adopted policies and procedures for the implementation of the Regional Measure 2 Regional Traffic Relief Plan on June 23, 2004, specifying the allocation criteria and project compliance requirements for RM 2 funding (MTC Resolution No. 3636); and

WHEREAS, the Water Emergency Transportation Authority (WETA) has submitted a request for the allocation of RM 2 funds for the purchase of two vessels for Transbay Commute ferry services; and

WHEREAS, the purchase of two vessels for ferry services between the Berkeley/Albany Terminal and San Francisco is identified as capital project number 25 under RM 2 and is eligible to receive RM 2 funding as identified in Streets and Highways Code Sections 30914(c); and

WHEREAS, WETA has submitted an Initial Project Report, as required pursuant to Streets and Highway Code Section 30914(e), to MTC for review and approval; and

WHEREAS, Attachment A to this resolution, attached hereto and incorporated herein as though set forth at length, lists the project and phase for which the WETA is requesting RM2 funding and the amount recommended for allocation by MTC staff; and

WHEREAS, Attachment B to this resolution, attached hereto and incorporated herein as though set forth at length, lists the required project specific conditions which must be met prior to execution of the allocation and any reimbursement of RM2 funds; and

WHEREAS, Attachment C to this resolution, attached hereto and incorporated herein as though set forth at length, includes MTC staff's review of WETA's Initial Project Report (IPR) for this project; and

WHEREAS, Attachment D attached hereto and incorporated herein as though set forth at length, lists the cash flow of RM2 funds and complementary funding for the deliverable/useable RM2 project segment; now, therefore be it

RESOLVED, that MTC approves MTC staff's review of WETA's Initial Project Report (IPR) for this project as set forth in Attachment C; and be it further

RESOLVED, that MTC approves the allocation and reimbursement of RM2 funds in accordance with the amount and reimbursement schedule for the phase, and activities as set forth in Attachment A; and, be it further

RESOLVED, that the allocation and reimbursement of RM2 funds as set forth in Attachment A are conditioned upon WETA complying with the provisions of the Regional Measure 2 Regional Traffic Relief Plan Policy and Procedures as set forth in length in MTC Resolution 3636; and be it further

RESOLVED, that the allocation and reimbursement of RM2 funds are further conditioned upon the project specific conditions as set forth in Attachment B; and, be it further

RESOLVED, that the allocation and reimbursement of RM2 funds as set forth in Attachment A are conditioned upon the availability and expenditure of any complementary funding as set forth in Attachment D; and be it further

RESOLVED, that a certified copy of this resolution, shall be forwarded to the project sponsor.

METROPOLITAN TRANSPORTATION COMMISSION

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Scott Haggerty, Chair

The above resolution was entered into by the Metropolitan Transportation Commission at the regular meeting of the Commission held in Oakland, California, on May 27, 2009.

**REGIONAL MEASURE 2 PROGRAM  
 Allocation of Funds**

Project Title: Transbay Commute Ferry Service  
 Sponsor: Water Emergency Transportation Authority  
 Project Number: 25.0

<b>Allocation No. 25-1 - South San Francisco Ferry Vessels</b>						
Activities to be funded with Allocation #1:						
Construction/Purchase of two ferry vessels for use in the South San Francisco Ferry Service. (These funds backfill the Prop 1B funds allocated to project # 27 - South San Francisco Ferry Vessel Procurement project, but currently suspended by the State.)						
Allocation Instruction No.	Approval Date	Amount	Phase	Reimbursement Year	Cumulative Total To Date	
09390901	27-May-09	\$ 3,000,000	CON	FY 2008-09	\$	3,000,000

**REGIONAL MEASURE 2 PROGRAM  
Project Specific Conditions**

Project Title: Transbay Commute Ferry Service  
Sponsor: Water Emergency Transportation Authority (WETA)  
Project Number: 25

The allocation and reimbursement of RM2 funds for the above project are conditioned upon the following:

- 1 Since this allocation of RM2 funds is to backfill the Prop 1B funds allocated to the project but currently suspended by the State of California, in the event that the suspension of Proposition 1B is lifted at a later time, staff would either: a) rescind the allocation if the allocated funds have not been expended, or b) require that the Prop 1B funds are redirected to another WETA capital project in the RM2 program requiring funds in case the allocated funds have been expended.

# Regional Measure 2 Regional Traffic Relief Plan

May 27, 2009  
Attachment C-1  
MTC Resolution No. 3909

## RM2 Project Number: 25 Transbay Commute Ferry Service

<b>Lead Sponsor</b> Water Emergency Transportation Authority	<b>Other Sponsors(s)</b> N/A	<b>Implementing Agency (if applicable)</b> N/A
<b>Legislated Project Description</b> Purchase two vessels for transbay ferry services. Second vessel funds to be released upon demonstration of appropriate terminal locations, new transit-oriented development, adequate parking, and sufficient landside feeder connections to support ridership projections. If the San Francisco Bay Area Water Emergency Transportation Authority demonstrates to the Metropolitan Transportation Commission that it has secured alternative funding for the two vessel purchases described in this paragraph, the funds may be used for terminal improvements or for consolidation of existing ferry operations.		
<b>RM2 Legislated Funding (in \$1,000)</b> Total Overall Funding \$12,000		
<b>25 Total Estimated Project Cost (in \$1,000)</b> \$20,500		

**Project Purpose and Description**  
To construct two new vessels that will carry up to 199 passengers and 25 bikes. These vessels will be used in the South San Francisco Ferry Service.

**Funding Description**  
  
Committed Funds: The project is funded by RM2 funds and secured federal earmarks.  
Uncommitted Funds: This RM 2 project is fully funded.

Operating Capacity: RM2 includes an annual operating subsidy for the WETA-operated ferry services. This subsidy plus fares is projected to meet the operating expenses.

Overall Project Cost and Schedule			
Phase	Scope	Start	End
1	Environmental Document/Preliminary Engineering	N/A	N/A
2	Designs, Plans, Specs, & Estimates	4/2007	12/07
3	Right-of-Way Acquisition	N/A	N/A
4	Construction	04/2008	01/2011
<b>Total:</b>			<b>\$20,500</b>

**Total:** \$20,500

## Total Project Funding Plan: Committed and Uncommitted Sources

(Amounts Escalated in Thousands)

Project Title	Transbay Commute Ferry Service	Project No.	25							
Lead Sponsor	WETA									
Fund Source	Phase	Prior	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10	Future	Total
<b>Committed</b>										
RM2 (27)	PSE				275					275
RM2 (27)	Construction				11,725					11,725
RM2 (25)	Construction						3,000			3,000
FY 2003 Ferry Boat (27)	Construction				2,484					2,484
FY 2004 Ferry Boat (Fed) (27)	Construction				881					881
FY 2005 Ferry Boat (Fed) (27)	Construction				694					694
FY 2006 Ferry Boat (Fed) (27)	Construction				630					630
Section 5309 Earmark (27)	Construction				311					311
FY 2008 Ferry Boat Discretionary (27)	Construction						500			500
<b>Total:</b>		0	0	0	275	16,725	3,500	0	0	20,500
<b>Uncommitted</b>										
<b>Total:</b>		0	0	0	0	0	0	0	0	-
<b>Total Project Committed and Uncommitted</b>										
		Prior	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10	Future	Total
<b>Total:</b>		0	0	0	275	16,725	3,500	0	0	20,500

**REGIONAL MEASURE 2 PROGRAM**  
**Project Cash Flow Plan**

Transbay Commute Ferry Service  
 Sponsor: Water Emergency Transportation Authority  
 RM2 Project Number: 25

	PRIOR	FY 2004-05	FY 2005-06	FY 2006-07	FY 2007-08	FY 2008-09	TOTAL
<b>RM2 Funds Total (25 &amp; 27)</b>	-	-	-	275,000	11,725,000	-	12,000,000
<b>Environmental (ENV)</b>	0	0	0	0	0	0	0
							0
							0
<b>Final Design (PS&amp;E)</b>	0	0	0	275,000	0	0	275,000
RM2 (27)				275,000			275,000
							0
							0
<b>Right of Way</b>	0	0	0	0	0	0	0
							0
							0
							0
<b>Construction</b>	0	0	0	17,224,900	3,000,000	0	14,520,000
RM2 (27)				11,725,000			11,725,000
RM2 (25)					3,000,000		
FY 2004 Ferry Boat Discretionary (27)				880,800			
FY 2005 Ferry Boat Discretionary (27)				693,900			
FY 2006 Ferry Boat Discretionary (27)				630,200			
FY 2008 Ferry Boat Discretionary (27)				500,000			311,000
Section 5309 Earmark (27)				311,000			2,484,000
FY 2003 Ferry Boat (27)				2,484,000			
<b>TOTAL FUNDING</b>							
Environmental	0	0	0	0	0	0	0
Final Design (PS&E)	0	0	0	275,000	0	0	275,000
Right of Way	0	0	0	0	0	0	0
Construction	0	0	0	17,224,900	3,000,000	0	20,224,900
<b>PROJECT TOTAL</b>	0	0	0	17,224,900	3,000,000	0	20,499,900