

Metropolitan Transportation Commission Programming and Allocations Committee

July 8, 2009

Item Number 4b

MTC Resolution Nos. 3885, Revised; 3884, Revised; 3834, Revised; and 3801, Revised

- Subject:** Oakland Airport Connector (OAC) Project Funding Actions including RM2 Public Hearing on Funding Reassignment
- Background:** Resolution 3885, Revised, committed \$70 million in funding from the American Recovery and Reinvestment Act (ARRA) to the OAC project subject to certain conditions including the release of project bid documents and identification of a full funding plan. This item provides an update on the project and recommends funding actions based on BART's fulfillment of the project specific conditions of Resolution 3885, Revised.
- Summary:** At the June meeting, staff held a first public hearing on the RM2 reassignment. Based on questions from the Commission and the public, this item provides additional details on both the OAC and Seismic projects as well as a second hearing to more specifically address both cost savings and the availability of alternative funding as the basis for fund reassignment. Additional information on the status of the OAC project, and on the savings from the Tube Seismic project, will be presented by BART staff at the Committee meeting. The specific proposed programming actions for the OAC project are described below:
- 1) RM2 Funding Reassignment.** Pursuant to Section 30914(f) of the California Streets and Highways Code, MTC is to consult with the project sponsor and hold a public hearing in advance of considering any request to reassign Regional Measure 2 (RM2) funds to another project, if a project has cost savings after completion, taking into account construction costs and future settlement claims, or if the RM2 project is to be completed using other funds. MTC proposes to redirect \$37 million in RM2 funds from the BART Tube Seismic Strengthening project to the Oakland Airport Connector project which is also an RM2 project, based on both project savings and the availability of alternative funding.
 - 2) Proposition 1B – Regional Transit Program.** In June 2007, MTC adopted the Proposition 1B Regional Transit Program (Resolution 3814), and subsequently adopted Resolution 3834, which directed \$24 million of this capacity to the BART Seismic Safety program, as requested by BART. Based on BART Seismic Safety program savings certified by the BART Board, staff recommends revising Resolution 3834 to direct \$13 million to the OAC project and notifying Caltrans of this Proposition 1B Transit reprogramming request.
 - 3) Proposition 1B - State Local Partnership Program.** During the 2008 Strategic Plan Update to Resolution 3434, State Local Partnership Program funds, estimated to be \$26 million, was held in reserve, subject to future Commission programming. Staff recommends assigning \$20 million of the reserve to the OAC project, as referenced during the ARRA discussions.

4) ARRA Funding. MTC Resolution 3885, Revised, committed \$70 million in American Recovery and Reinvestment Act (ARRA) transit funds to the Oakland Airport Connector (OAC) project subject to certain conditions, including BART releasing bid documents and identifying a full funding plan. Based on the actions by BART to-date, described in the attached memo, staff recommends that the ARRA funding for the OAC be moved from Tier 2 to Tier 1, and the funds be amended into the region's Transportation Improvement Program so that BART can file an FTA grant application for the funds. The execution of the grant will be subject to BART's confirmation of a successful bid process and the ability to move to contract award.

Issues:

1. Bus Alternative. TRANSFORM and other community advocates have suggested that the OAC project should be cancelled and replaced with a bus rapid transit project connecting the Coliseum BART station with the Airport, operating along surface streets. BART staff will address this proposal during their presentation at the Committee meeting.

2. Ridership. BART recently updated the ridership study for the OAC project. The revised estimates are lower than the estimates in the environmental document: 4,350 trips per day by year 2020 in the 2009 estimate compared to 10,090 trips per day from the EIR. BART staff will also speak to this issue at the Committee meeting.

3. TIFIA Loan. The Transportation Infrastructure Finance and Innovation Act (TIFIA) loan is the only element of the BART OAC funding plan that is not presently secured; however staff believes BART is likely to succeed in securing the loan from the US Department of Transportation based on its strong credit rating as well as the recent focus by the TIFIA program on transit projects. In addition, BART could consider other financing options as necessary.

Recommendation: Refer MTC Resolution Nos. 3885, Revised; 3884, Revised; 3834, Revised; and 3801, Revised to the Commission for approval.

Attachments: Memo from Executive Director
MTC Resolution Nos. 3885, Revised; 3884, Revised; 3834, Revised; and 3801, Revised.



**METROPOLITAN
TRANSPORTATION
COMMISSION**

Joseph P. Bort MetroCenter
101 Eighth Street
Oakland, CA 94607-4700
TEL 510.817.5700
TDD/TTY 510.817.5769
FAX 510.817.5848
E-MAIL info@mtc.ca.gov
WEB www.mtc.ca.gov

Memorandum

TO: Programming and Allocations Committee DATE: July 8, 2009

FR: Deputy Executive Director, Policy

RE: Oakland Airport Connector Project Funding Actions including RM2 Public Hearing on
Funding Reassignment

This item provides an update on the Oakland Airport Connector (OAC) project and recommends funding actions to carry out the project funding plan.

Background

The OAC is included in MTC's Regional Transit Expansion Program, Resolution 3434. The project is a proposed 3.2-mile connector between the Oakland Airport and the Coliseum BART station intended to enhance schedule reliability over the AirBART shuttle, reduce trip times and provide a seamless connection with the BART system. The project is estimated to cost \$529 million, with funding from a variety of sources described in more detail below.

The project received environmental clearance in 2002. BART has released an RFP/RFQ for construction of the project, and could award a contract by December 2009. Construction is expected to take 3-4 years, with service commencing in 2013. Additional information about the project has been provided by BART in Attachment B.

Proposed Bus Alternative

TRANSFORM and other community advocates have suggested that the OAC project should be cancelled and replaced with a bus rapid transit project connecting the Coliseum BART station with the Airport, operating along surface streets. A letter from former State Senate President Pro Tem Don Perata in support of this proposal is contained in Attachment C. The BART presentation in Attachment B also contains information about this proposal and its relationship to the bus alternative that was studied in the OAC environmental document.

There is no project sponsor currently identified to pursue such a proposed project. The proposed bus project would have to undergo environmental review, which would take additional time to develop, if a project sponsor wished to pursue the project. Given that, along with the absence of funds programmed for such a project, the proposed bus project would not meet the strict deadlines for receiving federal ARRA funds. Its eligibility for several of the other fund sources committed to the OAC project also is uncertain.

Project Funding Plan

The BART project funding plan consists of up to \$550 million in various sources, including federal, state, regional, and local sources. The major sources that have already been committed are bridge tolls (\$109 million in RM1 and RM2 funds), Alameda County sales tax, a Port of Oakland contribution, and the federal funds from the Public-Private Partnership Pilot Program. These sources together provide over \$300 million in public funding for the project. In addition, the BART Board authorized BART to

apply for a federal TIFIA loan of up to \$150 million. BART is in the process of applying for those funds now. The BART presentation in Attachment B contains additional details on the funding plan.

The actions before the Commission today are proposed to add \$140 million to the project's funding plan, from the following sources:

1. RM2: \$37 million (in addition to the \$78 million already committed)
2. State Proposition 1B Transit Bond Funds: \$13 million
3. State Proposition 1B State-Local Partnership Funds: \$20 million
4. ARRA: \$70 million

Additional information follows about each source and the actions that are before you this month.

RM2 Hearing: Reassignment of \$37 million

Pursuant to Section 30914(f) of the California Streets and Highways Code, MTC is to consult with the project sponsor and hold a public hearing in advance of consideration of any request to reassign Regional Measure 2 (RM2) funds to another project, if a project has cost savings after completion, taking into account construction costs and future settlement claims, or if the RM2 project is to be completed using other funds. Attachment D includes the specific statutory language in California Streets and Highway Code, Section 30914(f). MTC proposes to redirect \$37 million in RM2 funds from the BART Tube Seismic Strengthening project to the Oakland Airport Connector project based on both seismic cost savings and the availability of alternative funding. Both projects are listed as RM2 projects.

MTC held a public hearing at its June 10th Committee meeting to consider reassignment of RM2 funds. The comments received at that hearing are included in Attachment E. The information included in this item are in response to Commissioner and public comments.

The Tube Seismic Strengthening Project is a part of BART's larger Earthquake Safety Program. As background, the original Tube Seismic project cost was estimated at \$362 million while the current cost estimate is only \$138 million. As shown in the following table, several project elements have been completed or were deemed not necessary based on detailed design and extensive testing. Of the two elements that are not complete, Zone 3 and 5/6 Retrofits and Seismic Joint Internal Retrofit, the latter is at 37% complete and the other has not begun construction. For the Seismic Joint Retrofit element, the contract should be complete in March 2010. For the Zones 3 and 5/6 work, the contract should be completed in 2012.

\$ in Millions

COST					
Project Elements	Original	Current	Change	% Complete	Notes
SF Transition Structure and Stitching Piles	152.7	0	-152.7	100%	Detailed design revealed retrofit not required.
Geotechnical Investigation and Vibro Demonstration	12.4	11	-1.4	100%	Favorable construction bids. Construction complete.
Oakland Vibro/Grouting and Vent Structure	36.7	36.7	0	100%	Construction complete.
Marine Vibro Retrofit	147.7	0	-147.7	100%	Detailed design revealed retrofit not required.
Zone 3 and 5/6 Retrofits	0	73.2	73.2	0%	Conservative forecast - no construction yet.
Seismic Joint Internal Retrofit	12.7	17	4.3	37%	Construction about 37% complete.
Totals	362.2	137.9	-224.3		

FUNDING					
Funding Plan	Original	Current	Change		Notes
RM2	143	71	-72		RM2 hearings to replace \$72M with STIP, Prop 1B, ITIP
TCRP	0	11.5	11.5		
STIP	0	38	38		OAC STIP redirected to Seismic b/c of PPP eligibility restriction
Prop 1B	0	24	24		Transit Capital Match reassignment
General Obligation Bonds	219.2	100	-119.2		
ITIP	0	10	10		OAC ITIP redirected to Seismic b/c of PPP eligibility restriction
Totals	362.2	254.5	-108		
Surplus/Deficit		116.6			
Proposed Redirection of Savings		50			
RM2		37			BART has certified to making available up to \$50M in GO Bonds as necessary to complete the project.
Prop 1B		13			
Remaining Surplus/Deficit		66.6			

In April 2009, based on this information, the BART board certified that \$50 million in savings would be available from the Tube project. The Board further asked that MTC re-program this savings to the OAC project instead.

The \$50 million in cost savings from the Tube project consists of \$37.2 million in RM2 funds and \$12.8 million in State Proposition 1B transit bond funds. A second public hearing will be held today to hear public comments on the proposed RM2 funding change. The Commission will consider the proposed RM2 fund programming change at its July 22, 2009 meeting following the close of the public comment period on July 21.

Based on its certification, BART believes that the \$37 million will not be needed for the Tube project but will be responsible for any unanticipated additional costs for the BART Tube Seismic Strengthening project. Additional information about the seismic project is contained in Attachment B, and confirmation from BART of its ability to complete the Tube project is in Attachment F.

Proposition 1B Transit Bond Funds: \$13 million

An action to reassign the Prop 1B savings is also before the Commission this month, as described in Resolution 3834, Revised. In June 2007, MTC adopted the Proposition 1B Regional Transit Program (Resolution 3814), including the programming of \$347 million in state bond funds available to the region by the State Transit Assistance population-based formula. The programming framework committed \$24 million to BART as part of the SFO Settlement Agreement. In a subsequent December 2007 action, the Commission adopted Resolution 3834, which programmed the \$24 million to the BART Seismic Safety program, as requested by BART. Based on BART Tube Seismic project savings certified by the BART Board, staff recommends revising resolution 3834 to redirect approximately \$13 million to the OAC project and notifying Caltrans of this reprogramming request.

State Local Partnership Program: \$20 million

MTC/BATA is eligible to receive state Proposition 1B - State Local Partnership Program (SLPP) funding based on qualifying RM2 and RM1 bridge toll revenues. Resolution 3884 assigned the initial \$40 million in expected SLPP funds to the BART Extension to Warm Springs project, as adopted in the 2008 Strategic Plan Update to Resolution 3434. Additionally, the 2008 Strategic Plan Update to Resolution 3434 held the remaining SLPP funds in reserve, estimated at the time to total \$26 million, subject to future Commission programming. Staff recommends assigning \$20 million of the reserve to the OAC project, as referenced during the ARRA discussions.

ARRA Funding: \$70 million

MTC Resolution 3885, Revised, committed \$70 million in American Recovery and Reinvestment Act (ARRA) transit funds to the Oakland Airport Connector (OAC) project subject to certain conditions. The conditions included a requirement for BART to identify a full funding plan for the project and release bid documents by June 30, 2009. The ARRA funds would only be amended into the regional Transportation Improvement Program after BART successfully meets those conditions, and execution of the ARRA grant would occur only after BART successfully moves to awarding a contract for construction of the project.

BART and the project stakeholders have been pursuing the necessary actions to ensure that the funding plan is secured and the conditions are met:

- In April and May, the BART Board of Directors approved actions to confirm \$50 million in savings on the Tube Seismic Strengthening project and request MTC to reassign that amount of funding to the OAC project, approve the application to the federal TIFIA program for up to \$150 million, and approve the release of bid documents for the project.
- On May 20, BART staff released an RFP/RFQ with initial responses due in June and bids due in September.
- On June 16, the Port of Oakland Commission approved an application to the Federal Aviation Administration allowing the Port to collect Passenger Facility Charges (PFCs) that would generate sufficient funds to cover the Port's approximately \$40 million contribution to the project. The PFCs were previously approved by the airlines operating at the Oakland Airport.
- BART is also working with FTA on preparing an application for the TIFIA funds to provide the BART contribution, and expects that they will submit formal application materials by September 2009.

Based on these various actions, MTC staff believes that the conditions of the ARRA commitment to this project have been met.

Recommendation

Subject to the completion of the public hearing process, staff recommends that the Committee refer to the Commission the following:

1. Approval of the reassignment of \$37 million in RM2 from the Tube Seismic Strengthening Project to the OAC project, pending completion of the RM2 public comment process.
2. Approval of the reprogramming of \$13 million in state Proposition 1B transit bond funds from the Tube Seismic Strengthening Project to the OAC project, and notification to Caltrans.
3. Approval of the programming of \$20 million in State Local Partnership Program funds to the OAC project.
4. Approval to move the \$70 million in ARRA funds assigned to the project from Tier 2 to Tier 1, allowing BART to access the federal funds.

If the Commission approves these actions, the \$140 million in funding listed above would be amended into the region's Transportation Improvement Program, allowing the project to proceed with grant applications, allocations, contract award and construction.

Ann Flemer

Attachments:

Attachment A - RM2 Hearing Notice

Attachment B - BART Presentation on OAC

Attachment C - Letter from Don Perata

Attachment D - California Streets and Highway Code, Section 30914(f)

Attachment E - Summary of Comments Received

Attachment F - Letter from BART General Manager Regarding Tube Seismic Strengthening Project

Attachment A

Metropolitan Transportation Commission Notice of Public Hearing

In March 2004, Bay Area voters approved Regional Measure 2 (RM2), a \$1 bridge toll increase on seven of the state-owned bridges in the Bay Area, creating approximately \$115 million annually in new funding for a list of projects to reduce traffic congestion in the region. Pursuant to Section 30914(f) of the California Streets and Highways Code, the Metropolitan Transportation Commission (MTC) is to consult with the project sponsor and hold a public hearing in advance of consideration of any request to reassign Regional Measure 2 (RM2) funds to another project, if a project has cost savings after completion, taking into account construction costs and future settlement claims, or if the RM2 project is to be completed using other funds. MTC proposes to redirect RM2 funds from the BART Tube Seismic Strengthening project to the Oakland Airport Connector project. At its regularly scheduled July 2009 meeting, MTC's Programming and Allocations Committee will hold a second public hearing and review the public comments received on the proposed RM2 funding change listed below (and further described in proposed MTC Resolution No. 3801, Revised) and will refer recommendations to the MTC Commission for final action. The MTC Commission will consider the proposed RM2 fund programming change at the Commission's July 22, 2009 meeting.

Bay Area citizens are invited to comment on the following funding change in RM2.

BART Tube Seismic Strengthening/Oakland Airport Connector (OAC) Amendment:

RM2 Project #21: BART Tube Seismic Strengthening

Proposed Action: Reassign \$37,199,000 in RM2 funds from this project to the BART Oakland Airport Connector project.

RM2 Project #23: BART Oakland Airport Connector

Proposed Action: Add \$37,199,000 in RM2 funds to this project, from the BART Tube Seismic Strengthening project, as noted above.

Resolution 3885, approved by the Metropolitan Transportation Commission in March 2009, recommended directing \$70 million in American Recovery and Reinvestment Act (ARRA) funds towards the OAC project, conditioned on BART securing other funding commitments to fully fund the project. One of the funding commitments includes the reassignment of \$50 million from cost savings and the use of alternative funding from the BART Tube Seismic Strengthening project to

the OAC project. The BART Board, on April 23, 2009, adopted a resolution certifying \$50 million in savings from the Tube Seismic Strengthening project and requesting MTC to reassign the savings to the OAC project. The \$50 million in cost savings/alternate funding consists of \$37,199,000 in RM2 funds and \$12,801,000 in State Proposition 1B Transit population-based funds. Action to reassign the Prop 1B savings will be considered separately pending completion of this public hearing process. Based on their certification, BART will be responsible for any unanticipated additional costs for the BART Tube Seismic Strengthening project.

A second public hearing to receive public testimony on these proposed funding changes will be held during MTC's Programming and Allocations Committee meeting on:

Wednesday, July 8, 2009, at 10:00 a.m.

(or immediately following the Administration Committee meeting, whichever occurs later)

Joseph P. Bort MetroCenter Auditorium

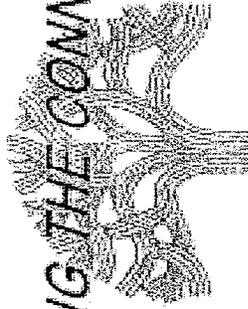
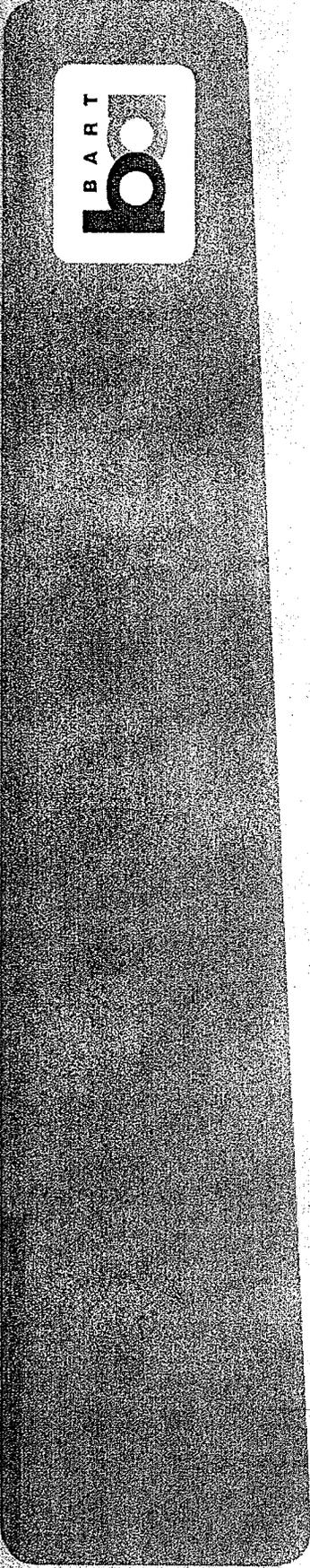
101 Eighth Street, Oakland

(across from the Lake Merritt BART Station)

Written comments may be submitted to MTC's Public Information Office at 101 Eighth St., Oakland, CA 94607; faxed to MTC at 510-817-5848; or sent via e-mail to <info@mtc.ca.gov>. Written comments must be received by MTC no later than 4 p.m. on July 21, 2009. Oral comments will be received at the public hearing on July 8, 2009 and at the Commission meeting on July 22, 2009. The comment period will close during the Commission meeting on July 22, 2009.

Copies of proposed MTC Resolution 3801, Revised will be available for public review beginning on June 21, 2009 at the MTC-ABAG Library, located at 101 Eighth Street in Oakland, California. The proposed resolution also can be viewed on MTC's Web site at <<http://www.mtc.ca.gov>>, or you may request a copy from the MTC Library by e-mail at <library@mtc.ca.gov>, or by telephone at 510-817-5836. For more information, contact the MTC Public Information Office at 510-817-5757.

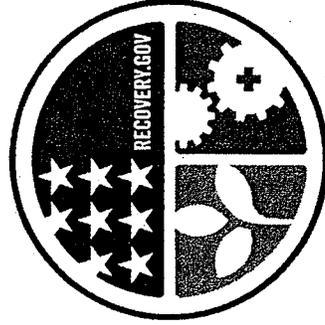
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MAKING THE CONNECTION



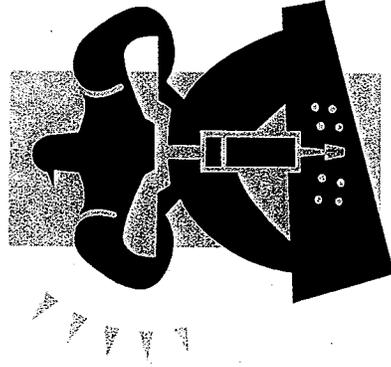
Oakland Airport Connector (OAC)
Metropolitan Transportation Commission Update
July 8, 2009



Project Status - Shovel Ready



- Environmental studies done
- Caltrans Certified Right of Way availability
- New procurement is out
- Multiple qualification statements received
- BART Board approved Full Funding Plan & TIFIA Loan Application
- Port Approved FAA Passenger Facility Charge (PFC) Application



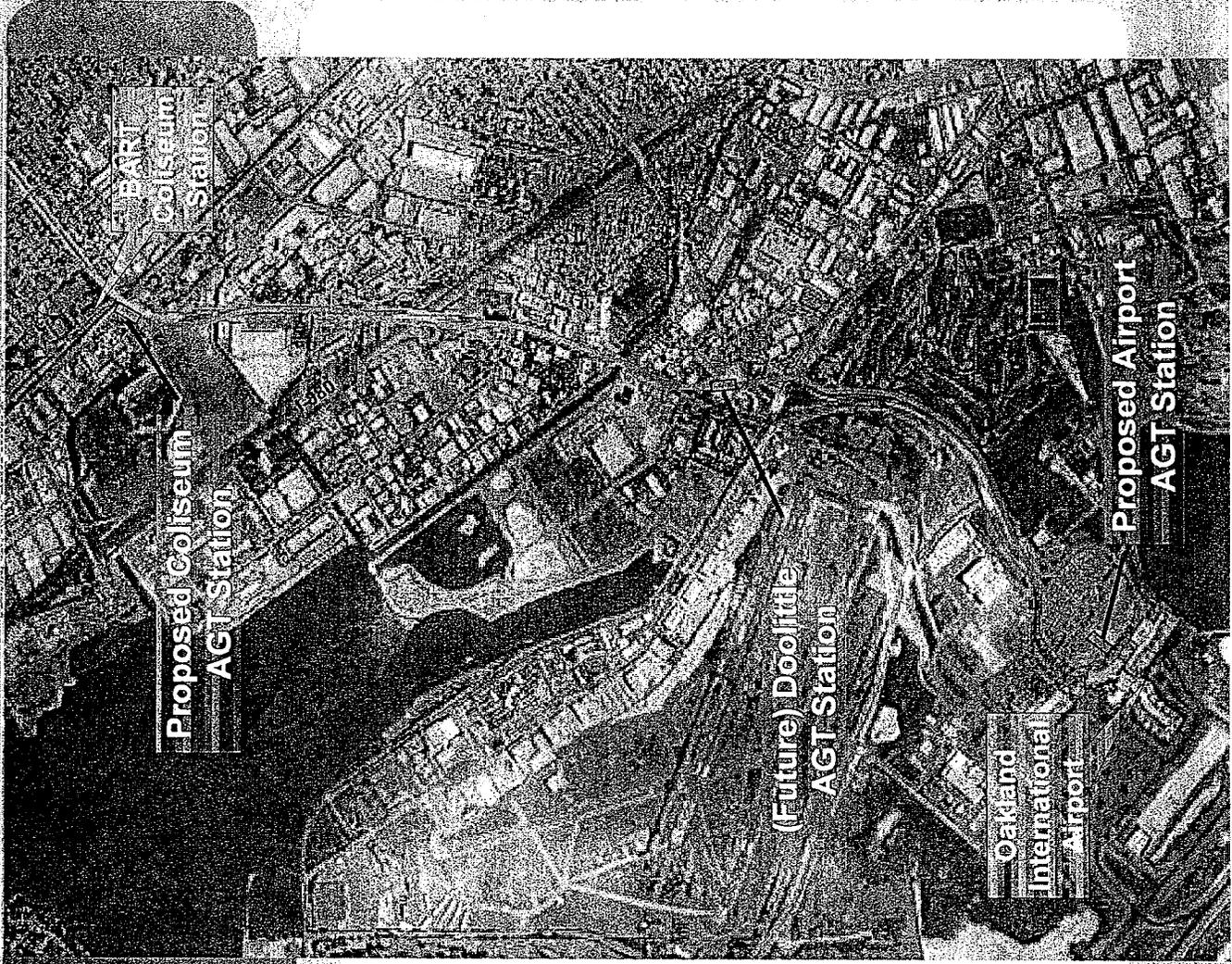
Project Review

Goals

- Seamless - reliable - consistent
- Competitive with Driving
- Reduce Traffic
- Increase BART and Airport business
- Create Jobs

Automated Guideway Transit (AGT)

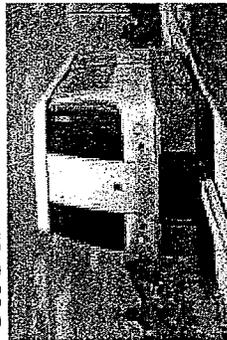
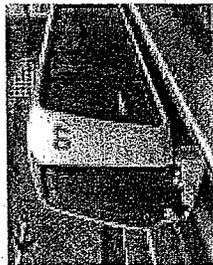
- Exclusive 3.1 mile guideway
- Trains every 3.5 – 4.5 minutes (technology dependent)
- Total Trip Time 12 – 15 minutes (technology dependent)
- Extremely reliable (99.5%)
- Comfortably carries 3.2 Million Annual Passengers (MAP)
- Expandable to 4.9 MAP



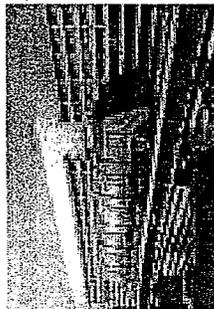
What's Changed – Cost & Technologies

Capital Construction Cost	= \$386 - 416M
BART Spent to Date	= \$33M
Delivery & Contingency	= <u>\$80M</u>
Project Capital Cost	<input type="checkbox"/> \$499-529M
Capitalized Interest	<input type="checkbox"/> <u>\$23M</u>
Total Project Cost	<input type="checkbox"/> \$522 – 552M

Self Propelled



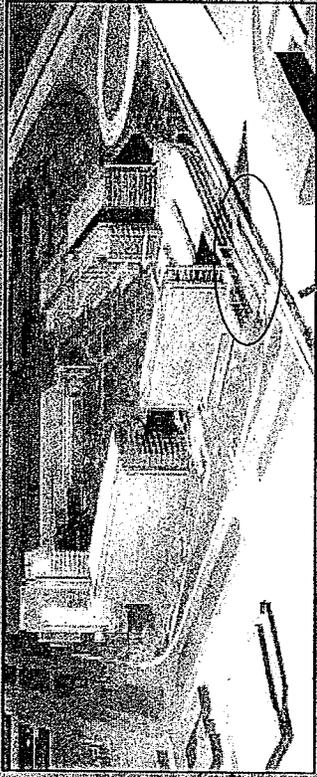
Cable



More AGT providers increase competition and lower costs

What's Changed – Intermediate Stations

Airport Connector
not a duplicate of AC Transit Service
Two Stations Cleared in FEIR
EIR based upon MetroPort Plan
unded by the Development
station design completed
ValMart developed instead

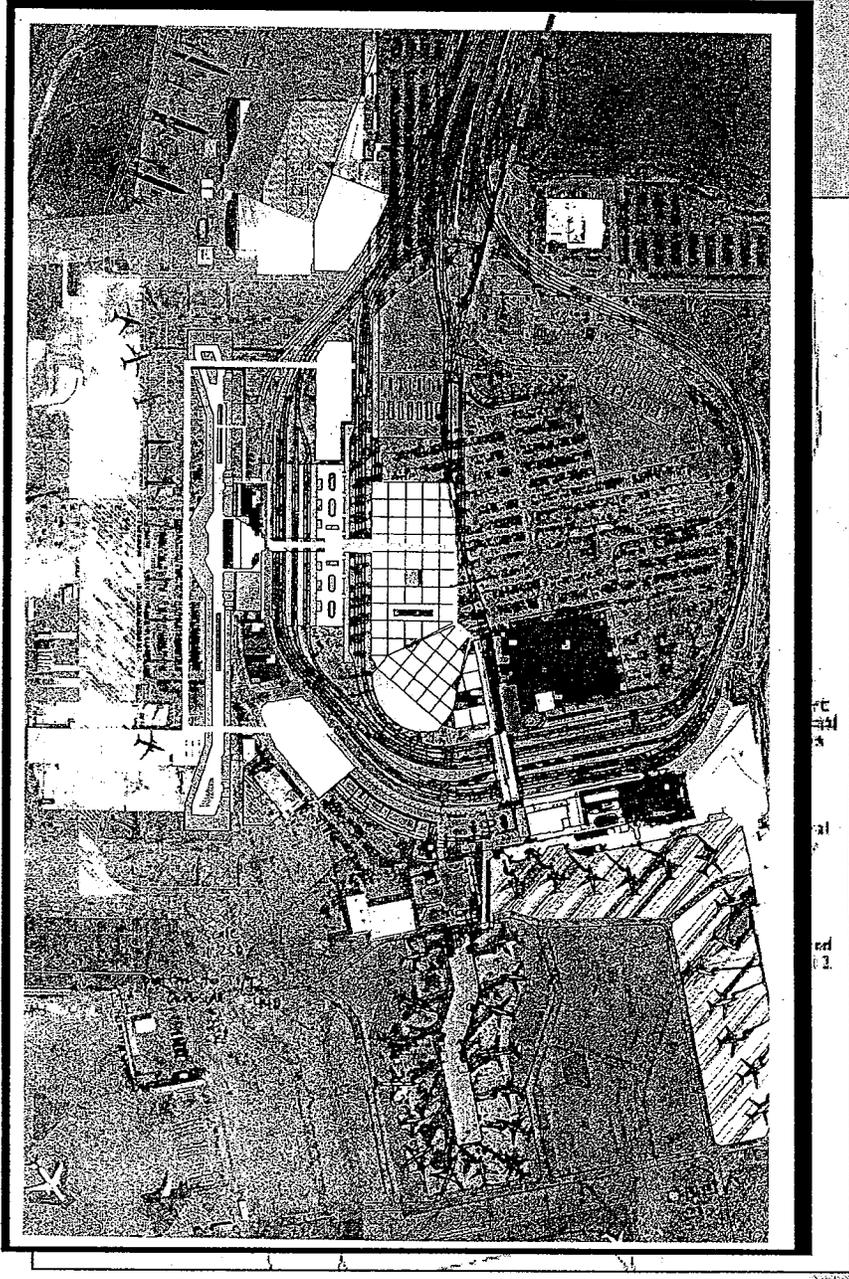


What's Changed - Airport Station Location



Many Airport Plans

- Grand Terminal Scrapped
- Terminals 1 & 2 remodeled and expanded to accommodate 20MAP
- 440 foot walk from OAC train to Airport front door
- Street level covered walkway
- Future Terminal anyone's guess?



Funding

Committed Public Funding

FTA P5	= \$25 M
Alameda County Transportation Improvement Agency	= \$89M
Port of Oakland (escalated)	= \$44 M
STIP (State Transportation Improvement Program)	= \$21M
Regional Measure 1 & 2 (Bridge Toll)	= <u>\$109M</u>
Total Committed Funding	= \$288M

Proposed New Funding

* Federal Recovery and Reconstruction Act (ARRA)	= \$70M
Seismic under runs (MTC reallocated RM2 funds)	≈ \$50M
MTC State & Local Partnership Plan Funds (SLPP)	≈ \$20M
BART Debt Financing (TIFIA)	≈ <u>\$94 -124M</u>
Total Potential and Committed Funding	≈ \$522 - 552M

* Deadlines of June 30 Full Funding Plan, release RFP & December 31, 2009,⁷
Contract Award

Connector Ridership Studies



FEIR/EIS Study

- Still valid
- Used to plan OAC service
- Assumes interm. stations
- Reflected in the proposal request

Financial Ridership Study

- For investment purposes
- Basis for financial model
- Conservative by nature
- Reflects current downturn
- Assumes worst case
 - no interm. stations ever
 - continued downturn
 - slow growth

YEAR (operations)	FEIR w/ 4 stations (Pass per day)	FEIR w/ 2 Stations (Pass per day)	2009 Financial Ridership Study PPD	Financial Model PPD
2013 (1)	-	-	2700	2474
2014 (2)	-	-	3210	2840
2015 (3)	-	-	3720	3267
2016 (4)	-	-	3840	3589
2020 (8)	13,540	10,090	4350	3847
2025 (13)	-	-	4890	4195
2030 (18)	-	-	6030	4576
2035 (23)	-	-	6960	4990
2040 (28)	-	-	8033	5635
2045 (33)	-	-	9272	5936
2047 (35)	-	-	9820	6145

Financial Model Results



DBOM Procurement Scenario

Best Value Procurement under Design Build Statute

Assumes Capital Cost and Funding already shown.

Ridership Scenario

WS Medium \$6 Initial Fare
with scaled back growth
& some debt optimization

Maximum Cumulative Shortfall (through 2035) \$22M

Total (35yr) O&M, CARP and Debt Payments \$598M

Surplus after all Debt and O&M Payments \$44M

Present Day Value of Net Cash Flows @ 6% \$2M

* includes Doolittle tunnel costs

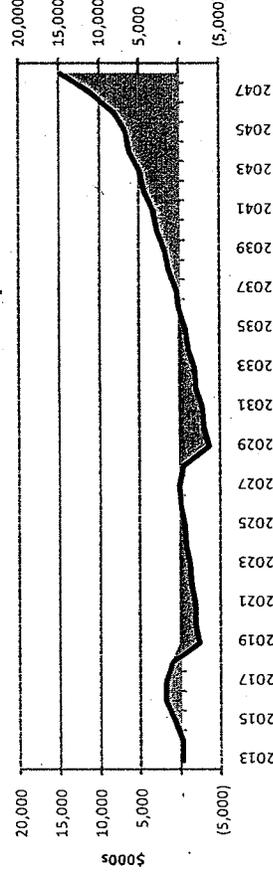
What about the \$6 fare?

- The result of a worst case study
- Actual Fare is set by the BART Board

OAC Revenues vs. Expenses



Annual Shortfalls and Surpluses



Procurement Method & Schedule



Construction Turnkey Contract (3 to 4 years)

- Fully Publically Funded ✓
- Design/Build & Operate Maintain (DBOM) ✓
- Engineering, procurement and installation of AGT system
- Testing and startup to revenue service

Operations and Maintenance (O&M) Contract (20 years)

- Long-term operations & maintenance
- Paid by meeting high availability (99.5%) requirements

Project Schedule

Issue RFP /RFQ	May	2009
RFQ Due	June	2009
Proposals Due	Sept	2009
Contract Award	Nov	2009
NTP	Jan	2010
Revenue Service		2013

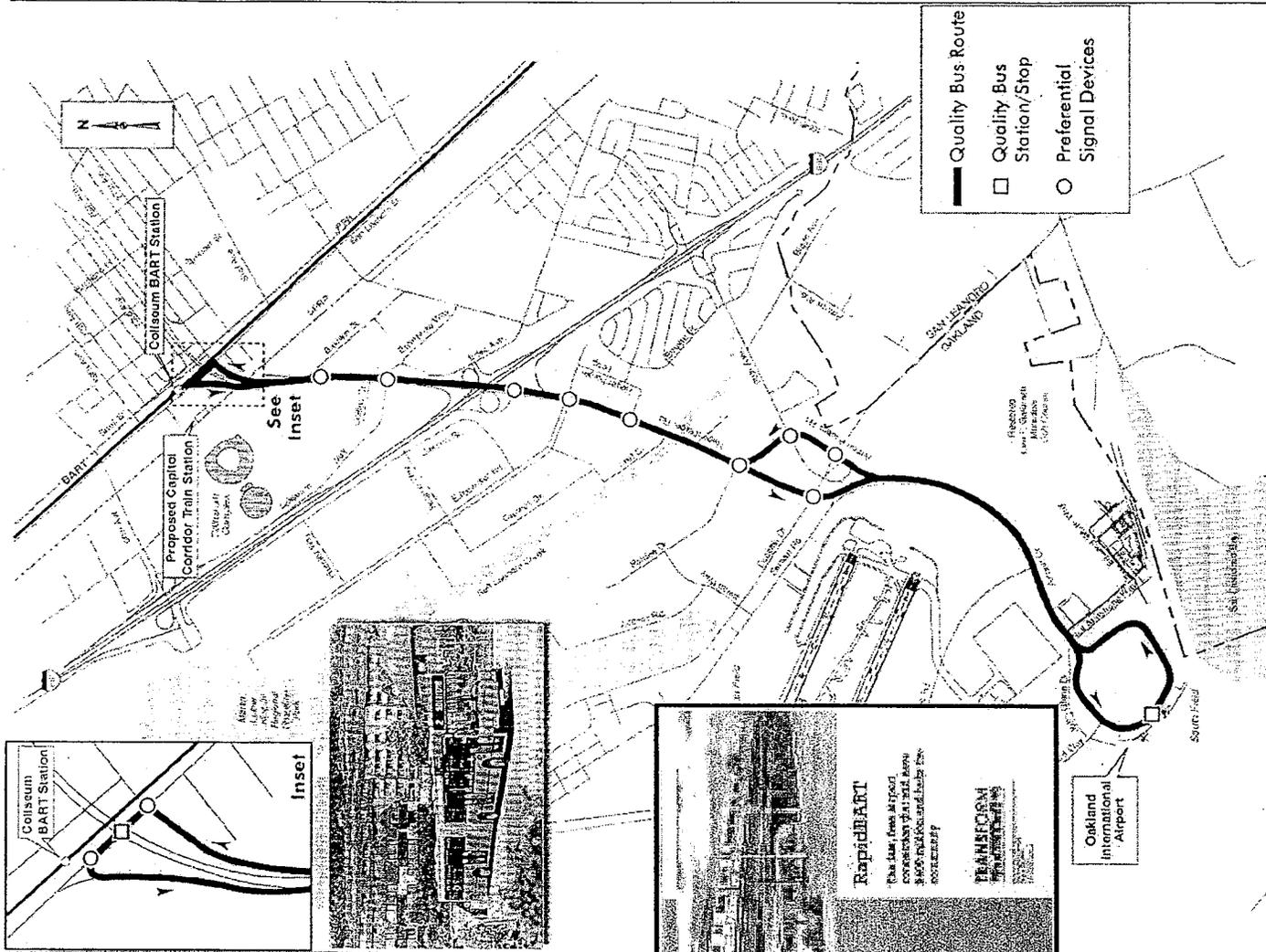
A Rapid Bus System was Studied

Quality Bus

- Signal Prioritized
- 9 Traffic signals each way
- Subject to traffic conditions
- Average Total Trip Time \approx 20min
- Studied dedicated lanes

What about the TranForm Report?

- Copy of BART FEIR Study
- Station location infeasible
- Free Fare not practical
- Jump lane results unrealistic
- Traffic conditions will get worse
- Still a bus in mixed traffic
- Can't match capacity, convenience & consistency of AGT System



Needed Now



BART

- ✓ Approve the OAC Full Funding Plan and TIFIA loan application
- ✓ Release Request for Proposals (May 2009)

Port Commission

- ✓ Approve application for Passenger Facility Charge (PFC's)

MTC

Reallocate RM2 Funds
Program SLPP Funds

Update on BART Earthquake Safety Program



- Program includes Transbay Tube retrofit.
 - Tube to return to operation soon after very large earthquake.
 - Tube checked for cracking, joint failure and excessive displacement.
- Original cost estimate \$360M
- Current cost estimate \$138M

Update on BART Earthquake Safety Program



- Projected cost of Tube RM2 work has dropped significantly due to reduced scope of work, improved bidding climate.
 - Stitching piles, marine vibro-replacement, soil stabilization at Ferry Plaza no longer needed.
 - Added work at the SF seismic joint, but cost is relatively small.
 - Construction bids received have been well below estimates.

Update on BART Earthquake Safety Program



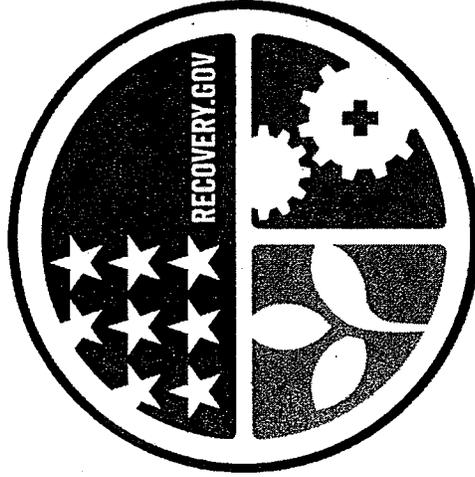
- Tube analyses remaining:
 - One location near Yerba Buena ("Zone 3")
 - One location at Port of Oakland shoreline ("Zones 5/6")
- Work at one or both of the two locations may not be required.
- The most conservative cost estimate for this work still leaves BART with a surplus. Current projections show a surplus of funds in excess of the \$50 million to be transferred.
- Should projections change, BART has sufficient funds from other sources to cover any shortfall.



Thank you!

Contact Information
Tom Dunscombe
(510) 287-4822
tdunsco@bart.gov

Website BART.Gov



California Legislature

DON PERATA

RET. PRESIDENT PRO TEM
STATE SENATE

Attachment C

June 8, 2009

Chairman Scott Haggerty
MTC
1101 Eighth Street
Oakland, Ca 94607

Dear Scott:

As the author of SB 916 – which placed regional Measure 2 on the ballot-, I must oppose the Oakland Airport Connector project. In short, the proposal is too much money for too little transit and economic value.

While the connector was included in the menu of RM2 transportation projects, that election was in 2004. *The world has since changed dramatically.* And so has the project. In 2003 when the project was proposed, only \$30M was needed to complete funding for the \$230M connector. In fact, we told the voters (in the ballot pamphlet) that this was “the final portion of funds needed for direct BART service” to the airport. Project costs now exceed \$300M and the RM2 dollars needed have quadrupled. Even more damning, the ridership predicted in 2003 has fallen substantially from 13,540 to fewer than 4500 by 2020. This fails any cost-benefit analysis *on its face.*

It seems prudent in light of these hard facts (as well as the national and state uncertain economy and the fiscal and debt troubles at the port of Oakland) to discontinue further action on the connector. While some will argue delays will only add cost, I argue construction of the BART airport extension is *unwarranted at all* in today’s market.

Elected representatives everywhere act as consistent with today’s realities; we cannot conduct public affairs as if the weak economy is simply a market correction. There is less tax dollars available and more competition than our generation has ever known. This requires strong fiscal discipline and hard choices. Whether the money comes from taxes, tolls or fees, it’s the *same pair of pants, only different pockets!*

I am unconvinced an Oakland Airport Connector is the highest and best use of available transit money – even assuming potential millions from the federal government stimulus program. Washington bureaucrats don’t know any better; we should. Conditions have changed. Express busses through synchronized traffic lights, BART around the bay and (my personal favorite) all-bay commuter ferry service are superior uses of limited capital transit funds. The public and posterity are watching us carefully. Thank you for your consideration.

Respectfully,

Don Perata

**Attachment D – California Streets and Highways Code,
Section 30914(f)**

(f) The Metropolitan Transportation Commission shall annually assess the status of programs and projects and shall allocate a portion of funding made available under Section 30921 or 30958 for public information and advertising to support the services and projects identified in subdivisions (c) and (d). If a program or project identified in subdivision (c) has cost savings after completion, taking into account construction costs and an estimate of future settlement claims, or cannot be completed or cannot continue due to delivery or financing obstacles making the completion or continuation of the program or project unrealistic, the commission shall consult with the program or project sponsor. After consulting with the sponsor, the commission shall hold a public hearing concerning the program or project. After the hearing, the commission may vote to modify the program or the project's scope, decrease its level of funding, or reassign some or all of the funds to another project within the same bridge corridor. If a program or project identified in subdivision (c) is to be implemented with other funds not derived from tolls, the commission shall follow the same consultation and hearing process described above and may vote thereafter to reassign the funds to another project consistent with the intent of this chapter. If an operating program or project as identified in subdivision (d) cannot achieve its performance objectives described in subdivision (a) of Section 30914.5 or cannot continue due to delivery or financing obstacles making the completion or continuation of the program or project unrealistic, the commission shall consult with the program or the project sponsor. After consulting with the sponsor, the commission shall hold a public hearing concerning the program or project. After the hearing, the commission may vote to modify the program or the project's scope, decrease its level of funding, or to reassign some or all of the funds to another or an additional regional transit program or project within the same corridor. If a program or project does not meet the required performance measures, the commission shall give the sponsor a time certain to achieve the performance measures before reassigning its funding.

Attachment E – Summary of Comments Received

Date	Name	Agency/Affiliation	Overall Position	Comments
10-June-09	Kerry Hamill	BART	Support	<ul style="list-style-type: none"> • BART will provide the Commission with both sets of ridership numbers – from both the EIR model and the business assumption model - for the OAC at the next meeting. The ridership numbers have gone down considerably owing to the present state of economy. There is a wide gap between both sets of numbers and the assumption is that the actual ridership would fall somewhere in between. • BART is working fast towards meeting the deadlines; funding plan approved by BART board on a 7 to 1 vote, all partnerships are in place, the procurement is already out, TIFIA loan application is in place, prepared to have development team onboard in December and to start construction by early next year.
10-June-09	Jonathan Bair	City of Oakland's Bicycle & Pedestrian Advisory Committee	Oppose	<ul style="list-style-type: none"> • Reprogramming funds away from the Seismic Strengthening project might jeopardize the entire BART system since BART has a multi-billion dollar seismic and core system deficit. • Ridership numbers are going down owing to the escalation of the cost of the project and fare increases. • The Commission should consider all alternatives – esp. bus rapid transit - for a connection to the Oakland Airport before reprogramming funds away from the Seismic Strengthening project to an expansion project in a city (Oakland) that does not want the project.
10-June-09	Lindsay Imai	Urban Habitat	Oppose	<ul style="list-style-type: none"> • The Commission should consider all alternatives for a connection to the Oakland Airport. A less expensive alternative - e.g. the bus rapid transit – would free up the stimulus funds to go back to the region's operators thus saving more jobs. • Tide turning on this project, Oakland Tribune, Alameda Labor Council and Don Perata are all in opposition of the project. • Voters had a different understanding of what the OAC project was going to look like in 2001/2002; the

Attachment E – Summary of Comments Received (cont.)

Date	Name	Agency/Affiliation	Overall Position	Comments
				Commissioners and the public deserve a full understanding of the project as it stands today.
10-June-09	John Knox White	Transform	Oppose	<ul style="list-style-type: none"> The OAC should not be referred to as a rail project, the connector cars are similar to Airtrain. The Commission should not be pressured to rush this project forward just because BART decided to put the project out to bid. The ridership numbers have changed significantly, mainly because the project has changed significantly; at the next meeting BART should provide the Commission with the new expected ridership numbers, the cost per rider and an understanding of the project as it stands today.
10-June-09	Stuart Cohen	Transform	Oppose	<ul style="list-style-type: none"> Transform put together a rapid bus proposal, we now request the Commission to consider this alternative and conduct a study on this new alternative so that ridership/cost numbers on both alternatives can be compared. We are very sure that the study on the rapid bus alternative will confirm more riders at about one/tenth the cost as compared to the OAC alternative.
10-June-09	Larry Reid	City of Oakland	Support	<ul style="list-style-type: none"> Oakland should be treated no different than San Francisco when their extension was built; the City of Oakland has been waiting for this project to be built for a long time and we request the Commission to honor the wishes of the voters and not delay this any further. Majority of members from the Oakland City Council support the OAC project.
10-June-09	Joel Ramos	Transform	Oppose	<ul style="list-style-type: none"> Ridership estimates on the OAC have gone down while the cost estimate has gone up considerably. The RM2 program, when approved by voters, had an amount of \$30 million set aside for the OAC project, but BART is now requesting a total of \$115 million in RM2 funds towards this project; these dollars can be used to create jobs under other projects as well. AirBART bus is a successful system for moving people in the region.

Attachment E – Summary of Comments Received (cont.)

Date	Name	Agency/Affiliation	Overall Position	Comments
				<ul style="list-style-type: none"> • Don Perata opposes this project.
10-June-09	Aaron Seviertson	ATU 1555, BART	Oppose	<ul style="list-style-type: none"> • Main concern is the cost of the OAC project which has gone up considerably since 2002; when there is a shortage of capital funds at BART, money gets taken from the operating cost of the system which affects the riders and workers of BART. • The Commission should fully consider all the alternatives for this project before committing to the reassignment.



SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT
 300 Lakeside Drive, P.O. Box 12688
 Oakland, CA 94604-2688
 (510) 464-6000

Attachment F

2009

June 17, 2009

Thomas M. Blalock, P.E.
RESIDENT

James Fang
VICE PRESIDENT

Dorothy W. Dugger
GENERAL MANAGER

DIRECTORS

Neil Murray
DISTRICT

Neil Keller
DISTRICT

Bob Franklin
DISTRICT

Bole Ward Allen
DISTRICT

John McPartland
DISTRICT

Thomas M. Blalock, P.E.
DISTRICT

Nettie Sweet
DISTRICT

James Fang
DISTRICT

John Radulovich
DISTRICT

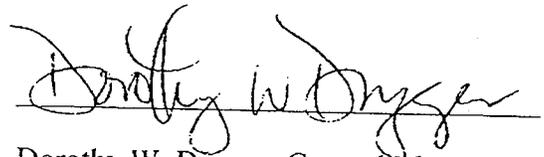
Mr. Francis Chin, General Counsel
 Metropolitan Transportation
 Commission
 101 Eighth Street
 Oakland, CA 94607

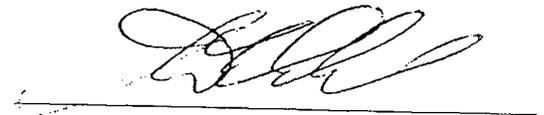
Re: Assurance that the San Francisco Bay Area Rapid Transit District has Fifty Million Dollars in Earthquake Safety Program General Obligation Bond funds available to backfill any portion of the \$50,000,000 transferred from the Transbay Tube Seismic Retrofit Project II to the Oakland Airport Connector Project, and that BART is willing to pledge it will make those funds available, if necessary, to complete the Transbay Retrofit Project

Dear Mr. Chin:

On behalf of myself and Scott Schroeder, the District's Controller-Treasurer, I can assure you that BART has \$50,000,000 in Earthquake Safety Program General Obligation Bond funds available to backfill any MTC funds redirected from the Transbay Tube Seismic Retrofit Project to the Oakland Airport Connector Project, in the event those funds may be needed to complete seismic retrofit work on the Transbay Tube.

In addition to the availability of these funds, I will pledge that these funds will be available, in the unlikely event they are needed, to complete the Transbay Tube Seismic Retrofit Project.


 Dorothy W. Dugger, General Manager


 Scott L. Schroeder, Controller-Treasurer

Date: February 25, 2009
W.I.: 1512
Referred by: PAC
Revised: 03/25/09-C
04/22/09-C
05/27/09-C
07/22/09-C

ABSTRACT

Resolution No. 3885, Revised

This resolution adopts the policy and programming for the American Recovery and Reinvestment Act (ARRA) Program. The policy contains the project categories that are to be funded with FY 2008-09 ARRA program funds for inclusion in the 2009 Transportation Improvement Program (TIP).

The resolution includes the following attachments:

- Attachment A - American Recovery and Reinvestment Act Policy and Programming
- Attachment B - Tier 1 Programming
- Attachment C - Tier 2 Programming

This resolution was revised on March 25, 2009 to make minor project modification as identified by the project sponsors, in particular, the federal agencies clarified that ADA operating expenses would be allowed for up to 10% of the funding so some changes take into account this added flexibility.

This resolution was revised on April 22, 2009 to make minor project modifications to local streets and roads projects identified by the project sponsors and to elevate the non-system preservation projects from Tier 2 to Tier 1 to allow programming these projects in the TIP (Attachments B-1 and B-2). The revision also made changes to several SFMTA projects in the transit system preservation category. Lastly, the Tier 2 streets and road system preservation contingency list (Attachment C-1) was superseded by Resolution No. 3896, which directed \$23 million to streets and road preservation projects, thereby meeting the Tier 2 commitments. Attachment C-1 is therefore no longer needed and is deleted.

This resolution was revised on May 27, 2009 to authorize the Executive Director or designee to revise Attachment B as necessary to reflect the programming of funds as projects are revised in the TIP.

ABSTRACT

MTC Resolution No. 3885, Revised

Page 2

This resolution was revised on July 22, 2009 to move \$70 million in funding for the Oakland Airport Connector non-system preservation project from Tier 2 to Tier 1, having confirmed that the project has met the specified conditions in the resolution.

Further discussion of the American Recovery and Reinvestment Act Program is contained in the MTC Executive Director's Memorandum to the Programming and Allocations Committee dated February 11, 2009, the Deputy Executive Director Memorandum to the Commission dated February 25, 2009, the Executive Director Memorandum to the Commission dated March 25, 2009, and the Programming and Allocations Committee Summary dated April 8, 2009, May 13, 2009, and July 8, 2009.

METROPOLITAN TRANSPORTATION COMMISSION
American Recovery and Reinvestment Act
Federal Transit Administration Formula Program
TIER 1
April 22, 2009

Project Title	Implementing Agency	TIP ID No.	Tier 1 ARRA Funding
Non-System Preservation Project			\$70,000,000
Oakland Airport Connector	BART	BRT990002	\$70,000,000

Project Title	Implementing Agency	TIP ID No.	Tier 1 ARRA Funding
Public Transit System Preservation Projects			\$271,036,357
AC Transit			
Preventive Maintenance	AC Transit	REG090019	\$23,165,013
ADA Paratransit Operations	AC Transit	REG090019	\$2,573,890
SUBTOTAL			\$25,738,903

BART			
Preventive Maintenance	BART	REG090023	\$10,000,000
480V Switchgear Replacement	BART	REG090023	\$20,000,000
Pleasant Hill Crossover Project	BART	REG090023	\$13,000,000
		REG090019,	
Balboa Station Walkway Safety Project	BART	REG090020,	
		REG090021,	
		REG090023	\$2,000,000
Replacement of anodes and anode cables on the Transbay Tube	BART	REG090021,	
		REG090023	\$5,184,119
Coverboards Replacement	BART	REG090020	\$4,184,120
Capacity Interior Reconfiguration for 105 cars	BART	REG090020	\$1,050,000
		REG090019,	
Floor and Seat Cushion Replacement for 50 cars	BART	REG090020,	
		REG090023	\$2,550,000
Replacement of Auxilliary Power Supply Equipment (APSE) on 30 C-1 cars	BART	REG090019	\$4,800,000
Between-Car Barriers	BART	REG090019	\$2,300,000
Project Development for Concord Shop Wheel Truing Machine	BART	REG090019	\$300,000
SUBTOTAL			\$65,368,239

Caltrain			
Track and Infrastructure Rehabilitation	Caltrain	REG090011,	
		REG090024	\$5,500,000
San Mateo County Railroad Bridge Replacement	Caltrain	REG090011	\$1,809,632
Replacement of Operations Control Center System	Caltrain	REG090011	\$2,900,000
Bike Racks	Caltrain	REG090011	\$200,000
SUBTOTAL			\$10,409,632

GGBHTD			
Refurbish One Ferry Boat	GGBHTD	REG090019,	
		REG090014	\$8,566,469
Automated Vehicle Location System	MCTD	REG090019	\$250,000
Mobile Data Terminals for Paratransit Fleet	MCTD	REG090019	\$360,000
Data Management System	MCTD	REG090019	\$250,000
SUBTOTAL			\$9,426,469

SFMTA			
LRV Doors and Steps Reconditioning	SFMTA	REG090019	\$15,000,000
Motor Coach Component Life-Cycle Rehabilitation	SFMTA	REG090019	\$16,055,979
Central Control & Communications Interim Line Management Center	SFMTA	REG090019	\$400,000
ATCS Inductive Loop Cable In The Muni Metro Subway	SFMTA	REG090019	\$1,000,000
Capital Planning and Grant Management Application	SFMTA	REG090019	\$250,000
Bus Yard Workstation Station Replacement	SFMTA	REG090019	\$100,000
Cable Car Kiosks	SFMTA	REG090019	\$350,000
Change Machines	SFMTA	REG090019	\$40,000
Miscellaneous Preventive Maintenance of Track Switches	SFMTA	REG090019	\$1,000,000
Replace Fare Collection Equipment	SFMTA	REG090019	\$11,000,000
Infrastructure & Facility Enhancement and Maintenance	SFMTA	REG090019	\$4,050,001
Preventive Maintenance	SFMTA	REG090019	\$18,000,000
SUBTOTAL			\$67,245,980

Samtrans

Replacement of up to 132 buses	Samtrans	REG090019	\$3,090,442
Preventive Maintenance	Samtrans	REG090019	\$4,000,000
ADA Paratransit Set-Aside	Samtrans	REG090019	\$787,827
SUBTOTAL			\$7,878,269

VTA

107 Hybrid 40' Bus Replacements	VTA	REG090011,	
		REG090022	\$47,152,840
Bus Stop Enhancements	VTA	REG090011	\$351,844
SUBTOTAL			\$47,504,684

ACE

Midlife Overhaul of 5 ACE locomotives	ACE	REG090024	\$2,954,552
SUBTOTAL			\$2,954,552

CCCTA

Preventive Maintenance	CCCTA	REG090020	\$4,265,594
SUBTOTAL			\$4,265,594

ECCTA

Preventive Maintenance FY09/10	ECCTA	REG090021	\$2,811,232
Replace Support Vehicles w/ Hybrids	ECCTA	REG090021	\$252,000
IT Structure - Replace all Office Hardware & Software	ECCTA	REG090021	\$1,000,000
SUBTOTAL			\$4,063,232

Fairfield

FAST Preventive Maintenance	Fairfield	REG090018	\$550,000
MCI bus repower (9)	Fairfield	REG090018	\$1,150,000
Bus Purchase/replacements (3)	Fairfield	REG090018	\$417,747
GFI Fareboxes/counters for transit vehicles	Fairfield	REG090018	\$1,017,238
SUBTOTAL			\$3,134,985

LAVTA

Rehabilitation Projects	LAVTA	REG090017	\$1,023,000
Preventive Maintenance	LAVTA	REG090017,	
		REG090020	\$1,678,997
ADA Paratransit	LAVTA	REG090020	\$300,222
SUBTOTAL			\$3,002,219

NCTPA

VINE Capital Rolling Stock	NCTPA	REG090013,	
		REG090016	\$2,000,000
Trancas/29 Park & Ride Lot	NCTPA	REG090016	\$779,727
SUBTOTAL			\$2,779,727

Santa Rosa CityBus

Hybrid Bus Purchase	Santa Rosa CityBus	REG090012	\$200,851
ADA Paratransit Operations	Santa Rosa CityBus	REG090012	\$428,913
Preventive Maintenance	Santa Rosa CityBus	REG090012	\$3,596,927
Transit Enhancements	Santa Rosa CityBus	REG090012	\$62,442
SUBTOTAL			\$4,289,133

Sonoma County Transit

Preventive Maintenance	Sonoma County Transit	REG090012	\$1,350,000
CNG Bus Purchase	Sonoma County Transit	REG090012	\$605,044
SUBTOTAL			\$1,955,044

Union City

Replacement Buses (2)	Union City	REG090019	\$297,060
SUBTOTAL			\$297,060

City of Vacaville

Fixed Route bus replacement	City of Vacaville	REG090015	\$1,734,372
Vacaville Intermodal Station	City of Vacaville	REG090015	\$482,702
SUBTOTAL			\$2,217,074

Revised: 03/25/09-C

04/22/09-C

07/22/09-C

City of Vallejo

Rehab/Preventive Maintenance	City of Vallejo	REG090016, REG090019	\$4,000,000
Ferry Terminal ADA, Rehab	City of Vallejo	REG090019	\$800,000
Bus Maintenance Facility	City of Vallejo	REG090019	\$812,324
Repower Ferry Engines	City of Vallejo	REG090019	\$2,000,000
Fueling Station Upgrade	City of Benicia	REG090016	\$60,000
Replace 12 Bus Shelters	City of Benicia	REG090016	\$72,000
SUBTOTAL			\$7,744,324

WestCat

Preventive Maintenance	WestCat	REG090019	\$761,237
SUBTOTAL			\$761,237

ARRA - Public Transit System Preservation Total**\$ 271,036,357****ARRA - Public Transit System Preservation and Strategic Investment Total****\$ 341,036,357**

METROPOLITAN TRANSPORTATION COMMISSION
American Recovery and Reinvestment Act
Federal Transit Administration Formula Program
TIER 2
April 22, 2009

Tier 2 - Strategic Investments

Project Title	Implementing Agency	Tier 2 ARRA Funding
Non-System Preservation Project		\$70,000,000
Oakland Airport Connector	BART	\$70,000,000

Tier 2 Contingency List

Project Title	Implementing Agency	Tier 2 ARRA Funding
Public Transit System Preservation Projects		\$70,000,000
AC Transit		
Preventive Maintenance	AC Transit	\$6,682,626
SUBTOTAL		\$6,682,626
BART		
Additional Coverboards Replacement	BART	\$6,000,000
Additional APSE units for 40 more C-1 cars	BART	\$6,400,000
Additional Floor and Seat Cushion Replacements for 50 more cars	BART	\$2,550,000
Additional Car Capacity Interior Reconfiguration for 100 more cars	BART	\$1,000,000
48V Power Supplies for Station Communications	BART	\$1,022,051
SUBTOTAL		\$16,972,051
Caltrain		
San Mateo County Railroad Bridge Replacement	Caltrain	\$2,684,596
SUBTOTAL		\$2,684,596
GGBHTD		
Bus Wash Racks/Water Reclamation System	GGBHTD	\$2,447,279
SUBTOTAL		\$2,447,279
SFMTA		
LRV Truck Rebuild Program - Phase I	SFMTA	\$13,158,767
Preventive Maintenance	SFMTA	\$4,300,000
SUBTOTAL		\$17,458,767
Samtrans		
Replacement of up to 137 buses	Samtrans	\$2,045,371
SUBTOTAL		\$2,045,371
VTA		
107 Hybrid 40' Bus Replacements	VTA	\$12,251,784
SUBTOTAL		\$12,251,784
ACE		
Midlife Overhaul of 5 ACE locomotives	ACE	\$763,107
SUBTOTAL		\$763,107
CCCTA		
Preventive Maintenance	CCCTA	\$1,107,398
SUBTOTAL		\$1,107,398

ECCTA

IT Structure - Replace all Office Hardware & Software	ECCTA	\$500,000
Resurface Bus Parking Lot	ECCTA	\$468,120
Replace Shop Lifts	ECCTA	\$86,768
SUBTOTAL		\$1,054,888

Fairfield

Bus Purchase/replacements (6)	Fairfield	\$788,484
SUBTOTAL		\$788,484

LAVTA

ADA Paratransit	LAVTA	\$77,905
Preventive Maintenance	LAVTA	\$701,141
SUBTOTAL		\$779,046

NCTPA

VINE PMI Tools & Equipment	NCTPA	\$400,000
VINE Bus Rehab	NCTPA	\$321,312
SUBTOTAL		\$721,312

Santa Rosa CityBus

Hybrid Bus Purchase	Santa Rosa CityBus	\$983,249
SUBTOTAL		\$983,249

Sonoma County Transit

CNG Bus Purchase	Sonoma County Transit	\$448,161
SUBTOTAL		\$448,161

Union City

Replacement Buses (2)	Union City	\$77,123
SUBTOTAL		\$77,123

City of Vacaville

Vacaville Intermodal Station	City of Vacaville	\$527,655
SUBTOTAL		\$527,655

City of Vallejo

Vallejo Station	City of Vallejo	\$2,009,466
SUBTOTAL		\$2,009,466

WestCat

Preventive Maintenance	WestCat	\$107,637
Facility Upgrade		\$90,000
SUBTOTAL		\$197,637

ARRA - Public Transit System Preservation Total**\$ 70,000,000**

Date: January 28, 2009
W.I.: 1515
Referred by: PAC
Revised: 07/22/09-C

ABSTRACT

Resolution No. 3884, Revised

This resolution adopts priorities for the Proposition 1B – State Local Partnership Program funding, due to MTC based on voter-approved bridge toll generations.

Attachment A Proposition 1B State Local Partnership Program Project List

Attachment A to this resolution was amended on July 22, 2009 to program \$20 million in SLPP reserve funds to the BART Oakland Airport Connector project.

Further discussion of this action is contained in the Programming and Allocations Committee summary sheets dated January 14, 2009 and July 8, 2009.

**METROPOLITAN TRANSPORTATION COMMISSION
 PROPOSITION 1B - STATE LOCAL PARTNERSHIP PROGRAM
 Project List
 Attachment A**

Project Title	County	Implementing Agency	SLPP Funding (thousand \$)
1. BART to Warm Springs Extension*	Alameda	BART	\$40,000
2. BART Oakland Airport Connector**	Alameda	BART	\$20,000
SUBTOTAL			\$60,000

State Local Partnership Program - Total \$60,000

- * Programming commitment subject to the conditions listed in Resolution 3434.
- ** Programming commitment subject to the conditions listed in Resolution 3885, Revised.
 Actual SLPP funding available may vary - this allocation shall not exceed \$20 million.

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Date: December 19, 2007
W.I.: 1515
Referred by: PAC
Revised: 04/23/08-C
07/22/09-C

ABSTRACT

Resolution No. 3834, Revised

This resolution adopts the FY 2007-08 priorities for the Proposition 1B – Regional Transit Program for the San Francisco Bay Area.

Attachment A Allocation Principles for Proposition 1B Transit FY 2007-08 Population-based Funds

Attachment B FY 2007-08 Proposition 1B Transit Population-based Funds Project List

Attachment B of this resolution was amended on April 23, 2008 to include requests for allocations in FY 2007-08 - Round 2.

This resolution was revised on July 22, 2009 to include a programming change in the Urban Core category, reassigning \$13 million from the BART Earthquake Safety project to the BART Oakland Airport Connector project.

Further discussion of this action is contained in the MTC Executive Director's Memorandum dated December 12, 2007, and the Programming and Allocations Committee summary sheets dated April 9, 2008 and July 8, 2009.

Date: December 19, 2007

W.I.: 1515

Referred by: PAC

Revised: 04/23/08-C

Revised: 07/22/09-C

Attachment B

Resolution No. 3834

Page 1 of 1

**Proposition 1B - Transit Capital Funds - Population-Share
FY 2007-08 Allocation Requests for Submittal to Caltrans based on \$57.7 Million Available to MTC**

Sponsor	Project Description	Category	Amount	MTC Approval Date
MTC	TransLink® *	Lifeline	2,420,000	12/19/07
MTC	Regional Transit Connectivity *	Lifeline	9,858,000	12/19/07
BART	BART Earthquake Safety Program	Urban Core	11,000,000	12/19/2007, 7/22/09
Santa Clara Valley Transportation Authority	Line 522/523 Bus Rapid Transit	Urban Core	9,726,977	12/19/07
Marin County Transportation District	Shuttle Vehicles	Small Operators/North Counties	151,610	12/19/07
Golden Gate Bridge, Highway and Transportation District	Maintenance Facility Improvements	Small Operators/North Counties	414,019	12/19/07
Napa County Transportation Planning Agency	Bus Purchase	Small Operators/North Counties	300,170	12/19/07
Vallejo Transit	Bus Purchase	Small Operators/North Counties	304,082	12/19/07
Vacaville City Coach	Bus Purchase	Small Operators/North Counties	240,000	12/19/07
Fairfield/Suisun Transit	Bus Purchase	Small Operators/North Counties	400,000	12/19/07
Santa Rosa Citybus	Bus Purchase	Small Operators/North Counties	501,869	12/19/07
Sonoma County Transit	Bus Purchase	Small Operators/North Counties	569,657	12/19/07
CCCTA	Diablo Valley Transit Center	Small Operators/North Counties	1,089,177	12/19/07
ECCTA	Bus Purchase	Small Operators/North Counties	607,111	12/19/07
LAVTA	Bus Rapid Transit - Route 10	Small Operators/North Counties	429,294	12/19/07
Union City	Bus Purchase	Small Operators/North Counties	158,878	12/19/07
WestCat	Bus Purchase	Small Operators/North Counties	150,701	12/19/07
BART	Ashby BART Station Elevator	Lifeline	2,000,000	04/23/08
LAVTA	LAVTA Bus Shelters	Lifeline	100,000	04/23/08
AC Transit	Bus Purchase	Lifeline	2,998,588	04/23/08
BART	Oakland Airport Connector	Urban Core	13,000,000	07/22/09
Total			56,420,133	

*Allocations to MTC Regional Programs increase Lifeline Program access to STA flexible funds - up to \$32 million will be exchanged per Resolution 3814.

Date: June 27, 2007
W.I.: 1255
Referred by: PAC
Revised: 01/28/09-C
07/22/09-C

ABSTRACT

MTC Resolution No. 3801, Revised

This resolution approves amendments to the Regional Measure 2 program for project scope changes, funding amounts, or addition and deletion of projects as permitted by Streets and Highways Code Section 30914 *et seq.*

This resolution includes Attachment A describing the amendments and Attachment B describing the updated Regional Measure 2 Project List.

This resolution was revised on January 28, 2009 to reassign \$91 million in RM2 funds from the East to West Bay Commuter Rail Service over the Dumbarton Rail Bridge project to the BART to Warm Springs Extension project, and to reassign \$10 million in RM2 funds from the BART Tube Seismic Strengthening project to the BART Oakland Airport Connector project.

This resolution was revised on July 22, 2009 to reassign \$37 million in RM2 funds from the BART Tube Seismic Strengthening project to the Oakland Airport Connector project.

Additional discussion of this allocation is contained in the summary sheet to the MTC Programming and Allocations Committee dated June 13, 2007, January 14, 2009 and July 8, 2009.

Date: June 27, 2007
W.I.: 1255
Referred by: PAC

Re: Approval of Amendments to the Regional Measure 2 Program

METROPOLITAN TRANSPORTATION COMMISSION
RESOLUTION No. 3801

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 2003), 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 is to fund the projects of the Regional Traffic Relief Plan by transferring RM2 authorized funds to MTC; and

WHEREAS, Streets and Highways Code Section 30914(f) authorizes MTC to modify any RM2 program and the scope of any RM2 project, decrease its level of funding, or reassign some or all of the funds to another program or project; and

WHEREAS, MTC has been requested to make the changes in the RM2 program and projects specified in Attachment A to this resolution pursuant to Streets and Highways Code Section 30914(f) for the reasons set forth in Attachment A; and

WHEREAS, MTC has consulted with the sponsor or sponsors of each of the programs and projects listed in Attachment A; and

WHEREAS, MTC has held a public hearing concerning each such program or project on the dates specified in Attachment A; and

WHEREAS, the sponsors of each of the projects and programs listed in Attachment A have agreed to comply with the RM2 Policies and Procedures adopted by MTC; and

WHEREAS, each sponsor of a project listed in Attachment A has provided an initial project report to MTC pursuant to Streets and Highways Code Section 30914(e) or agreed to provide such a report to MTC within the time period specified by MTC in recognition of the statutory requirement that no funds may be allocated by MTC for any such project until the project sponsor submits the initial project report and the report is reviewed and approved by MTC; and

WHEREAS, based on the above-described consultations with sponsors, the information provided at public hearings, and MTC staff advice, MTC has concluded that the changes in the RM2 program and projects specified in Attachment A to this resolution are consistent with the intent of Chapter 4 of Division 17 of the Streets and Highways Code to reduce congestion or make improvements to travel in the toll bridge corridors; and

WHEREAS, Attachment B to this resolution, attached hereto and incorporated herein as though set forth at length, is the updated project list for the RM2 Program;

NOW, THEREFORE, IT IS

RESOLVED, that MTC hereby makes the changes in the RM2 program and projects specified in Attachment A and Attachment B to this resolution pursuant to Streets and Highways Code Section 30914(f) in the amounts, for the reasons, and subject to the conditions set forth in Attachment A, which is hereby incorporated into this resolution.

METROPOLITAN TRANSPORTATION COMMISSION

Bill Dodd, Chair

The above resolution was adopted by the Metropolitan Transportation Commission at the regular meeting of the Commission held in Oakland, California, on June 27, 2007.

Date: June 27, 2007
 Referred by: PAC
 Revised: 01/28/09-C
 07/22/09-C

Attachment A
 Resolution No. 3801
 Page 1 of 2

Summary of Project/Program Changes

<u>Project or Program</u>	<u>Sponsor(s)</u>	<u>Change (hearing date)</u>	<u>Reason</u>	<u>Conditions</u>
BART Tube Seismic Strengthening (Streets and Highways Code Section 30914(c)(21))	BART	Reduce funding by \$62 million (hearing date June 13, 2007)	Project is to be implemented with other funds not derived from tolls, including \$24 million from state bond financing and \$38 million from state-provided STIP funds	Contingent upon the California Transportation Commission approving an allocation of \$38 million in STIP funds to the project in FY 07-08
Oakland Airport Connector (Streets and Highways Code Section 30914(c)(23))	Port of Oakland and BART	Increase funding by \$38 million (hearing date June 13, 2007)	Local funding needed for project due to nature of procurement method	Contingent upon the allocation of STIP funds to the BART Tube Seismic Strengthening project as described above
BART Transit Capital Rehabilitation (new Streets and Highways Code Section 30914(c) project)	BART	Provide \$24 million in funding as local matching funds for BART's fixed guideway rehabilitation and replacement projects funded with federal dollars in fiscal years 2006-07 and 2007-08 (hearing date June 13, 2007)	Project is consistent with the intent of Chapter 4 of Division 17 of the Streets and Highways Code in that it will reduce congestion or make improvements to travel in the toll bridge corridors	
East to West Bay Commuter Rail Service over the Dumbarton Rail Bridge (Streets and Highways Code Section 30914(c)(4))	ACCMA, ACTIA, Capital Corridor, SMCTA	Reduce funding by \$91million (hearing date January 14, 2009)	a) Project not in a state of readiness to proceed b) Project is to be implemented with future Alameda County State Improvement Program (STIP) funds to be committed by the ACCMA in December 2008	None — Alameda County Congestion Management Agency committed \$91 million in future year STIP funds to the project in December 2008

Date: June 27, 2007
 Referred by: PAC
 Revised: 01/28/09-C
 07/22/09-C

Attachment A
 Resolution No. 3801
 Page 2 of 2

<u>Project or Program</u>	<u>Sponsor(s)</u>	<u>Change (hearing date)</u>	<u>Reason</u>	<u>Conditions</u>
BART Warm Springs Extension (Streets and Highways Code Section 30914(c)(31))	BART	Increase funding by \$91million (hearing date January 14, 2009)	Project is ready-to-go and \$91 million helps to close the funding shortfall	None — Alameda County Congestion Management Agency committed \$91 million in future year STIP funds to the Dumbarton Rail project in December 2008
BART Tube Seismic Strengthening (Streets and Highways Code Section 30914(c)(21))	BART	Reduce funding by \$10 million (hearing date January 14, 2009)	Project is to be implemented with other funds not derived from tolls, including \$10 million from state Interregional Improvement Program (IIP) funds	None - California Transportation Commission programmed IIP funds to this project in July 2008
Oakland Airport Connector (Streets and Highways Code Section 30914(c)(23))	Port of Oakland and BART	Increase funding by \$10 million (hearing date January 14, 2009)	Local funding needed for project due to potential nature of procurement method	None
BART Tube Seismic Strengthening (Streets and Highways Code Section 30914(c)(21))	BART	Reduce funding by \$37,199,000 (hearing date June 10 & July 8, 2009)	Sponsor certified cost savings and use of alternate funding on project. Sponsor requested reassignment of savings to the Oakland Airport Connector project	None
Oakland Airport Connector (Streets and Highways Code Section 30914(c)(23))	Port of Oakland and BART	Increase funding by \$37,199,000 (hearing date June 10 & July 8, 2009)	Funding needed to complete project funding plan	None

Date: June 27, 2007
W.I.: 1255
Referred by: PAC
Revised: 01/28/09-C
07/22/09-C

Attachment B
Resolution No. 3801
Page 1 of 9

**Regional Measure 2 Program: Project List as Amended
(changes are noted in italics)**

Streets and Highways Code Sections 30914(c)

- (1) BART/MUNI Connection at Embarcadero and Civic Center Stations. Provide direct access from the BART platform to the MUNI platform at the above stations and equip new fare gates that are TransLink® ready. Three million dollars (\$3,000,000). The project sponsor is BART.
- (2) MUNI Metro Third Street Light Rail Line. Provide funding for the surface and light rail transit and maintenance facility to support MUNI Metro Third Street Light Rail service connecting to Caltrain stations and the E-Line waterfront line. Thirty million dollars (\$30,000,000). The project sponsor is MUNI.
- (3) MUNI Waterfront Historic Streetcar Expansion. Provide funding to rehabilitate historic streetcars and construct trackage and terminal facilities to support service from the Caltrain Terminal, the Transbay Terminal, and the Ferry Building, and connecting the Fisherman's Wharf and northern waterfront. Ten million dollars (\$10,000,000). The project sponsor is MUNI.
- (4) East to West Bay Commuter Rail Service over the Dumbarton Rail Bridge. Provide funding for the necessary track and station improvements and rolling stock to interconnect the BART and Capitol Corridor at Union City with Caltrain service over the Dumbarton Rail Bridge, and interconnect and provide track improvements for the ACE line with the same Caltrain service at Centerville. Provide a new station at Sun Microsystems in Menlo Park. The project is jointly sponsored by the San Mateo County Transportation Authority, Capitol Corridor, the Alameda County Congestion Management Agency, and the Alameda County Transportation Improvement Authority. One hundred thirty-five million dollars (\$135,000,000); *Funding reduced by \$91 million (hearing date January 14, 2009). Present Amount: Forty four million dollars (\$44,000,000).*
- (5) Vallejo Station. Construct intermodal transportation hub for bus and ferry service, including parking structure, at site of Vallejo's current ferry terminal. Twenty-eight million dollars (\$28,000,000). The project sponsor is the City of Vallejo.

- (6) Solano County Express Bus Intermodal Facilities. Provide competitive grant fund source, to be administered by the Metropolitan Transportation Commission. Eligible projects are Curtola Park and Ride, Benicia Intermodal Facility, Fairfield Transportation Center and Vacaville Intermodal Station. Priority to be given to projects that are fully funded, ready for construction, and serving transit service that operates primarily on existing or fully funded high-occupancy vehicle lanes. Twenty million dollars (\$20,000,000). The project sponsor is Solano Transportation Authority.
- (7) Solano County Corridor Improvements near Interstate 80/Interstate 680 Interchange. Provide funding for improved mobility in corridor based on recommendations of joint study conducted by the Department of Transportation and the Solano Transportation Authority. Cost-effective transit infrastructure investment or service identified in the study shall be considered a high priority. One hundred million dollars (\$100,000,000). The project sponsor is Solano Transportation Authority.
- (8) Interstate 80: Eastbound High-Occupancy Vehicle (HOV) Lane Extension from Route 4 to Carquinez Bridge. Construct HOV-lane extension. Fifty million dollars (\$50,000,000). The project sponsor is the Department of Transportation.
- (9) Richmond Parkway Transit Center. Construct parking structure and associated improvements to expand bus capacity. Sixteen million dollars (\$16,000,000). The project sponsor is Alameda-Contra Costa Transit District, in coordination with West Contra Costa Transportation Advisory Committee, Western Contra Costa Transit Authority, City of Richmond, and the Department of Transportation.
- (10) Sonoma-Marin Area Rail Transit District (SMART) Extension to Larkspur or San Quentin. Extend rail line from San Rafael to a ferry terminal at Larkspur or San Quentin. Thirty-five million dollars (\$35,000,000). Up to five million dollars (\$5,000,000) may be used to study, in collaboration with the Water Transit Authority, the potential use of San Quentin property as an intermodal water transit terminal. The project sponsor is SMART.
- (11) Greenbrae Interchange/Larkspur Ferry Access Improvements. Provide enhanced regional and local access around the Greenbrae Interchange to reduce traffic congestion and provide multimodal access to the Richmond-San Rafael Bridge and Larkspur Ferry Terminal by constructing a new full service diamond interchange at Wornum Drive south of the Greenbrae Interchange, extending a multiuse pathway from the new interchange at Wornum Drive to East Sir Francis Drake Boulevard and the Cal Park Hill rail right-of-way, adding a new lane to East Sir Francis Drake Boulevard and rehabilitating the Cal Park Hill Rail Tunnel and right-of-way approaches for bicycle and pedestrian access to connect the San Rafael Transit

Center with the Larkspur Ferry Terminal. Sixty-five million dollars (\$65,000,000). The project sponsor is Marin County Congestion Management Agency.

- (12) Direct High-Occupancy Vehicle (HOV) lane connector from Interstate 680 to the Pleasant Hill or Walnut Creek BART stations or in close proximity to either station or as an extension of the southbound Interstate 680 High-Occupancy Vehicle Lane through the Interstate 680/State Highway Route 4 interchange from North Main in Walnut Creek to Livorna Road. The County Connection shall utilize up to one million dollars (\$1,000,000) of the funds described in this paragraph to develop options and recommendations for providing express bus service on the Interstate 680 High-Occupancy Vehicle Lane south of the Benicia Bridge in order to connect to BART. Upon completion of the plan, the Contra Costa Transportation Authority shall adopt a preferred alternative provided by the County Connection plan for future funding. Following adoption of the preferred alternative, the remaining funds may be expended either to fund the preferred alternative or to extend the high-occupancy vehicle lane as described in this paragraph. Fifteen million dollars (\$15,000,000). The project is sponsored by the Contra Costa Transportation Authority.
- (13) Rail Extension to East Contra Costa/E-BART. Extend BART from Pittsburg/Bay Point Station to Byron in East Contra Costa County. Ninety-six million dollars (\$96,000,000). Project funds may only be used if the project is in compliance with adopted BART policies with respect to appropriate land use zoning in vicinity of proposed stations. The project is jointly sponsored by BART and Contra Costa Transportation Authority.
- (14) Capitol Corridor Improvements in Interstate 80/Interstate 680 Corridor. Fund track and station improvements, including the Suisun Third Main Track and new Fairfield Station. Twenty-five million dollars (\$25,000,000). The project sponsor is Capitol Corridor Joint Powers Authority and the Solano Transportation Authority.
- (15) Central Contra Costa Bay Area Rapid Transit (BART) Crossover. Add new track before Pleasant Hill BART Station to permit BART trains to cross to return track towards San Francisco. Twenty-five million dollars (\$25,000,000). The project sponsor is BART.
- (16) Benicia-Martinez Bridge: New Span. Provide partial funding for completion of new five-lane span between Benicia and Martinez to significantly increase capacity in the I-680 corridor. Fifty million dollars (\$50,000,000). The project sponsor is the Bay Area Toll Authority.
- (17) Regional Express Bus North. Competitive grant program for bus service in Richmond-San Rafael Bridge, Carquinez, Benicia-Martinez and Antioch Bridge corridors. Provide funding for park and ride lots, infrastructure improvements, and

rolling stock. Eligible recipients include Golden Gate Bridge Highway and Transportation District, Vallejo Transit, Napa VINE, Fairfield-Suisun Transit, Western Contra Costa Transit Authority, Eastern Contra Costa Transit Authority, and Central Contra Costa Transit Authority. The Golden Gate Bridge Highway and Transportation District shall receive a minimum of one million six hundred thousand dollars (\$1,600,000). Napa VINE shall receive a minimum of two million four hundred thousand dollars (\$2,400,000). Twenty million dollars (\$20,000,000). The project sponsor is the Metropolitan Transportation Commission.

- (18) TransLink. Integrate the Bay Area's regional smart card technology, TransLink, with operator fare collection equipment and expand system to new transit services. Twenty-two million dollars (\$22,000,000). The project sponsor is the Metropolitan Transportation Commission.
- (19) Real-Time Transit Information. Provide a competitive grant program for transit operators for assistance with implementation of high-technology systems to provide real-time transit information to riders at transit stops or via telephone, wireless, or Internet communication. Priority shall be given to projects identified in the commission's connectivity plan adopted pursuant to subdivision (d) of Section 30914.5. Twenty million dollars (\$20,000,000). The funds shall be administered by the Metropolitan Transportation Commission.
- (20) Safe Routes to Transit: Plan and construct bicycle and pedestrian access improvements in close proximity to transit facilities. Priority shall be given to those projects that best provide access to regional transit services. Twenty-two million five hundred thousand dollars (\$22,500,000). City Car Share shall receive two million five hundred thousand dollars (\$2,500,000) to expand its program within approximately one-quarter mile of transbay regional transit terminals or stations. The City Car Share project is sponsored by City Car Share and the Safe Routes to Transit project is jointly sponsored by the East Bay Bicycle Coalition and the Transportation and Land Use Coalition. These sponsors must identify a public agency cosponsor for purposes of specific project fund allocations.
- (21) BART Tube Seismic Strengthening. Add seismic capacity to existing BART tube connecting the east bay with San Francisco. The project sponsor is BART. Forty-three million dollars (\$43,000,000); *funding reduced by \$62 million (hearing date June 13, 2007); funding reduced by \$10 million (hearing date January 14, 2009); funding reduced by \$37,199,000 (hearing dates June 10, 2009 and July 8, 2009). Present Amount: Thirty-three million eight hundred one thousand dollars (\$33,801,000).*
- (22) Transbay Terminal/Downtown Caltrain Extension. A new Transbay Terminal at First and Mission Streets in San Francisco providing added capacity for transbay, regional, local, and intercity bus services, the extension of Caltrain rail services into

the terminal, and accommodation of a future high-speed passenger rail line to the terminal and eventual rail connection to the east bay. Eligible expenses include project planning, design and engineering, construction of a new terminal and its associated ramps and tunnels, demolition of existing structures, design and development of a temporary terminal, property and right-of-way acquisitions required for the project, and associated project-related administrative expenses. A bus- and train-ready terminal facility, including purchase and acquisition of necessary rights-of-way for the terminal, ramps, and rail extension, is the first priority for toll funds for the Transbay Terminal/Downtown Caltrain Extension Project. The temporary terminal operation shall not exceed five years. One hundred fifty million dollars (\$150,000,000). The project sponsor is the Transbay Joint Powers Authority.

- (23) Oakland Airport Connector. New transit connection to link BART, Capitol Corridor and AC Transit with Oakland Airport. The Port of Oakland shall provide a full funding plan for the connector. The project sponsors are the Port of Oakland and BART. Thirty million dollars (\$30,000,000); *funding increased by \$38 million (hearing date June 13, 2007); funding increased by \$10 million (hearing date January 14, 2009); funding increased by \$37,199,000 (hearing dates June 10, 2009 and July 8, 2009)*. Present Amount: *One hundred fifteen million one hundred ninety-nine thousand dollars (\$115,199,000)*.
- (24) AC Transit Enhanced Bus-Phase 1 on Telegraph Avenue, International Boulevard, and East 14th Street (Berkeley-Oakland-San Leandro). Develop enhanced bus service on these corridors, including bus bulbs, signal prioritization, new buses, and other improvements. Priority of investment shall improve the AC connection to BART on these corridors. Sixty-five million dollars (\$65,000,000). The project sponsor is AC Transit.
- (25) Commute Ferry Service for Alameda/Oakland/Harbor Bay. Purchase two vessels for ferry services between Alameda and Oakland areas and San Francisco. 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. Twelve million dollars (\$12,000,000). The project sponsor is Water Transit Authority. If the Water Transit 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.
- (26) Commute Ferry Service for Berkeley/Albany. Purchase two vessels for ferry services between the Berkeley/Albany Terminal and San Francisco. Parking access and landside feeder connections must be sufficient to support ridership projections. Twelve million dollars (\$12,000,000). The project sponsor is Water Transit Authority. If the Water Transit 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. If the Water Transit Authority does not have an entitled terminal site within the Berkeley/Albany catchment area by 2010 that meets its requirements, the funds described in this paragraph and the operating funds described in paragraph (7) of subdivision (d) shall be transferred to another site in the East Bay. The City of Richmond shall be given first priority to receive this transfer of funds if it has met the planning milestones identified in its special study developed pursuant to paragraph (28).

- (27) Commute Ferry Service for South San Francisco. Purchase two vessels for ferry services to the Peninsula. Parking access and landside feeder connections must be sufficient to support ridership projections. Twelve million dollars (\$12,000,000). The project sponsor is Water Transit Authority. If the Water Transit 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.
- (28) Water Transit Facility Improvements, Spare Vessels, and Environmental Review Costs. Provide two backup vessels for water transit services, expand berthing capacity at the Port of San Francisco, and expand environmental studies and design for eligible locations. Forty-eight million dollars (\$48,000,000). The project sponsor is Water Transit Authority. Up to one million dollars (\$1,000,000) of the funds described in this paragraph shall be made available for the Water Transit Authority to study accelerating development and other milestones that would potentially increase ridership at the City of Richmond ferry terminal.
- (29) Regional Express Bus Service for San Mateo, Dumbarton, and Bay Bridge Corridors. Expand park and ride lots, improve HOV access, construct ramp improvements, and purchase rolling stock. Twenty-two million dollars (\$22,000,000). The project sponsors are AC Transit and Alameda County Congestion Management Agency.
- (30) I-880 North Safety Improvements. Reconfigure various ramps on I-880 and provide appropriate mitigations between 29th Avenue and 16th Avenue. Ten million dollars (\$10,000,000). The project sponsors are Alameda County Congestion Management Agency, City of Oakland, and the Department of Transportation.
- (31) BART Warm Springs Extension. Extension of the existing BART system from Fremont to Warm Springs in southern Alameda County. Up to ten million dollars (\$10,000,000) shall be used for grade separation work in the City of Fremont necessary to extend BART. The project would facilitate a future rail service extension to the Silicon Valley. The project sponsor is BART. Ninety-five million

dollars (\$95,000,000) *Funding increased by \$91 million (hearing date January 14, 2009). Present Amount: One hundred eighty-six million dollars (\$186,000,000).*

- (32) I-580 (Tri Valley) Rapid Transit Corridor Improvements. Provide rail or High-Occupancy Vehicle lane direct connector to Dublin BART and other improvements on I-580 in Alameda County for use by express buses. Sixty-five million dollars (\$65,000,000). The project sponsor is Alameda County Congestion Management Agency.
- (33) Regional Rail Master Plan. Provide planning funds for integrated regional rail study pursuant to subdivision (f) of Section 30914.5. Six million five hundred thousand dollars (\$6,500,000). The project sponsors are Caltrain and BART.
- (34) Integrated Fare Structure Program. Provide planning funds for the development of zonal monthly transit passes pursuant to subdivision (e) of Section 30914.5. One million five hundred thousand dollars (\$1,500,000). The project sponsor is the TransLink® Consortium.
- (35) Transit Commuter Benefits Promotion. Marketing program to promote tax-saving opportunities for employers and employees as specified in Section 132(f)(3) or 162(a) of the Internal Revenue Code. Goal is to increase the participation rate of employers offering employees a tax-free benefit to commute to work by transit. The project sponsor is the Metropolitan Transportation Commission. Five million dollars (\$5,000,000).
- (36) Caldecott Tunnel Improvements. Provide funds to plan and construct a fourth bore at the Caldecott Tunnel between Contra Costa and Alameda Counties. The fourth bore will be a two-lane bore with a shoulder or shoulders north of the current three bores. The County Connection shall study all feasible alternatives to increase transit capacity in the westbound corridor of State Highway Route 24 between State Highway Route 680 and the Caldecott Tunnel, including the study of the use of an express lane, high-occupancy vehicle lane, and an auxiliary lane. The cost of the study shall not exceed five hundred thousand dollars (\$500,000) and shall be completed not later than January 15, 2006. Fifty million five hundred thousand dollars (\$50,500,000). The project sponsor is the Contra Costa Transportation Authority.
- (37) *BART Transit Capital Rehabilitation. Provide local matching funds to BART's fixed guideway rehabilitation and replacement projects funded with federal dollars in FY 06-07 and FY 07-08. Twenty-four million dollars (\$24,000,000). The project sponsor is BART. (New project added: hearing date June 13, 2007)*

Streets and Highways Code Sections 30914(d)

Not more than 38 percent of the revenues generated from the toll increase shall be made available annually for the purpose of providing operating assistance for transit services as set forth in the authority's annual budget resolution. The funds shall be made available to the provider of the transit services subject to the performance measures described in Section 30914.5. If the funds cannot be obligated for operating assistance consistent with the performance measures, these funds shall be obligated for other operations consistent with this chapter.

Except for operating programs that do not have planned funding increases and subject to the 38-percent limit on total operating cost funding in any single year, following the first year of scheduled operations, an escalation factor, not to exceed 1.5 percent per year, shall be added to the operating cost funding through fiscal year 2015 -16, to partially offset increased operating costs. The escalation factors shall be contained in the operating agreements described in Section 30914.5. Subject to the limitations of this paragraph, the Metropolitan Transportation Commission may annually fund the following operating programs as another component of the Regional Traffic Relief Plan:

- (1) Golden Gate Express Bus Service over the Richmond Bridge (Route 40). Two million one hundred thousand dollars (\$2,100,000).
- (2) Napa Vine Service terminating at the Vallejo Intermodal Terminal. Three hundred ninety thousand dollars (\$390,000).
- (3) Regional Express Bus North Pool serving the Carquinez and Benicia Bridge Corridors. Three million four hundred thousand dollars (\$3,400,000).
- (4) Regional Express Bus South Pool serving the Bay Bridge, San Mateo Bridge, and Dumbarton Bridge Corridors. Six million five hundred thousand dollars (\$6,500,000).
- (5) Dumbarton Rail. Five million five hundred thousand dollars (\$5,500,000).
- (6) San Francisco Bay Area Water Emergency Transportation Authority, Alameda/Oakland/Harbor Bay, Berkeley/Albany, South San Francisco, Vallejo, or other transbay ferry service. A portion of the operating funds may be dedicated to landside transit operations. Fifteen million three hundred thousand dollars (\$15,300,000).
- (7) Owl Bus Service on BART Corridor. One million eight hundred thousand dollars (\$1,800,000).

- (8) MUNI Metro Third Street Light Rail Line. Two million five hundred thousand dollars (\$2,500,000) without escalation.
- (9) AC Transit Enhanced Bus Service on Telegraph Avenue, International Boulevard, and East 14th Street in Berkeley-Oakland-San Leandro. Three million dollars (\$3,000,000) without escalation.
- (10) TransLink, three-year operating program. Twenty million dollars (\$20,000,000) without escalation.
- (11) San Francisco Bay Area Water Emergency Transportation Authority, regional planning and operations. Three million dollars (\$3,000,000) without escalation.