

Date: November 28, 2007  
W.I.: 1255  
Referred by: PAC  
Revised: 11/18/09-C

ABSTRACT

MTC Resolution No. 3828, Revised

This resolution approves the allocation of Regional Measure 2 funds for the Oakland Airport Connector project sponsored and implemented by the Bay Area Rapid Transit District (BART).

This resolution includes the following attachments:

- Attachment A - Allocation Summary Sheet for RM2 funds
- Attachment B - Project Specific Conditions for Allocation Approval
- Attachment C - MTC staff's review of BART's Initial Project Report (IPR) for this project
- Attachment D - RM2 Complementary Funding Plan for RM2 Allocated Funds
- Attachment E - Synopsis of Terms for Funding Agreement

This resolution was revised on November 18, 2009 to allocate an additional \$47 million to BART towards construction of the Oakland Airport Connector and related activities.

Additional discussion of this allocation is contained in the MTC Programming and Allocations Committee Executive Director memo dated November 14, 2007 and November 4, 2009.

Date: November 28, 2007  
W.I.: 1255  
Referred by: PAC

Re: Approval of Allocation of Regional Measure 2 funds for the Oakland Airport Connector Project

METROPOLITAN TRANSPORTATION COMMISSION  
RESOLUTION No. 3828

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 an \$1.00 toll increase for all vehicles on the seven state-owned toll bridges in the San Francisco Bay Area to fund a specific list of capital projects and programs and transit operating assistance within the region that have been determined to reduce congestion or to make improvements to travel in the toll bridge corridors, as identified in Streets and Highways Code Sections 30914(c) & (d), commonly referred as Regional Measure 2 (“RM 2”); and

WHEREAS, the administrative duties and responsibilities for the implementation of the RM 2 funds has been assigned to MTC; and

WHEREAS, BATA shall fund the projects of the RM 2 Program by transferring authorized funds to MTC; and

WHEREAS, the Bay Area Rapid Transit District (BART) Oakland Airport Connector project is eligible to receive RM 2 funding as identified in California Streets and Highways Code Sections 30914(c)(23); and

WHEREAS, MTC has established a process whereby eligible transportation project sponsors may submit allocation requests for RM 2 funding (MTC Resolution No. 3636, Revised as amended); and

WHEREAS, BART has submitted an Initial Project Report for the project, as required pursuant to Streets and Highway Code Section 30914(e), for the allocation of RM 2 funds 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 BART is requesting RM 2 funding for the project 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, conditions the allocation and disbursement of RM2 funds on the execution of a funding agreement between MTC and BART; and

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

WHEREAS, Attachment D attached hereto and incorporated herein as though set forth at length, lists anticipated contributing funding sources for the deliverable/useable RM 2 project segment; now, therefore be it

RESOLVED, that MTC approves the allocation and disbursement of RM 2 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 disbursement of RM 2 funds as set forth in Attachment A are conditioned upon BART 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, Revised; and be it further

RESOLVED, that the allocation and disbursement of RM 2 funds are further conditioned upon the project specific conditions as set forth in Attachment B; and, be it further

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

RESOLVED, that the allocation and disbursement of RM 2 funds as set forth in Attachment A are conditioned upon the availability and expenditure of any contributing fund sources as set forth in Attachment D; and be it further

RESOLVED, that the Executive Director or his designee is authorized to negotiate and enter into a funding agreement with BART that includes the provisions contained in Attachment E; 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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Bill Dodd, Chair

The above resolution was entered into by the Metropolitan Transportation Commission at the regular meeting of the Commission held in Oakland, California, on November 28, 2007.

**REGIONAL MEASURE 2 PROGRAM  
 Allocation of Funds**

Project Title: Oakland Airport Connector  
 Sponsor: BART  
 Project Number: 23.0

<b>Allocation No. 23</b>						
Activities to be funded with Allocation #1:						
Construction of a 3.2 mile automated guideway transit (AGT) system between the existing Oakland Coliseum BART station and the Oakland International Airport.						
Allocation Instruction No.	Approval Date	Amount	Phase	Reimbursement Year		Cumulative Total To Date
08382801	28-Nov-07	\$ 68,000,000	CON	FY 2007-08	\$	68,000,000

<b>Allocation No. 23</b>						
Activities to be funded with Allocation #2:						
Construction and related activities for the automated guideway transit (AGT) system between the existing Oakland Coliseum BART station and the Oakland International Airport.						
Allocation Instruction No.	Approval Date	Amount	Phase	Reimbursement Year		Cumulative Total To Date
10382802	18-Nov-09	\$ 47,199,000	CON	FY 2009-10	\$	115,199,000

**RM2 Project Number: 23**  
**Oakland Airport Connector**

<b>Lead Sponsor</b> Bay Area Rapid Transit District		<b>Implementing Agency</b> (if applicable) Bay Area Rapid Transit District	
<b>Legislated Project Description</b> 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.			
<b>RM2 Funding (in \$1,000)</b> Total: \$115,199		<b>Total Estimated Project Cost (in \$1,000)</b> \$529,000	
<b>Project Purpose and Description</b> This proposed project would build a 3.2 mile Automated Guideway Transit (AGT) system from the existing BART Coliseum Station to a new station at the Oakland International Airport (OAK). Implementation of the OAC would improve the quality and reliability of transit service connections to the airport, improve the competitiveness of OAK, enhance intermodal connectivity in the Bay Area, and provide jobs, economic relief and environmental benefits.			
<b>Funding Description</b>  Committed Funds: The project is fully funded with RM1, RM2, ARRA, Alameda County Measure B, FTA, SLPP, STIP and the Port of Oakland funds. Uncommitted Funds: The TIFIA monies are uncommitted as yet.  Operating Capacity: Upon project completion, BART and the contractor will be responsible for operating and maintaining all components of this project.			

**Overall Project Cost and Schedule**

1	Environmental Document/Preliminary Engineering	04/2009	\$3,800
2	Designs, Plans, Specs, & Estimates	04/2009	\$13,132
3	Right-of-Way Acquisition	12/2009	\$14,945
4	Construction	07/2013	\$497,123

**Total: \$529,000**

## Total Project Funding Plan: Committed and Uncommitted Sources

(Amounts Escalated in Thousands)

<b>Project Title</b>	Oakland Airport Connector		<b>Project No.</b> 23						
<b>Lead Sponsor</b>	Bay Area Rapid Transit District								
<b>Committed</b>									
<b>Fund Source</b>	<b>Phase</b>	<b>Prior</b>	<b>2008-09</b>	<b>2009-10</b>	<b>2010-11</b>	<b>2011-12</b>	<b>2012-13</b>	<b>2013-14</b>	<b>Total</b>
Alameda County Measure B	multiple	89,052							89,052
STIP (RIP)	multiple	20,536		135					20,671
Port of Oakland	multiple	1,500							1,500
RM-1 Bridge Tolls	CON		31,000						31,000
RM-2 Bridge Tolls	CON	68,000		47,199					115,199
BART Funding	CON	154							154
P5 Federal/ FTA	CON			25,000					25,000
ARRA	CON			70,000					70,000
SLPP	CON			20,000					20,000
Port of Oakland	CON			43,800					43,800
Prop 1B	CON			12,801					12,801
Sub Total:		179,242	31,000	218,935	0	0		0	\$ 429,177
<b>Uncommitted</b>									
TIFIA	CON			99,823					99,823
Sub Total:		0	0	99,823	0	0		0	\$ 99,823
		<b>Prior</b>	<b>2009-10</b>	<b>2010-11</b>	<b>2011-12</b>	<b>2012-13</b>		<b>Future</b>	<b>Total</b>
Total:		179,242	31,000	318,758	0	0		0	\$ 529,000

## REGIONAL MEASURE 2 PROGRAM

### Project Complementary Funding Plan for RM2 Allocated Funds

Project: Oakland Airport Connector  
Sponsor: BART  
RM2 Project Number: 23.0

	PRIOR	FY 2007-08	FY 2008-09	FY 2009-10	FY 2010-11	FY 2011-12	TOTAL
<b>RM2 Funds Total</b>	-	68,000,000		47,199,000	-	-	115,199,000
<b>Environmental (ENV)</b>	0	0	0	0	0	0	0
							0
<b>Final Design (PS&amp;E)</b>	0	0	0	0	0	0	0
							0
<b>Right of Way</b>	0	0	0	0	0	0	0
							0
<b>Construction</b>	111,242,000	99,000,000	0	218,800,000	0	0	429,042,000
RM 2		68,000,000		47,199,000			115,199,000
RM 1		31,000,000					31,000,000
Alameda County Measure B	89,052,000						89,052,000
BART	154,000						154,000
STIP (ITIP)	20,536,000						20,536,000
Port of Oakland	1,500,000			43,800,000			45,300,000
P5 Federal/ FTA				25,000,000			25,000,000
SLPP				20,000,000			20,000,000
ARRA				70,000,000			70,000,000
Prop 1B				12,801,000			12,801,000
<b>TOTAL FUNDING</b>							
Environmental	0	0	0	0	0	0	0
Final Design (PS&E)	0	0	0	0	0	0	0
Right of Way	0	0	0	0	0	0	0
Construction	111,242,000	99,000,000	0	218,800,000	0	0	429,042,000
<b>PROJECT TOTAL</b>	111,242,000	99,000,000	0	218,800,000	0	0	429,042,000