

Date: September 22, 2004
W.I.: 1255
Referred by: PAC
Revised: 01/25/06-C 09/28/07-DA
11/28/07-C 11/26/08-C
07/22/09-C 04/28/10-C

ABSTRACT

MTC Resolution No. 3653, Revised

This resolution approves the allocation of Regional Measure 2 funds for the Caldecott Tunnel Improvements – Fourth Bore project sponsored and implemented by the Contra Costa Transportation Authority (CCTA) in partnership with the California Department of Transportation (Caltrans).

This resolution includes the following attachments:

- Attachment A - Allocation Summary Sheet
- Attachment B - Project Specific Conditions for Allocation Approval
- Attachment C - MTC staff's review of CCTA's Initial Project Report (IPR) for this project
- Attachment D - RM2 Deliverable/Useable Segment Cash Flow Plan

This resolution was revised on January 25, 2006 to allocate an additional \$4 million to the project for preliminary engineering work. Additionally, the following conditions have been removed or modified from the funds, because they no longer apply:

- Removal of entire condition. "RM2 funds for this project shall not be made available for reimbursement as long as allocated Traffic Congestion Relief Program (TCRP) funds are available for expenditure by, and reimbursement to, the CCTA. RM2 funding reimbursements to CCTA may proceed only after the full and complete expenditure and reimbursement of all the allocated TCRP funds authorized for expenditure by and reimbursement to the CCTA for this project."
- Removal of specific date from "Approval of the allocation package by the CCTA Board on September 15, 2004. The allocation package consists of the Initial Project Report (IPR), resolution of project compliance, and opinion of legal counsel."

This resolution was revised on September 28, 2007 by Delegated Authority to add a condition of allocation allowing CCTA to bill MTC as frequently as monthly in accordance with the cash flow plan for Project 36.1.

ABSTRACT

MTC Resolution No. 3653, Revised

Page 2

This resolution was revised on November 28, 2007 by Commission action to allocate \$8 million in RM2 funds for the final design phase of the project.

This resolution was revised on November 26, 2008 by Commission action to allocate \$2 million in RM2 funds for the final design phase of the project.

This resolution was revised on July 22, 2009 by Commission action to allocate \$33 million in RM2 funds for the construction phase of the project.

This resolution was revised on April 28, 2010 by Commission action to rescind allocation of \$14.7 million in RM2 funds for construction, due to the lower than expected award amount of the construction contract.

Additional discussion of this allocation is contained in the Executive Director's memoranda to the MTC Programming and Allocations Committee dated September 8, 2004, January 11, 2006, and November 14, 2007, and the summary sheet dated November 12, 2008, July 8, 2009, and April 14, 2010.

Date: September 22, 2004
W.I.: 1255
Referred by: PAC

Re: Approval of Allocation of Regional Measure 2 Funds for the Caldecott Tunnel Improvements – Fourth Bore Project

METROPOLITAN TRANSPORTATION COMMISSION
RESOLUTION No. 3653, Revised

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

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

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

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

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

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

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

WHEREAS, the Contra Costa Transportation Authority (“CCTA”) has submitted a request for the allocation of RM 2 funds for the Caldecott Tunnel Improvement – Fourth Bore project; and

WHEREAS, the Caldecott Tunnel Improvements – Fourth Bore project is identified as capital project number 36 under RM 2 and is eligible to receive RM 2 funding as identified in Streets and Highways Code Sections 30914(c); and

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

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

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

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

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

RESOLVED, that MTC approves MTC staff’s review of CCTA’s IPR for this project as set forth in Attachment C; and be it further

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

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

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

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

RESOLVED, that reimbursement of RM2 funds as set forth in Attachment A is subject to the availability of RM2 funding; and be it further

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

METROPOLITAN TRANSPORTATION COMMISSION



Steve Kinsey, Chair

The above resolution was entered into by the Metropolitan Transportation Commission at the regular meeting of the Commission held in Oakland, California, on September 22, 2004.

REGIONAL MEASURE 2 PROGRAM Allocation of Funds

Project Title: Caldecott Tunnel Improvements - Fourth Bore
Sponsor: Contra Costa Transportation Authority (CCTA)
Project Number: 36.1

Allocation No. 36.1-1						
Activities to be funded with Allocation #1:						
Completion of Project Approval and Environmental Document (PA&ED) for the fourth bore of the Caldecott Tunnel, including all activities and studies needed to complete the Project Report, Environmental Document, preliminary design and geotechnical investigations. The RM2 funded Environmental component includes the following activities:						
1. Project Management for the PA&ED Phase						
2. Preparation of Project Report						
3. Environmental Studies						
4. Preparation of Environmental Document						
5. Perform Geotechnical Investigations						
6. Prepare Geotechnical Report						
7. Seismic Assessment and study of impact on existing tunnels						
8. Preliminary Engineering						
Funding Information:						
Allocation Instruction No.	Approval Date	Amount	Phase	Reimbursement Year	Cumulative Total To Date	
05365301	22-Sep-04	\$ 3,000,000	ENV	FY 2004-05	\$ 3,000,000	

Allocation No. 36.1-2						
Activities to be funded with Allocation #2:						
Prepare preliminary engineering work, up to 50%.						
Funding Information:						
Allocation Instruction No.	Approval Date	Amount	Phase	Reimbursement Year	Cumulative Total To Date	
06365302	25-Jan-06	\$ 4,000,000	ENV	FY 2005-06	\$ 7,000,000	

Allocation No. 36.1-3						
Activities to be funded with Allocation #3:						
Prepare final design and engineering for the project, including all necessary studies, specifications, and estimates.						
Funding Information:						
Allocation Instruction No.	Approval Date	Amount	Phase	Reimbursement Year	Cumulative Total To Date	
08365303	28-Nov-07	\$ 8,000,000	PS&E	FY 2007-08	\$ 15,000,000	

REGIONAL MEASURE 2 PROGRAM Allocation of Funds

Project Title: Caldecott Tunnel Improvements - Fourth Bore
Sponsor: Contra Costa Transportation Authority (CCTA)
Project Number: 36.1

Allocation No. 36.1-4					
Activities to be funded with Allocation #4:					
Prepare final design and engineering for the project, including all necessary studies, specifications, and estimates.					
Funding Information:					
Allocation Instruction No.	Approval Date	Amount	Phase	Reimbursement Year	Cumulative Total To Date
09365304	26-Nov-08	\$ 2,000,000	PS&E	FY 2008-09	\$ 17,000,000

Allocation No. 36.1-5					
Activities to be funded with Allocation #5:					
Allocation #10365305 will fund the capital construction costs for the SR-24 Caldecott Tunnel Fourth Bore project. \$14.7 million was rescinded from #10365305 due to lower than expected award amount for construction.					
Allocation #10365306 will fund improvements for the SR-13 corridor in Berkeley, as an enhancement for the Caldecott Tunnel Fourth Bore project.					
Allocation #10365307 will fund improvements to FROG park in Oakland, as an enhancement for the Caldecott Tunnel Fourth Bore project.					
Allocation #10365308 will partially fund the SR-24 corridor wide transportation study, as an enhancement for the Caldecott Tunnel Fourth Bore project. The lead agency will be MTC.					
Funding Information:					
Allocation Instruction No.	Approval Date	Amount	Phase	Reimbursement Year	Cumulative Total To Date
10365305	22-Jul-09	\$ 30,792,000	Const.	FY 2009-10	\$ 47,792,000
10365306	22-Jul-09	\$ 2,000,000	Const.	FY 2009-10	\$ 49,792,000
10365307	22-Jul-09	\$ 150,000	Const.	FY 2009-10	\$ 49,942,000
10365308	22-Jul-09	\$ 58,000	ENV	FY 2009-10	\$ 50,000,000
10365305	28-Apr-10	\$ (14,700,000)	Const.	FY 2009-10	\$ 35,300,000

REGIONAL MEASURE 2 PROGRAM Project Specific Conditions

Project Title: Caldecott Tunnel Improvements – Fourth Bore Project
Sponsor: Contra Costa Transportation Authority (CCTA)
Project Number: 36.1

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

GENERAL CONDITIONS

1. Approval of the allocation package by the CCTA Board. The allocation package consists of the Initial Project Report (IPR), resolution of project compliance, and opinion of legal counsel.
2. RM 2 funds shall not be made available to Caltrans as long as ITIP funds are available to Caltrans for expenditure and reimbursement.
- 3 CCTA may invoice MTC for eligible project expenses as frequently as monthly, in accordance with the cash flow plan.

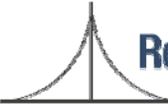
ALLOCATION SPECIFIC CONDITIONS

Allocation #1 & #2

4. RM2 funds for this project shall be made available for the preliminary engineering component of the environmental/preliminary engineering phase.
5. If the selected preferred alternative has an impact on the direction and scope of the preliminary engineering work, CCTA will be requested to cease from continuing with the preliminary engineering work until further notice and collaboration with MTC.
6. CCTA may use these funds to complete the environmental study work only after all of the available TCRP funds have been exhausted and a funding gap remains on the environmental study work. CCTA will provide MTC with a revised estimated budget plan and work plan should funds be used to complete the environmental study work.

Allocation #5

7. If the bids for the construction contract are lower than anticipated, any savings would be split among the local funding partners in amounts proportional to the capital contribution of each agency. Any rescinded amount shall remain available for subsequent allocation to the project if a justifiable cost increase has occurred.



Regional Measure 2 Regional Traffic Relief Plan

September 22, 2004
 Attachment C
 MTC Resolution No. 3653
 Rev: 1/25/06-C 11/19/08-C
 11/28/07-C 07/22/09-C 04/28/10-C

RM2 Project Number: 36.1

Caldecott Tunnel Improvements – Fourth Bore

Lead Sponsor Contra Costa Transportation Authority	Other Sponsors(s) Caltrans	Implementing Agency (if applicable) Contra Costa Transportation Authority
Legislated Project Description Provide funds to plan and construct a fourth bore at the Caldecott Tunnel between Contra Costa and Alameda Counties.		
RM2 Legislated Funding (in \$1,000) \$50,000		Total Estimated Project Cost (in \$1,000) \$420,000
Project Purpose and Description Provide for a new fourth bore at the Caldecott Tunnel. Route 24 serves as a major east/west connector between Interstates 580 and 80 in Alameda County and Interstate 680 Contra Costa County. The Caldecott Tunnel is considered to be the key bottleneck on Route 24 for traffic traveling between Alameda, Eastern and Central Contra Costa, and San Francisco Counties. This project proposes to construct a fourth tunnel to improve mobility of people and goods along the Route 24 corridor via the Caldecott Tunnels. The limits of the proposed project are from Route 24/Route 13 interchange in Alameda County to Route 24/Gateway Boulevard interchange in Contra Costa County. The project will improve the movement of people and goods along Route 24 via the Caldecott tunnels and improve travel time and therefore reduce delays. Other benefits include enhancing safety of the traveling public and Caltrans maintenance workers and improving tunnel emergency response time.		
Funding Description Committed Funds: The project is fully funded with the infusion of CMIA Proposition 1B funds, as well as RM2, Measure/Sales Tax, and other state and federal sources. Uncommitted Funds: This project is fully funded. Operating Capacity: Caltrans will maintain and operate the facility as part of the State Highway System (State Route 24).		

Overall Project Cost and Schedule

Phase	Scope	Start	End	Cost (in \$1,000)
1	Final Environmental Document*	12/2002	09/2007	\$26,000
2	Plans, Specifications and Estimates	01/2006	02/2009	\$27,600
3	Right-of-Way	01/2007	10/2008	\$1,100
4	Construction	12/2009	04/2014	\$365,300
Total:				\$420,000

Total Project Funding Plan: Committed and Uncommitted Sources

(Amounts Escalated in Thousands)

Fund Source	Phase	Prior	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	Future	Total
Committed										
STIP-IIP	PA&ED	9,000								9,000
TCRP	PA&ED	10,000								10,000
RM2	PA&ED *	7,000								7,000
STIP-IIP	PS&E		5,200							5,200
STIP-RIP	PS&E		2,000							2,000
TCRP	PS&E	10,000								10,000
RM2	PS&E		8,000	2,000						10,000
Measure J	PS&E							400		400
STIP-IIP	R/W		1,100							1,100
CMIA	Const			11,043						11,043
RM2	Const			18,300						18,300
ARRA-State	Const			92,700						92,700
ARRA-Regional	Const			104,957						104,957
Measure J	Const			71,560				4,800		76,360
SAFETEA-LU	Const			1,440						1,440
Total:		36,000	16,300	302,000	0	0	0	5,200	0	359,500
Uncommitted										
* Note: \$4.5m of PA&ED allocation were used for preliminary engineering/design.										
										0
Total:		0	0	0	0	0	0	0	0	0
Total Project Committed and Uncommitted										
		Prior	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	Future	Total
Total:		36,000	16,300	302,000	0	0	0	5,200	0	359,500

REGIONAL MEASURE 2 PROGRAM Project Cash Flow Plan

Project Title: Caldecott Tunnel Improvements - Fourth Bore

Sponsor: Contra Costa Transportation Authority (CCTA)

RM2 Project Number: 36.1

RM2 Project # 36.1	PRIOR	FY 2005-06	FY 2006-07	FY 2007-08	FY 2008-09	FY 2009-10+	TOTAL
RM2 Funds Total	-	7,000,000	-	8,000,000	2,000,000	18,300,000	35,300,000
Environmental (ENV)	19,000,000	7,000,000	0	0	0	0	26,000,000
RM2*		7,000,000					7,000,000
TCRP	10,000,000						10,000,000
ITIP	9,000,000						9,000,000
							0
* Note: \$4.5m of PA&ED allocation was used for premininary engineering/design							
Final Design (PS&E)	0	10,000,000	0	15,200,000	2,000,000	400,000	27,600,000
RM2				8,000,000	2,000,000	0	10,000,000
STIP-IIP				5,200,000			5,200,000
STIP-RIP				2,000,000			2,000,000
Measure J						400,000	400,000
TCRP		10,000,000					10,000,000
Right of Way	0	0	0	1,100,000	0	0	1,100,000
IIP				1,100,000			1,100,000
							0
Construction	0	0	0	0	0	304,800,000	304,800,000
RM2						18,300,000	18,300,000
ARRA						197,657,000	197,657,000
Measure J						76,360,000	76,360,000
Federal Earmark						1,440,000	1,440,000
CMIA Reserve (unallocated)						11,043,000	11,043,000
TOTAL FUNDING							
Environmental	19,000,000	7,000,000	0	0	0	0	26,000,000
Final Design (PS&E)	0	10,000,000	0	15,200,000	2,000,000	400,000	27,600,000
Right of Way	0	0	0	1,100,000	0	0	1,100,000
Construction	0	0	0	0	0	304,800,000	304,800,000
PROJECT TOTAL	19,000,000	17,000,000	0	16,300,000	2,000,000	305,200,000	359,500,000