

Date: January 25, 2006  
W.I.: 1255  
Referred by: PAC  
Revised: 12/17/08-C  
07/22/09-C  
04/28/10-C

ABSTRACT

MTC Resolution No. 3730, Revised

This resolution approves the allocation of Regional Measure 2 funds for the I-80 HOV Lane Extension from Route 4 to Carquinez Bridge project sponsored and implemented by 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 Caltrans' Initial Project Report (IPR) for this project

Attachment D - RM2 Deliverable/Useable Segment Cash Flow Plan

This resolution was revised through Commission Action on December 17, 2008, to allocate \$950,000 in additional final design funds to cover cost overruns associated with the final design of the project.

This resolution was revised through Commission Action on July 22, 2009, to allocate \$40.5 million in RM2 funds for the construction phase of the project.

This resolution was revised through Commission Action on April 28, 2010 to rescind \$9.975 million in RM2 funds for the construction phase of the project due to award savings.

Additional discussion of this allocation is contained in the Deputy Executive Director's memorandum to the MTC Programming and Allocations Committee dated January 11, 2006, December 10, 2008, July 8, 2009, and April 14, 2010.

Date: January 25, 2006  
W.I.: 1255  
Referred by: PAC

Re: Approval of Allocation of Regional Measure 2 funds for the I-80 HOV Lane Extension from Route 4 to Carquinez Bridge

METROPOLITAN TRANSPORTATION COMMISSION  
RESOLUTION No. 3730

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, which specifies the allocation criteria and project compliance requirements for RM 2 funding (MTC Resolution No. 3636); and

WHEREAS, Caltrans has submitted a request for the allocation of RM 2 funds for the I-80 HOV Lane Extension project in Contra Costa and Solano Counties; and

WHEREAS, I-80 HOV Lane Extension from Route 4 to Carquinez Bridge is identified as capital project number 8 under RM 2 and is eligible to receive RM 2 funding as identified in Streets and Highways Code Sections 30914(c); and

WHEREAS, Caltrans has submitted an Initial Project Report (“IPR”), 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 Caltrans 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 Caltrans’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; and

WHEREAS, the claimants to which funds are allocated under this resolution have certified that the projects and purposes listed and recorded in Attachment A are in compliance with the requirements of the California Environmental Quality Act (Public Resources Code Section 21000 et seq.), and with the State Environmental Impact Report Guidelines (14 California Code of Regulations Section 15000 et seq.); now, therefore, be it

RESOLVED, that MTC approves MTC staff’s review of Caltrans’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 Caltrans 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 are further conditioned upon the execution of a cooperative agreement between MTC and Caltrans under which Caltrans agrees to the applicable requirements specified in MTC Resolution No. 3636 as well as to the project specific conditions set out herein; 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 the 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

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Jon Rubin, Chair

The above resolution was entered into by the Metropolitan Transportation Commission at the regular meeting of the Commission held in Oakland, California, on January 25, 2006.

RESOLVED, that the allocation and reimbursement of RM2 funds as set forth in Attachment A are conditioned upon Caltrans 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

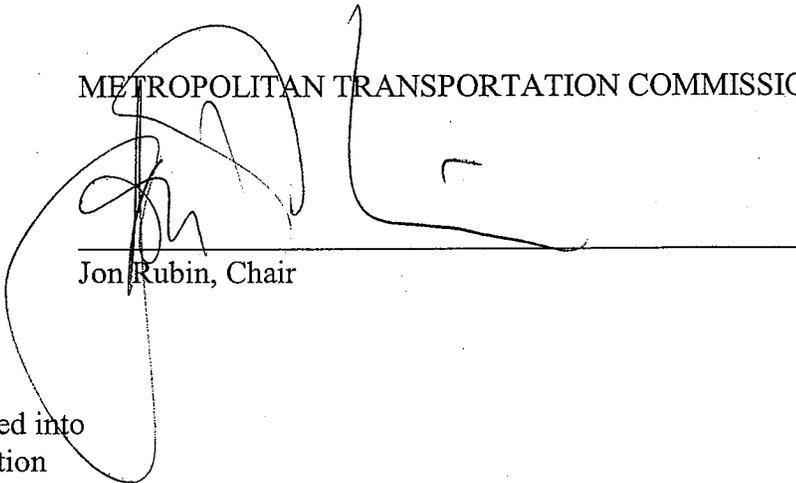
RESOLVED, that the allocation and reimbursement of RM2 funds are further conditioned upon the execution of a cooperative agreement between MTC and Caltrans under which Caltrans agrees to the applicable requirements specified in MTC Resolution No. 3636 as well as to the project specific conditions set out herein; 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 the 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



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Jon Rubin, Chair

The above resolution was entered into by the Metropolitan Transportation Commission at the regular meeting of the Commission held in Oakland, California, on January 25, 2006.

## REGIONAL MEASURE 2 PROGRAM Allocation of Funds

Project Title: I-80 HOV Lane Extension from Route 4 to Carquinez Bridge  
Sponsor: Caltrans  
Project Number: 8

<b>Allocation No. 1</b>						
Activities to be funded with Allocation #1:						
1. Update the Project Report for the eastbound HOV project. 2. Final Design specifications for the project.						
Funding Information:						
Allocation Instruction No.	Approval Date	Amount	Phase	Reimbursement Year	Cumulative Total To Date	
06373001	25-Jan-06	\$ 300,000	ENV	2005-06	\$ 300,000	
06373002	25-Jan-06	\$ 890,000	PSE	2005-06	\$ 1,190,000	
06373003	25-Jan-06	\$ 310,000	ROW	2005-06	\$ 1,500,000	
07373004	25-Jan-06	\$ 2,220,000	PSE	2006-07	\$ 3,720,000	
08373005	25-Jan-06	\$ 1,540,000	PSE	2007-08	\$ 5,260,000	

<b>Allocation No. 2</b>						
Activities to be funded with Allocation #2:						
This allocation will fund final design cost overruns to bring the project to the ready-to-list milestone, and may include costs associated with contract advertisement.						
Funding Information:						
Allocation Instruction No.	Approval Date	Amount	Phase	Reimbursement Year	Cumulative Total To Date	
09373006	17-Dec-08	\$ 950,000	PSE	2008-09	\$ 6,210,000	

<b>Allocation No. 3</b>						
Activities to be funded with Allocation #3:						
This allocation will fund the construction capital (about \$35 million) and construction support (about \$5.5 million) for the project. This amount includes contingencies, and may be adjusted after the contract bid opening and award. The rescission amount approved on April 28, 2010 reflects the award savings and a 10% construction capital contingency.						
Funding Information:						
Allocation Instruction No.	Approval Date	Amount	Phase	Reimbursement Year	Cumulative Total To Date	
10373007	22-Jul-09	\$ 40,500,000	Const.	2009-10	\$ 46,710,000	
10373007	28-Apr-10	\$ (9,975,000)	Const.	2009-10	\$ 36,735,000	

## REGIONAL MEASURE 2 PROGRAM Project Cash Flow Plan

January 25, 2006  
Attachment D  
MTC Resolution No. 3730  
Org Key: 840-8808-01  
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Revised: 12/17/08-C  
07/22/09-C  
04/28/10-C

Project Title: I-80 HOV Lane Extension from Route 4 to Carquinez Bridge  
Sponsor: Caltrans  
RM2 Project Number: 8

	PRIOR	FY 2006-07	FY 2007-08	FY 2008-09	FY 2009-10	FY 2010-11	TOTAL
<b>RM2 Funds Total</b>	-	508,000	2,357,000	3,335,000	30,525,000	-	36,725,000
<b>Environmental (ENV)</b>	0	300,000	0	0	0	0	300,000
RM2		300,000					300,000
							0
							0
							0
<b>Final Design (PS&amp;E)</b>	0	65,000	2,200,000	3,335,000	0	0	5,600,000
RM2		65,000	2,200,000	3,335,000			5,600,000
							0
							0
							0
<b>Right of Way</b>	0	143,000	157,000	0	0	0	300,000
RM2		143,000	157,000				300,000
							0
							0
							0
<b>Construction</b>	0	0	0	0	30,525,000	0	30,525,000
RM2					30,525,000		30,525,000
							0
							0
							0
<b>TOTAL FUNDING</b>							
Environmental	0	300,000	0	0	0	0	300,000
Final Design (PS&E)	0	65,000	2,200,000	3,335,000	0	0	5,600,000
Right of Way	0	143,000	157,000	0	0	0	300,000
Construction	0	0	0	0	30,525,000	0	30,525,000
<b>PROJECT TOTAL</b>	0	508,000	2,357,000	3,335,000	30,525,000	0	36,725,000