

# Metropolitan Transportation Commission Programming and Allocations Committee

March 7, 2012

Item Number 2c

## Resolution Nos. 3712, Revised, and 4022, Revised

**Subject:** Scope updates for Regional Measure 2 and Two Percent bridge toll allocations for the SMART project.

**Background:** **SMART Project:** Regional Measure 2 (RM2) includes \$36.5 million for the SMART project. The project is also included in MTC Resolution 3434, the region's transit expansion program. The RM2 funds, along with \$5 million in Two Percent bridge toll funds and \$5 million in Proposition 1B State Local Partnership funds, were allocated to the project in September, 2011.

**Scope Additions Due to Low Bids:** In January 2012, the SMART Board awarded the construction contract for the Initial Operating Segment. Because the bids came in below engineers' estimates, SMART was able to restore project scope elements that had previously been deferred, most notably an intermediate station (Novato/Atherton), and extension of the line north by one station to Santa Rosa North/Guerneville Road. Staff recommends modifying the allocation scope to include these project elements, to be funded from the existing bridge toll allocations.

**Improved Compliance with TOD Policy:** In conjunction with the award of the construction contract, SMART and the City of Rohnert Park have also approved the relocation of the Rohnert Park station. With this change and with the inclusion of the Novato/Atherton and the Santa Rosa North stations, the project now exceeds the number of housing units required to comply with MTC's Transit Oriented Development Policy. These station changes should translate into improved ridership over the long run. At the time the bridge tolls were allocated in 2011, the project had 97% of the housing units for compliance with the TOD policy with these scope changes, the project is now at 117% compliance. The changes are summarized below.

### Number of Housing Units

	Previous IOS: 7 Stations	New IOS: 9 Stations
SMART Corridor Average Per Station	2,434	2,582
TOD Policy Required Avg. Per Station	2,200	2,200
Percent Compliance with Policy	97%	117%

**Issues:** None.

**Recommendation:** Refer MTC Resolution Numbers 3712, Revised and 4022, Revised to the Commission for approval.

**Attachments:** Resolution No. 3712, Revised, and Resolution No. 4022, Revised.

Date: July 27, 2005  
W.I.: 1255  
Referred by: PAC  
Revised: 04/25/07-C 03/26/08-C  
04/28/10-C 09/28/11-C  
10/26/11-DA 03/28/12-C

ABSTRACT

MTC Resolution No. 3712, Revised

This resolution approves the allocation of Regional Measure 2 funds for the Sonoma Marin Area Rail Transit District (SMART) Corridor Ferry Extension project sponsored and implemented by the SMART.

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 Sonoma Marin Area Rail Transit District's Initial Project Report (IPR) for this project
- Attachment D - RM2 Deliverable/Useable Segment Cash Flow Plan

This resolution was amended on April 25, 2007 to approve \$600,000 in supplemental final design funds and \$400,000 for right-of-way funds for subproject 1, Cal Park Hill Tunnel Rehabilitation and Multi-Use Pathway Improvement project.

This resolution was amended on March 26, 2008 to allocate \$7.8 million in construction funds for subproject 1: Cal Park Hill Tunnel Rehabilitation and Multi-Use Pathway Improvement project, Phase A.

This resolution was amended on April 28, 2010 by Commission action to rescind \$2.5 million from Phase A of the Cal Park Hill Tunnel Rehabilitation and Multi-Use Pathway Improvement project, and to allocate \$6.1 million in construction funds for Phase B of the same project.

This resolution was revised on September 28, 2011 to allocate \$23.1 million towards the design/construction of the SMART Initial Operating Segment.

## ABSTRACT

MTC Resolution No. 3712, Revised

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This resolution was revised via Delegated Authority on October 26, 2011 to rescind a total of \$155,025 in savings from prior allocations to the Cal Park Hill Tunnel Rehabilitation and Multi-Use Pathway Improvement project and reallocate the same amount towards the design/construction of the SMART Initial Operating Segment.

This resolution was revised on March 28, 2012, to modify the scope of the SMART project allocation to add an intermediate station and extend the line to Santa Rosa North, as were included in the Initial Operating Segment construction contract awarded by SMART.

Additional discussion of this allocation is contained in the Executive Director's memorandum to the MTC Programming and Allocations Committee dated July 13, 2005, and the Programming and Allocation Committee Summary Sheets dated March 5, 2008, April 14, 2010, September 14, 2011, and March 7, 2012.

Date: July 27, 2005  
W.I.: 1255  
Referred by: PAC

Re: Approval of Allocation of Regional Measure 2 funds for the Sonoma Marin Area Rail Transit District Corridor Ferry Extension

METROPOLITAN TRANSPORTATION COMMISSION  
RESOLUTION No. 3712

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, Sonoma Marin Area Rail Transit District (SMART) has submitted a request for the allocation of RM 2 funds for the SMART Corridor Ferry Extension project; and

WHEREAS, SMART's Corridor Ferry Extension is identified as capital project number 10 under RM 2 and is eligible to receive RM 2 funding as identified in Streets and Highways Code Sections 30914(c); and

WHEREAS, SMART 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 SMART 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 SMART'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 SMART'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 SMART 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

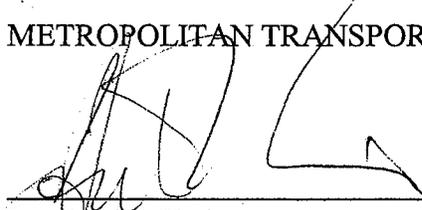
RESOLVED, that the allocation and reimbursement of RM2 funds are further conditioned upon the project specific conditions as set forth in Attachment B; and, be it further

RESOLVED, that the allocation and reimbursement of RM2 funds as set forth in Attachment A are conditioned upon the availability and expenditure of 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 July 27, 2005.



# Regional Measure 2 Regional Traffic Relief Plan

September 28, 2011  
 Attachment C-2  
 MTC Resolution No. 3712  
 Revised: 10/26/11-DA  
 03/28/12-C

**RM2 Project Number: 10.2**

## Sonoma - Marin Area Rail Transit District's Corridor Extension

Lead Sponsor Sonoma - Marin Area Rail Transit District	Other Sponsors(s) N/A	Implementing Agency (if applicable) N/A
Legislated Project Description Sonoma-Marin Area Rail Transit District (SMART). Construct rail system from San Rafael to Santa Rosa and make improvements to the Cal Park Hill Tunnel to allow for future extension to Larkspur. Thirty-five million dollars (\$35,000,000). The project sponsor is SMART.		
RM2 Legislated Funding (in \$1,000) 10.1 Cal Park Hill Tunnel - \$13,250 10.2 SMART Corridor Ferry Extension - \$23,249	Total Estimated Project Cost (in \$1,000) \$360,215	
Project Purpose and Description This project consists of final design and construction of a 38.5-mile Initial Operating Segment of the SMART commuter rail and multi-use pathway project from Downtown San Rafael to Santa Rosa North/Guerneville Road, with seven intermediate stations. The project components include engineering, right-of-way, construction, and vehicle procurement. The purpose of the project is to offer a rail transit travel alternative using an existing, publicly owned right-of-way, and provide a multi-use pedestrian and bicycle pathway adjacent to that corridor.		
Funding Description Committed Funds: RM2, Measure Q, Measure M, TCRP, Prop 116, EEMP, ISTE, Two Percent Bridge Tolls and SLPP. Uncommitted Funds: TE TBD Funds: N/A Operating Capacity: This project will be maintained by the Sonoma-Marin Area Rail Transit District.		

### Overall Project Cost and Schedule

Phase	Scope	End	Cost (in \$1,000)
1	Final Environmental Document	06/2005	N/A
2	Plans, Specifications and Estimates	03/2014	\$44,197
3	Right-of-Way	12/2014	\$67,034
4	Construction	12/2014	\$248,984
<b>Total:</b>			<b>\$360,215</b>

## Total Project Funding Plan: Committed and Uncommitted Sources

(Amounts Escalated in Thousands)

<b>Project Title</b>	SMART Corridor Extension Project	<b>Project No.</b> 10.2								
<b>Lead Sponsor</b>	Sonoma - Marin Area Rail Transit District									

Fund Source	Phase	Prior	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12	Future	Total
<b>Committed</b>										
Measure Q	PS&E							20,417		20,417
Measure M - Rail	PS&E							5,000		5,000
Measure M - Bike	PS&E							650		650
Prop 116	PS&E							18,000		18,000
Bay Trail	PS&E							130		130
Measure Q	ROW							10,000		10,000
Prop 116	ROW							10,000		10,000
Measure Q	Vehicles							47,034		47,034
RM2	Construction							23,249		23,249
Measure M - Rail	Construction							5,842		5,842
EEMP	Construction							700		700
Measure Q	Construction							193,548		193,548
ISTEA	Construction							6,300		6,300
Two Percent Bridge Toll Revenues	Construction							5,000		5,000
SLPP	Construction							11,500		11,500
<b>Total:</b>		0	0	0	0	0	0	357,370	0	357,370
<b>Uncommitted</b>										
TE	Construction							3,000		3,000
<b>Total:</b>		0	0	0	0	0	0	3,000	0	3,000
<b>Total Project Committed and Uncommitted</b>										
		Prior	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12	Future	Total
<b>Total:</b>		0	0	0	0	0	0	360,370	0	360,370

Date: September 28, 2011  
W.I.: 1255  
Referred By: PAC  
Revised: 03/28/12-C

ABSTRACT

Resolution No. 4022

This resolution allocates Two Percent Bridge Toll Revenues to eligible projects.

This resolution includes the following attachments:

Attachment A – Allocations of Two Percent Bridge Toll Revenues

This resolution was revised on March 28, 2012, to modify the scope of the SMART project allocation to add an intermediate station and extend the line to Santa Rosa North, as were included in the Initial Operating Segment construction contract awarded by SMART.

Additional discussion of this allocation is contained in the Executive Director's memorandum and MTC Programming and Allocations Committee Summary Sheets dated July 13, 2011, September 14, 2011, and March 7, 2012.

Date: September 28, 2011  
W.I.: 1255  
Referred By: PAC

RE: Allocation of Two Percent Bridge Toll funds

METROPOLITAN TRANSPORTATION COMMISSION  
RESOLUTION NO. 4022

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

WHEREAS, pursuant to Streets and Highways Code Section 30913 (b), MTC has allocated two-thirds of the 2 percent of the 1988 Regional Measure 1 toll increase (“Two Percent Bridge Toll Revenues”) to projects which are designed to reduce vehicular traffic congestion on these bridges; and,

WHEREAS, MTC adopted Resolution 3434, Revised, which established the Regional Transit Expansion Plan designating projects as regional priorities; and

WHEREAS, MTC adopted Resolution 3948 and BATA adopted Resolution 93 and executed a Funding Agreement relieving BATA of responsibility for making AB 664 Net Bridge Toll Revenues Reserve Transfers, Two Percent Transit Reserves Transfers, and Rail Extension Reserves Transfers for 50 years; and

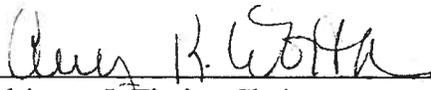
WHEREAS, MTC adopted Resolution 4015 adopting programming and allocation policies for AB664 Net Bridge Toll Revenues, RM2 Regional Rail Extension Reserve, Two Percent Bridge Toll Revenues, and Five Percent State General Fund Revenues transit funding programs; now therefore be it

RESOLVED, that MTC approves the allocation and reimbursement of Two Percent Bridge Toll Revenues in accordance with the amount, conditions and reimbursement schedule for the project, phase, and activities as set forth in Attachment A; and, be it further

RESOLVED, that should the allocation of Two Percent Bridge Toll Revenues be conditioned on the execution of a funding agreement, that the Executive Director or his designee is authorized to negotiate and enter into a funding agreement with claimant that includes the provisions contained in Attachment A; and be it further

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

METROPOLITAN TRANSPORTATION COMMISSION

  
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Adrienne J. Tissier, Chair

The above resolution was entered into by the Metropolitan Transportation Commission at a regular meeting of the Commission held in Oakland, California on September 28, 2011.

Date: September 28, 2011  
 W.I.: 1255  
 Referred by: PAC  
 Revised: 03/28/12-C

Attachment A  
 Resolution No. 4022  
 Page 1 of 1

ALLOCATION OF TWO PERCENT BRIDGE TOLL REVENUES

Alloc. #	Fiscal Year	Claimant	Project Title	Allocation Amount	Dates of MTC Approval	Allocation Conditions
01	2011-2012	Sonoma Marin Area Rail Transit (SMART)	Sonoma Marin Area Rail Transit	\$5,000,000	09/28/2011  03/28/12	<p>Scope of Work: Design and/or construction of the SMART Initial Operating Segment project as scoped at the time of this allocation. (Note: allocation re-scoped on 03/28/12 to reflect the scope of construction contract award and the revised Initial Project Report submitted by SMART.)</p> <p>Allocation and disbursement is contingent upon the execution of a funding agreement between MTC and SMART for the Two Percent Bridge Toll Revenues. Such agreement shall include the following provisions:</p> <ul style="list-style-type: none"> <li>- SMART shall agree to comply with the provisions of MTC Resolution No. 3636, Revised and that any Two Percent Bridge Toll Revenues received under the funding agreement be subject to MTC Resolution No. 3636, Revised, unless otherwise stated in the agreement.</li> </ul>
Total Allocated				\$ 5,000,000		