



METROPOLITAN
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COMMISSION

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Memorandum

TO: Administration Committee

DATE: June 6, 2012

FR: Deputy Executive Director, Policy

W. I. 1236

RE: Cooperative Agreement - Regional Express Lane Project: California Department of Transportation (\$1,500,000)

This item would authorize the Executive Director or his designee to negotiate and enter into a cooperative agreement with Caltrans in an amount not to exceed \$1,500,000 for oversight of a project study report-project report (PSR-PR), which includes environmental documentation, for Phase 1 of the Regional Express Lane Network. The PSR-PR is the product of the project approval/environmental documentation (PA/ED) portion of the Caltrans project development process.

Background

In October of 2011, the California Transportation Commission (CTC) found the Regional Express Lane Network eligible for development and operation by MTC. Based on the analysis for the CTC application, staff has selected an initial set of HOV conversion segments (see map in Attachment 1) to advance as the first phase of the network. MTC aims to open this "Phase 1" project, approximately 76 lane miles in total, in 2015.

The next step to advance the projects is to complete a PSR-PR, which will allow MTC to better define project costs and operational considerations and will include environmental clearance under state and federal law, as applicable. A PSR-PR is a combined project initiation and approval document. Prior to FY 2011-12, Caltrans provided oversight for such documents at no cost to the sponsoring agencies. With recent budget shortfalls, the state cut funding for this support, starting in FY 2011-12. As a result, Caltrans is able to provide oversight only if the local sponsoring agency enters into an agreement to reimburse Caltrans' expenses. The proposed cooperative agreement, which Caltrans calls a "Project Initiation Document (PID)-Only Agreement", provides a mechanism to do so. MTC staff would seek to reserve the right to renegotiate the terms of the agreement should there be a change in the state budget.

Key Elements of the Agreement

The specific terms of the agreement are still subject to negotiation. However, based on the current draft reviewed by MTC and Caltrans, key elements include the following:

- MTC will be the implementing agency.
- Caltrans will be the lead agency for purposes of the California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA).
- MTC and its consultant will perform the required analysis, engineering and documentation with the exception of the safety analysis, which Caltrans will perform.
- Caltrans will provide oversight in the form of independent quality assurance for the required analysis, engineering and documentation.
- Caltrans will meet its requirements for review of environmental documentation, per Caltrans' agreement with the Federal Highway Administration.
- Caltrans will submit monthly invoices and progress reports to MTC.
- MTC will reimburse Caltrans for its activities under the agreement in a total amount not to exceed \$1,500,000.

Funds for the cooperative agreement are included in the FY 2011-12 BATA rehabilitation budget.

Recommendation

Staff recommends that the Committee authorize the Executive Director or his designee to negotiate and enter into a cooperative agreement with Caltrans for oversight of a project study report-project report (PSR-PR), which includes environmental documentation, for Phase 1 of the Regional Express Lane Network in an amount not to exceed \$1,500,000.

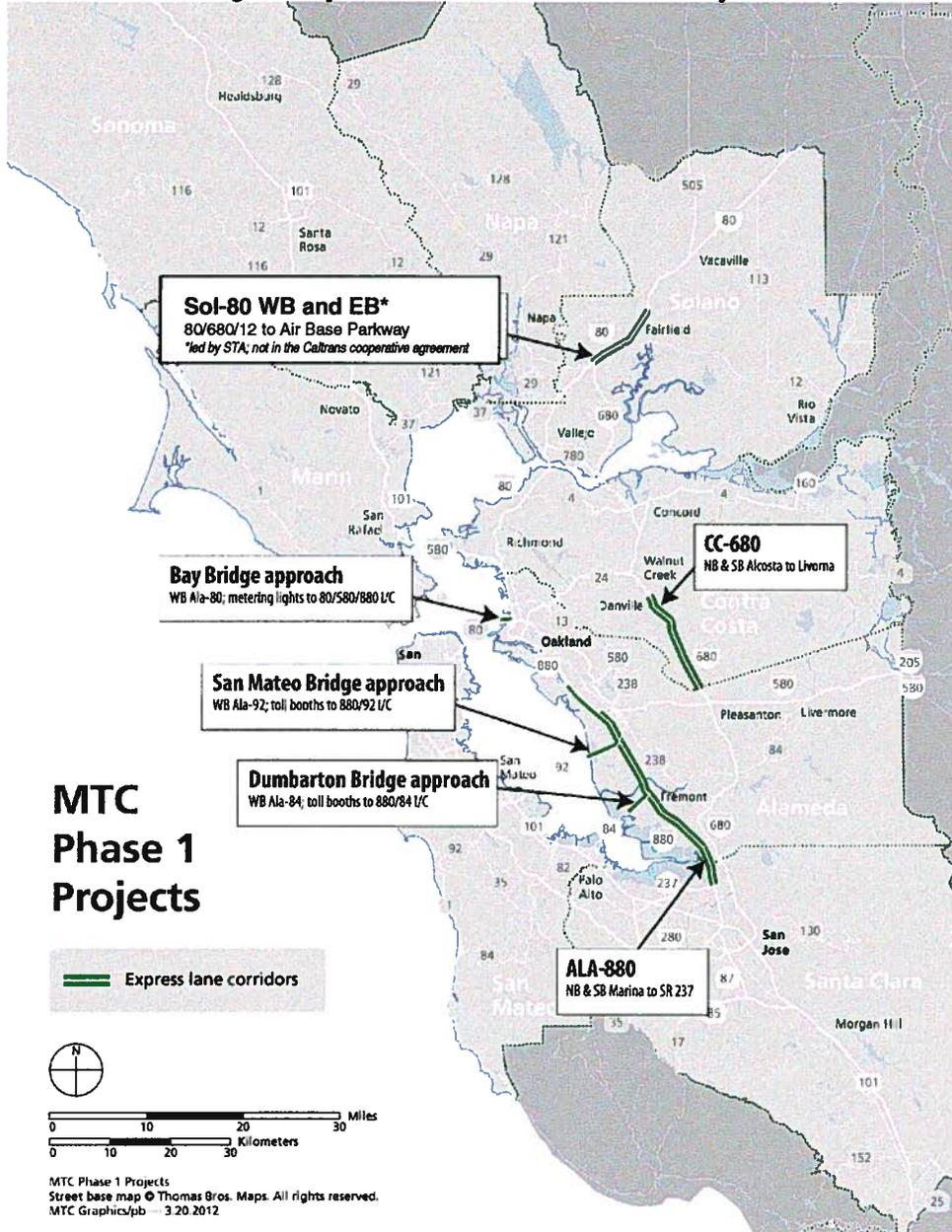


Ann Flemer

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Attachment 1
Regional Express Lane Network – MTC Phase 1 Projects



REQUEST FOR COMMITTEE APPROVAL

Summary of Proposed Cooperative Agreement

Work Item No.: 1236

Agency: California Department of Transportation (Caltrans)

Project Title: Regional Express Lane Network Phase 1 PID-Only Cooperative Agreement

Purpose of Project: Complete project approval/environmental documentation (PA/ED) for Phase 1 projects leading to approval of the project report and environmental document.

Brief Scope of Work: Provide oversight for PA/ED.

Project Cost Not to Exceed: \$1,500,000

Fund Source: BATA Rehabilitation Budget

Fiscal Impact: Funds are included in the FY 2011-12 BATA rehabilitation budget.

Motion by Committee: That the Executive Director or his designee is authorized to negotiate and enter into a cooperative agreement with Caltrans for the purposes stated above and described in the Executive Director's June 6, 2012 memorandum; and that the Chief Financial Officer is directed to set aside funds in the amount of \$1,500,000 for such Agreement.

Admin Committee Chair:

Dave Cortese, Chair

Approved:

June 13, 2012