

**Metropolitan Transportation Commission
Programming and Allocations Committee**

January 9, 2013

Item Number 3a

**Resolution Nos. 3684, Revised, 3914, Revised, 3915, Revised
and 4022, Revised.**

Subject: Programming and allocation of approximately \$47.8 million in RM1 Capital funds, \$13.8 million in AB 1171 Capital funds, \$7.3 million in Two Percent Capital funds and \$500,000 in RM2 Capital funds. Please see table below for allocations by fund source and project.

Project	<i>\$s in thousands</i>				Total (by project)
	AB 1171	RM 1	RM 2	Two Percent	
Transbay Terminal	-	\$47,800	-	-	\$47,800
e-BART	-	-	\$500	-	\$500
BART To Livermore Extension	\$8,600	-	-	-	\$8,600
SMART*	\$5,150	-	-	\$7,323	\$12,473
Total (by fund source)	\$13,750	\$47,800	\$500	\$7,323	

**Allocation for SMART is limited to \$0.75 million in AB 1171. The remainder is a program commitment to the Project.*

Background: **Transbay Transit Center/ Downtown Caltrain Extension:** Staff is recommending an allocation of \$47.8 million in RM1 funds to the Transbay Joint Powers Authority (TJPA) in order to certify the upcoming Structural Steel Superstructure (StSS) contract as well as ancillary logistics contracts. TJPA plans to use these bridge toll funds to issue the first NTP, which will cover preconstruction work and the production of shop drawings. The overall cost of the contracts is expected to be \$120 million, and will be funded with a combination of bridge tolls and revenues from land sales.

In particular, the TJPA Board has approved the Purchase and Use Agreement for the Tower site ("Parcel T") with payment from the developer expected in April 2013. This payment is expected to generate sufficient revenue to cover the costs of the StSS contracts. Therefore, TJPA anticipates that when the land sales revenues become available in Spring 2013, TJPA will switch the funding source from bridge tolls to land sales proceeds for the balance of the StSS contract. At that point, MTC will rescind the remaining RM1 funds from this allocation so that they may be used for future elements of this Project. The risk in the proposed allocation approach is that the revenues from Parcel T will not materialize on schedule or at the anticipated level, which could delay the StSS work. Staff believes this risk is minimal, and as contingency TJPA has other parcels that could be sold sooner if needed.

The StSS construction package includes the manufacturing and procurement of steel elements of the building and the construction of the

steel frame of the Transit Center building. With this allocation, MTC will have allocated all \$350 million of bridge tolls available to the project.

E-BART: The eBART Project is a proposed 10 mile rail extension connecting Pittsburg and Antioch to the BART system via a connection at the Pittsburg/Bay Point station. The total cost of the eBART Project is \$465 million. The Project is funded through a combination of bridge tolls, Contra Costa Measure J sales tax, State funds, and developer fees. The vehicle contract was advertised in October and is expected to be awarded early this year. The transfer platform at the Pittsburg/ Bay Point Station is under construction. The Hillcrest Parking Lot and Maintenance Facility contract was awarded in August 2012 and construction is underway.

Staff is recommending an allocation of \$500,000 to BART towards the design of the Railroad Avenue Station on the eBART extension. The station was originally planned to be an intermediate station between the Pittsburg/Bay Point transfer and the end of the line at Antioch. However, funding from the City of Pittsburg did not materialize, and the station was removed from the scope of the Project. BART and the City would like to preserve the option to construct the station at a later time by completing the station design. The City is also providing funding to construct the foundation in order to potentially minimize disruption of the operating line should the station be constructed in the future. The Contra Costa Transportation Authority (CCTA) and the City of Pittsburg will also contribute \$500,000 each to bring the total to \$1.5 million to finish design for the Railroad Avenue Station. All three agencies will work together to seek funding for station construction, which is estimated to cost at least \$10 million. Attached is a request letter from BART General Manager Grace Crunican dated December 13, 2012.

The \$500,000 allocation from MTC is an additional commitment beyond the \$263 million in regional bridge toll funds already committed to the Project. For administrative reasons, this allocation is coming from RM2 funding, however an additional \$500,000 will be available from AB 1171 funds for future project needs.

BART to Livermore Extension: Staff is recommending an allocation of \$8.6 million in AB 1171 funds to the Bay Area Rapid Transit District (BART) towards the completion of environmental documentation for proposed transit improvements in the I-580 corridor and related modifications to I-580 and SR-84. The proposed project is a 4.8 mile extension of the BART line from the existing Dublin/Pleasanton BART Station within the I-580 Corridor Freeway alignment to a station in the vicinity of the I-580/Isabel Avenue Interchange incorporating a bus-to-BART transfer. A network of express bus services, linking inter-regional

rail service, Priority Development Areas in Livermore, and proposed offsite parking facilities, is also part of the proposed project. Project alternatives, including a no project, express bus, and diesel multiple unit technology will also be considered.

BART and the City of Livermore are in the process of finalizing a memorandum of understanding (MOU) to guide the Ridership Development Plan work. Pending completion of the MOU, the scope includes \$500,000 for the City of Livermore to prepare the ridership plans to a sufficient level of detail for the selection of a preferred alternative. The funds for Livermore would be passed through to the City by BART, in accordance with the final MOU. Additional funding for ridership plans may be considered as the environmental phase progresses to support the preferred alternative evaluation.

In June, 2010, BART certified a Final Program Environmental Impact Report (FPEIR) for the BART to Livermore Extension. The draft EIR (current effort) for the proposed project will be a second tier, project-level EIR. A Notice of Preparation was distributed in August and a scoping meeting was held in September 2012. At this time, BART is assessing whether a National Environmental Policy Act (NEPA) review would be appropriate. The current allocation is only to conduct a CEQA review; if NEPA is requested, MTC staff could return with a proposed allocation of additional funds to support NEPA-level analysis. As a condition of this allocation, BART staff will need to report a decision on whether to pursue a joint NEPA/CEQA or CEQA-only document, including having a lead federal agency, to MTC by June 1, 2013.

SMART Extension: Staff is recommending the following two actions:
a) Program \$12.5 million in bridge tolls (\$7.3 million in Two Percent Toll Revenues and \$5.2 million in AB 1171) to a 4-mile extension of SMART from North Santa Rosa to the Santa Rosa Airport area; and b) Allocate \$750,000 of the \$12.5 million new toll programming commitment to fund design work for the airport extension.

a) In late November, MTC received a letter dated November 28, 2012 (attached) from California State Senator Noreen Evans asking that MTC consider making a near-term investment to expand the initial operating segment to the Sonoma County Airport employment center. The request notes that this investment could be timed with the current construction activities to increase the cost-effectiveness of this system enhancement. Further, the Sonoma County Transportation Authority (SCTA) approved a \$6.6 million investment in December 2012 for an additional train set to achieve full service frequency to the North Santa Rosa station and, if constructed, the Sonoma County airport area

station. SMART staff has provided an analysis that demonstrates that the project would continue to meet MTC's Transit Oriented Development requirements with this extension to the airport area.

In a letter dated December 26, 2012 (attached), SMART staff has indicated that the estimated cost of extending the IOS four miles to the Sonoma County Airport area is roughly \$16 million, as detailed below:

Project Element	Cost (In Millions)
Track and Civil Work with Station Platform Shell	\$12.40
Design	\$0.75
Systems	\$2.40
Total	\$15.55

MTC staff recommends an additional bridge toll programming commitment of approximately \$12.5 million composed of Two Percent Bridge Tolls (\$7.3 million) and AB 1171 (\$5.2 million) with an immediate match contribution from SMART of \$0.7 million. This \$13.2 million commitment should ensure that the design, track, and platform work is able to move forward in tandem with the 2013 construction packages.

As background, MTC joined SCTA, TAM, and SMART to develop a funding plan for the initial operating segment (IOS) of SMART in September of 2011. This proposed new commitment of bridge tolls is recommended to enhance the productivity and efficiency of the IOS by making a link to a growing regional airport and a major employment center and to leverage the investment recently made by the SCTA to buy additional vehicles. It is not intended to permit SMART to substitute these funds into the IOS.

Further, this proposal will achieve economies of scale and ensure a basic level of passenger rail service to the airport area. However, the systems work is necessary to provide full service frequency to the Sonoma County Airport area. Therefore, staff recommends a condition on this bridge toll program commitment that the SMART Board prioritize potential award savings realized through the early 2013 contracts or additional sales tax revenue resulting from the improved economy toward fully funding the systems contract, currently estimated to cost \$2.4 million. The table below summarizes the recommended funding plan:

Funding Source	Cost (In Millions)
Two Percent Bridge Tolls	\$7.30
AB 1171	\$5.15
SMART (immediate)	\$0.70
SMART (future and amount to be confirmed based on revised cost estimate)	\$2.40
Total	\$15.55

- b) Further, staff recommends allocating only \$750,000 at this time for the design work. With the completion of design, a more accurate cost estimate will be available for consideration, along with a potentially higher SMART funding contribution, before staff returns to this Committee for action on an allocation for the construction phase.

Issues: Proposed allocation conditions: 1) TJPA – funds to be rescinded when land sales revenues become available for StSS contract; 2) BART (e-BART) – Allocation conditioned on the approval by the BART Board of the Initial Project Report; 3) BART (Livermore Extension) – BART staff to report a decision on whether to pursue a joint NEPA/CEQA or CEQA-only document, including having a lead federal agency, to MTC by June 1, 2013, and 4) SMART – SMART to prioritize potential savings and additional revenue towards fully funding the systems contract, and the satisfaction of this condition is to be considered along with the updated cost estimate of the four mile extension following completion of final design and before the construction allocation.

Recommendation: Refer Resolution Nos. 3684, Revised, 3914, Revised, 3915, Revised, and 4022, Revised.

Attachments: MTC Resolution Nos. 3684, Revised, 3914, Revised, 3915, Revised, 4022, Revised, and Letters from BART General Manager Grace Crunican, Senator Noreen Evans and SMART General Manager Farhad Mansourian.

Date: March 23, 2005
W.I.: 1255
Referred by: PAC
Revised: 12/21/05-C 05/24/06-DA
06/27/07-DA 01/23/08-C
05/28/08-C 12/17/08-C
05/27/09-DA 06/24/09-C
06/24/09-DA 12/16/09-C
06/27/12-C 01/23/13-C

ABSTRACT

MTC Resolution No. 3684, Revised

This resolution approves the allocation of Regional Measure 2 funds for the Rail Extension to East Contra Costa County project sponsored by the San Francisco Bay Area Rapid Transit District (BART) and Contra Costa Transportation Authority (CCTA) and implemented by BART.

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 BART and CCTA's Initial Project Report (IPR) for this project
- Attachment D - RM2 Deliverable/Useable Segment Cash Flow Plan

This resolution was revised on December 21, 2005 to allocate \$2,500,000 to CCTA for design of the Loveridge flyover to accommodate a transit structure.

This resolution was revised on May 24, 2006 through Delegated Authority to transfer \$100,000 of CCTA's existing allocation to BART for its work related to the Loveridge flyover project. This does not result in a net change to the overall approved allocations to date for this project.

This resolution was revised on June 27, 2007 through Delegated Authority to rescind \$650,000 on the Loveridge flyover structure work and allocate \$650,000 to amend the 100% design specifications on the Loveridge Road Interchange to accommodate eBART in the median of the project. The reallocation was necessary due to a change of assumptions on the alignment of the eBART project. CCTA has terminated work on the flyover structure.

ABSTRACT

MTC Resolution No. 3684, Revised

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This resolution was revised on January 23, 2008 to allocate \$1.6 million to CCTA and BART for final design work to accommodate the future eBART project into the Highway 4 widening design.

This resolution was revised on May 28, 2008 to allocate \$3 million to CCTA and BART for the final design of the eBART structures in the SR-4 median.

This resolution was revised on December 17, 2008 to allocate \$15 million to CCTA to acquire additional right-of-way needed to provide for a wider median in State Route 4 from Loveridge Road to State Route 160 to accommodate possible future mass transit.

This resolution was revised on May 27, 2009 through Delegated Authority to rescind \$1 million from the allocation to BART towards the locally adopted ridership development plans and allocate \$1 million to BART towards final design costs for the vehicles, and a portion of the final design costs for the aerial structures, transfer station and the guideway to Railroad Ave.

This resolution was revised on June 24, 2009 to allocate \$10 million to CCTA for the construction of the eBART median structures to be integrated into segments 1, 2, 3 and 4 of Caltrans/CCTA SR4 contracts, and \$15 million for right-of-way acquisition and associated costs between Somersville Rd and SR160 and construction activities between Loveridge Road and SR 160.

This resolution was revised on June 24, 2009 through Delegated Authority to allocate an additional \$1 million to BART towards a portion of the final design costs for the aerial structures, transfer station and the guideway to Railroad Ave.

This resolution was revised on December 16, 2009 to allocate \$29.15 million to BART towards continuation of final design activities and construction management, right of way acquisition east of Hillcrest Avenue, agreements with Caltrans, and towards the construction of the transfer station at the Pittsburg Bay Point BART station and guideway to Railroad Avenue.

This resolution was revised on June 27, 2012 to rescind \$1.4 million in savings from a prior right-of-way allocation to BART.

ABSTRACT

MTC Resolution No. 3684, Revised

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This resolution was revised on January 23, 2013 to allocate \$500,000 to BART towards the continuation of final design activities on the project, specifically for the Railroad Ave. Station.

Additional discussion of these allocations is contained in the Executive Director's memoranda to the MTC Programming and Allocations Committee dated March 2, 2005, December 14, 2005, January 9, 2008, May 14, 2008, December 10, 2008, June 10, 2009, December 9, 2009, June 13, 2012 and January 9, 2013.

Date: March 23, 2005
W.I.: 1255
Referred by: PAC

Re: Approval of Allocation of Regional Measure 2 funds for the Rail Extension to East Contra Costa County

METROPOLITAN TRANSPORTATION COMMISSION
RESOLUTION No. 3684

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, Rail Extension to East Contra Costa County is identified as capital project number 13 under RM 2 and is eligible to receive RM 2 funding as identified in Streets and Highways Code Sections 30914(c); and

WHEREAS, BART and CCTA are co-sponsors of the Rail Extension to East Contra and BART is the implementing agency; and

WHEREAS, BART and CCTA have submitted a request for the allocation of RM 2 funds for the Rail Extension to East Contra Costs County project; and

WHEREAS, BART and CCTA 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 BART 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 BART and 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; 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 BART'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 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; 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



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 March 23, 2005.

**REGIONAL MEASURE 2 PROGRAM
Allocation of Funds**

Project Title: Rail Extension to East Contra Costa County
Sponsor: BART and CCTA
Implementing Agency: BART and CCTA
Project Number: 13.1,13.2,13.3 (See below for respective claimants)

Allocation No. 13.1 - 1 (Org Key #840-8813-01)						
Claimant: BART						
Activities to be funded with this allocation						
The RM2 funded component delivers the following:						
1. The environmental document						
2. Preliminary engineering report						
3. Right-of-Way Acquisition Plan						
4. Locally adopted Ridership Development Plans (Proposed Stations sites are: Fairgrounds, Hillcrest, Oakley, Brentwood, and Byron).						
Allocation Instruction No.	Approval Date	Amount	Phase	Reimbursement Year		Cumulative Total To Date
05368401	23-Mar-05	\$ 300,000	ENV	FY2004-05	\$	300,000
06368402	23-Mar-05	\$ 6,950,000	ENV	FY2005-06	\$	7,250,000
06368403	23-Mar-05	\$ 500,000	ROW-SUP	FY2005-06	\$	7,750,000
07368404	23-Mar-05	\$ 8,400,000	ENV	FY2006-07	\$	16,150,000
07368405	23-Mar-05	\$ 600,000	ROW-SUP	FY 2006-07	\$	16,750,000
08368406	23-Mar-05	\$ 2,000,000	ENV	FY 2007-08	\$	18,750,000
08368406	27-May-09	\$ (1,000,000)	ENV	FY 2008-09	\$	17,750,000

Allocation No. 13.2 - 2 (Org Key #840-8813-02)						
Claimant: CCTA						
1) 65% Design for flyover to accommodate transit alternatives being considered as part of e-BART environmental process through the Loveridge Rd. interchange.						
Allocation Instruction No.	Approval Date	Amount	Phase	Reimbursement Year		Cumulative Total To Date
06368407	21-Dec-05	\$ 1,000,000	Design	FY2005-06	\$	18,750,000
07368408	21-Dec-05	\$ 1,500,000	Design	FY2006-07	\$	20,250,000
07368408	24-May-06	\$ (100,000)	Design	FY2006-07	\$	20,150,000
07368408	27-Jun-07	\$ (650,000)	Design	FY2006-07	\$	19,500,000

REGIONAL MEASURE 2 PROGRAM Allocation of Funds

Project Title: Rail Extension to East Contra Costa County
Sponsor: BART and CCTA
Implementing Agency: BART and CCTA
Project Number: 13.1,13.2,13.3 (See below for respective claimants)

Allocation No. 13.1 - 3 (Org Key #840-8813-01)						
Claimant: BART						
Activities to be funded with this allocation						
BART staff costs associated with contribution to the Loveridge Road Flyover project that is being implemented by CCTA. \$100,000 is being shifted from Allocation Instruction # 07368408 to this new allocation.						
Allocation Instruction No.	Approval Date	Amount	Phase	Reimbursement Year	Cumulative Total To Date	
07368409	24-May-06	\$ 100,000	Design	FY2006-07	\$ 19,600,000	

Allocation No. 13.2 - 4 (Org Key #840-8813-02)						
Claimant: CCTA						
Revisions to the 100% design specifications on the Loveridge Road interchange project to accommodate the transit alternatives that are being considered as part of the eBART environmental process.						
Allocation Instruction No.	Approval Date	Amount	Phase	Reimbursement Year	Cumulative Total To Date	
07368410	27-Jun-07	\$ 650,000	Design	FY2006-07	\$ 20,250,000	

Allocation No. 13.1 - 5 (Org Key #840-8813-01)						
Claimant: BART						
BART consultants will work with Caltrans to incorporate the design (above and below ground structures) of future mass transit in the SR4 median widening construction contract (design to 100%). Specific elements include two structures, drainage, and barrier/retaining walls.						
Allocation Instruction No.	Approval Date	Amount	Phase	Reimbursement Year	Cumulative Total To Date	
08368411	23-Jan-08	\$ 800,000	Design	FY2007-08	\$ 21,050,000	

**REGIONAL MEASURE 2 PROGRAM
Allocation of Funds**

Project Title: Rail Extension to East Contra Costa County
Sponsor: BART and CCTA
Implementing Agency: BART and CCTA
Project Number: 13.1,13.2,13.3 (See below for respective claimants)

Allocation No. 13.1 - 6 (Org Key #840-8813-01)

Claimant: CCTA						
Revisions to the 100% design specifications of State Route 4 widening project between Loveridge Road and Somersville Road. Activities include (but not limited to): 1) Median widening by about 20 additional feet 2) Structure modifications to Century Boulevard Underpass, Utilities Undercrossing, Old Kirker Creek Reinforced Concrete Box, Los Medanos Wasteway Reinforced Concrete Box, and some retaining walls on the north side of the freeway. 3) Utility relocation						
Allocation Instruction No.	Approval Date	Amount	Phase	Reimbursement Year	Cumulative Total To Date	
08368412	23-Jan-08	\$ 800,000	Design	FY2007-08	\$ 21,850,000	

Allocation No. 13.1 - 7 (Org Key #840-8813-01)

Claimant: BART						
Review and Oversight concurrently with Caltrans of the final design activities to incorporate median structures that will accommodate the future proposed eBART project into the SR4 project from Somersville Rd to SR160.						
Allocation Instruction No.	Approval Date	Amount	Phase	Reimbursement Year	Cumulative Total To Date	
08368413	28-May-08	\$ 1,500,000	Design	FY2007-08	\$ 23,350,000	

Allocation No. 13.1 - 8 (Org Key #840-8813-02)

Claimant: CCTA						
Final Design activities to incorporate median structures that will accomodate the future proposed eBART Project into the SR4 Project from Somersville Road to SR160.						
Allocation Instruction No.	Approval Date	Amount	Phase	Reimbursement Year	Cumulative Total To Date	
08368414	28-May-08	\$ 1,500,000	Design	FY2007-08	\$ 24,850,000	

Allocation No. 13.3 - 9 (Org Key #840-8813-03)

Claimant: CCTA						
Additional right-of-way to be acquired to provide for a wider median in State Route 4 from Loveridge Road to State Route 160 to accommodate possible future mass transit. Right of Way acquisition and associated costs such as R.A.P. and utility relocation.						
Allocation Instruction No.	Approval Date	Amount	Phase	Reimbursement Year	Cumulative Total To Date	
09368415	17-Dec-08	\$ 15,000,000	ROW	FY2008-09	\$ 39,850,000	

**REGIONAL MEASURE 2 PROGRAM
Allocation of Funds**

Project Title: Rail Extension to East Contra Costa County
Sponsor: BART and CCTA
Implementing Agency: BART and CCTA
Project Number: 13.1,13.2,13.3 (See below for respective claimants)

Allocation No. 13.1 - 10 (Org Key #840-8813-01)						
Claimant: BART						
Final design costs for the vehicles and a portion of the final design costs for aerial structures, transfer station and the guideway to Railroad Ave (\$1 million)						
Allocation Instruction No.	Approval Date	Amount	Phase	Reimbursement Year	Cumulative Total To Date	
09368416	27-May-09	\$ 1,000,000	PS&E	FY2008-09	\$ 40,850,000	

Allocation No. 13.1 - 11 (Org Key #840-8813-01)						
Claimant: CCTA						
Construction of the eBART median structures to be integrated into segments 1, 2, 3 and 4 of Caltrans/CCTA SR4 contracts						
Allocation Instruction No.	Approval Date	Amount	Phase	Reimbursement Year	Cumulative Total To Date	
09368417	24-Jun-09	\$ 10,000,000	CON	FY2008-09	\$ 50,850,000	

Allocation No. 13.3 - 12 (Org Key #840-8813-03)						
Claimant: CCTA						
ROW Activities - acquisition, R.A.P. and utility relocation between Somersville and SR160; Construction Activities between Loveridge Road and State Route 160						
Allocation Instruction No.	Approval Date	Amount	Phase	Reimbursement Year	Cumulative Total To Date	
09368418	24-Jun-09	\$ 15,000,000	ROW/CON	FY2008-09	\$ 65,850,000	

Allocation No. 13.1 - 13 (Org Key #840-8813-01)						
Claimant: BART						
Final design costs for a portion of the aerial structures, transfer station and the guideway to Railroad Ave (\$1 million)						
Allocation Instruction No.	Approval Date	Amount	Phase	Reimbursement Year	Cumulative Total To Date	
09368419	24-Jun-09	\$ 1,000,000	PS&E	FY2008-09	\$ 66,850,000	

**REGIONAL MEASURE 2 PROGRAM
Allocation of Funds**

Project Title: Rail Extension to East Contra Costa County
Sponsor: BART and CCTA
Implementing Agency: BART and CCTA
Project Number: 13.1,13.2,13.3 (See below for respective claimants)

Allocation No. 13.1 - 14 (Org Key #840-8813-01)						
Claimant: BART						
Continuation of final design and construction management activities (\$10.35 M), right of way acquisition east of Hillcrest Avenue (\$13 M), and agreements with Caltrans (1.6 M). Construction of the transfer station at the Pittsburg Bay Point BART station and guideway to Railroad Avenue (2.75 M).						
Allocation Instruction No.	Approval Date	Amount	Phase	Reimbursement Year		Cumulative Total To Date
10368420	16-Dec-09	\$ 29,150,000	PS&E/ROW/CON	FY2009-10	\$	96,000,000
10368420	27-Jun-12	\$ (1,400,000)	ROW	FY2009-10	\$	94,600,000

Allocation No. 13.1 - 15 (Org Key #840-8813-01)						
Claimant: BART						
Continuation of final design activities on the project, specifically for the Railroad Avenue Station.						
Allocation Instruction No.	Approval Date	Amount	Phase	Reimbursement Year		Cumulative Total To Date
13368421	23-Jan-13	\$ 500,000	PS&E	FY2012-13	\$	95,100,000

REGIONAL MEASURE 2 PROGRAM Project Specific Conditions

Project Title: Rail Extension to East Contra Costa County Project
Sponsor: BART and CCTA
Implementing Agency: BART
Project Number: 13

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

1. Approval of the allocation package by the BART and CCTA Board of Directors. The allocation package consists of the Initial Project Report (IPR), resolution of project compliance, and opinion of legal counsel.
2. MTC certification of BART and CCTA's evidence of allocation and commitment of complementary funds.
3. Receipt of these funds by the Bay Area Rapid Transit District is conditioned on working cooperatively with MTC to harmonize the District's System Expansion Policy with the Commission's Transit-Oriented Development policy for transit expansion projects funded under Resolution 3434, scheduled for adoption in June 2005. CCTA, BART and MTC will work cooperatively to ensure that both policies are addressed through a unified corridor planning process.
4. BART will work cooperatively with CCTA and MTC to prepare a detailed work plan budget and scope of work for the Ridership Development Plans/ Station Area Plans.
5. CCTA's \$450,000 in Measure C funds and \$100,000 in T-PLUS funds and MTC's \$500,000 in Station Area Planning funds are to be used towards the development of the Ridership Development Plans, to supplement RM2 funds for an estimated total Ridership Development Plan budget of approximately \$2.5 million.
6. Allocations for future phases are dependent upon the environmental analysis of the project. The total project cost as identified in the Initial Project Report is considered conceptual until the completion of the environmental document.
7. BART and CCTA may invoice MTC for eligible project expenses as frequently as monthly, in accordance with the cash flow plan.
8. The 5/28/08 allocation and reimbursement of \$1,500,000 to BART and \$1,500,000 to CCTA for the design phase of the SR4 median structures to accommodate transit are conditioned on final approval of the revalidated EIR.

9. The following condition applies to the 12/17/08 allocation:
Reimbursement of \$15,000,000 to CCTA to acquire additional right-of-way is conditioned on BART and CCTA signing an agreement defining the assignment of RM2 funds from the eBART project allocation to the State Route 4 project to accommodate a potential future transit project.
10. The 6/24/09 allocations of \$25,000,000 to CCTA for ROW & CON are conditioned on the following:
 - a. Approval of the allocation package by the BART Board of Directors.
 - b. CCTA's approval of a near-term (FY 2010 and FY 2011) Measure J commitment of \$20 million to the eBART project to demonstrate its continued financial commitment to the project; and
 - c. No additional MTC allocations for work on the SR 4 widening projects to accommodate transit will occur until CCTA completes its upcoming re-assessment of its Measure J Strategic Plan, scheduled for late Fall 2009. As part of the re-assessment, MTC, BART and CCTA staffs will collaborate to develop a revised funding plan for eBART construction. During this re-assessment period staff may return with design allocations for BART to keep the eBART project on track.
10. The disbursement of the portion of the \$29,150,000 in RM2 funds allocated to BART on 12/16/09 for construction is conditioned on the execution of a funding agreement between MTC & BART.
11. The \$500,000 of RM2 funds allocated on 01/23/13 for final design are being allocated in lieu of \$500,000 of AB1171 funds for the Railroad Avenue Station design, for administrative purposes. The \$500,000 in AB 1171 funds will be available to BART, upon BART's request, for eBART construction related activities at a later time.
12. The \$500,000 of RM2 funds allocated on 01/23/13 for final design are conditioned on the BART Board approving the Initial Project Report package.

RM2 Project Number: 13
Rail Extension to East Contra Costa County (eBART)

Lead Sponsor San Francisco Bay Area Rapid Transit District (BART) Contra Costa Transportation Authority (CCTA)	Other Sponsors(s) N/A	Implementing Agency (if applicable) BART
Legislated Project Description Extend BART from Pittsburg/Bay Point Station to Byron in East Contra Costa County.		
RM2 Legislated Funding (in \$1,000) \$96,000	Total Estimated Project Cost (in \$1,000) \$464,750	
Project Purpose and Description The purpose of the project is to bring commute relief to the eastern portion of Contra Costa County, a fast growing part of the Bay Area. The eBART project is a 10-mile rail extension that would utilize a non-BART technology, and link directly into the BART system. The eBART technology is diesel-multiple unit trains. The environmental study examined the route from the existing Pittsburg/Bay Point BART Station to Byron. Because of revenue constraints, the project is proposed for a phased implementation. The first phase begins at the Pittsburg/Bay Point BART Station and continue eastward to Hillcrest in Antioch. Phase 2 would continue the route from Hillcrest to Oakley, Brentwood, and Byron (three new stations).		
Funding Description Committed Funds: The project has a total of \$464.75 million in committed funds. Uncommitted Funds: Phase 1 is fully funded. Phase 2 is not funded at this time.		
Operating Capacity: Once in service, eBART would operate as a portion of the BART system, under the same operating source umbrella of fares, sales tax, and property tax.		

Overall Project Cost and Schedule

Phase	Scope	Start	End	Cost (in \$1,000)
1	Final Environmental Document	04/2005	01/2009	\$26,400
2	Plans, Specifications and Estimates	04/2008	03/2011	\$33,800
3	Right-of-Way	04/2005	06/2011	\$119,400
4	Construction (Design - Build)	06/2009	12/2015	\$285,150
Total:				\$464,750

Total Project Funding Plan: Committed and Uncommitted Sources

(Amounts in Thousands)

Project Title	Rail Extension to East Contra Costa County						Project No.	13					
Lead Sponsor	BART and CCTA												
Fund Source	Phase	Prior	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	Future	Total
Committed													
RM2	Environmental		300	6,950	8,400	1000							16,650
Measure C	Environmental				400								400
TCRP	Environmental				5250								5,250
SAP	Environmental				500								500
T-Plus	Environmental				100								100
RM2	PS&E			2,500		4,600	2,000	9,100			500		18,700
Proposition 1B	PS&E					3,000	6,000						9,000
City of Pittsburg	PS&E										500		500
RM1	PS&E, ROW, CON								16,000	3,000	3,000	30,000	52,000
RM2	ROW			500	600		15,000	13,000				1,400	30,500
Measure J	PS&E, ROW, CON							10,000	10,000		5,500	110,000	135,500
RM2	Construction						25,000	5,150					30,150
AB1171	Construction							59,490	19,000	22,977		14,033	115,500
Proposition 1B	Construction							15,000	16,000				31,000
ECCFRA	Construction											6,000	6,000
STIP	Construction											13,000	13,000
Total:		0	300	9,950	15,250	8,600	48,000	111,740	61,000	25,977	9,500	174,433	464,750
Uncommitted													
Total:		0	0	0	0	0	0	0				0	0
Total Project Committed and Uncommitted													
		Prior	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10				Future	Total
Total:		0	300	9,950	15,250	8,600	48,000	111,740	61,000	25,977	9,500	174,433	464,750

REGIONAL MEASURE 2 PROGRAM Project Cash Flow Plan

Project Title: Rail Extension to East Contra Costa County
Sponsor: BART and CCTA
RM2 Project Number: 13

RM2 Project # 13	PRIOR	FY 2007-08	FY 2008-09	FY 2009-10	FY 2010-11	FY 2011-12	FY 2012-13	TOTAL
RM2 Funds Total	19,250,000	5,600,000	42,000,000	29,150,000	-	(1,400,000)	500,000	95,100,000
Environmental (ENV)	20,250,000	6,250,000	0	0	0	0	0	26,500,000
RM 2	19,250,000	1,000,000						20,250,000
Measure C	400,000							400,000
CCTA T-Plus Funds	100,000							100,000
TCRP		5,250,000						5,250,000
SAP	500,000							500,000
Final Design (PS&E)	0	7,600,000	8,000,000	18,000,000	3,400,000	0	500,000	37,500,000
RM2		4,600,000	2,000,000	7,000,000			500,000	14,100,000
Prop 1B		3,000,000	6,000,000					9,000,000
AB1171				11,000,000	3,400,000			14,400,000
								0
Right of Way	0	0	30,000,000	25,400,000	15,000,000	21,600,000	0	92,000,000
RM 2			30,000,000	14,400,000		(1,400,000)		43,000,000
AB1171				11,000,000	15,000,000	23,000,000		49,000,000
								0
								0
Construction	0	0	10,000,000	117,240,000	4,000,000	59,004,000	(12,565,000)	177,679,000
RM2			10,000,000	7,750,000				17,750,000
Measure J				20,000,000		34,765,000	(12,565,000)	42,200,000
AB1171				37,490,000	4,000,000	(3,423,000)		38,067,000
RM1				52,000,000				52,000,000
Prop 1B						27,662,000		27,662,000
TOTAL FUNDING								
Environmental	20,250,000	6,250,000	0	0	0	0	0	26,500,000
Final Design (PS&E)	0	7,600,000	8,000,000	18,000,000	3,400,000	0	500,000	37,500,000
Right of Way	0	0	30,000,000	25,400,000	15,000,000	21,600,000	0	92,000,000
Construction	0	0	10,000,000	117,240,000	4,000,000	59,004,000	(12,565,000)	177,679,000
PROJECT TOTAL	20,250,000	13,850,000	48,000,000	160,640,000	22,400,000	80,604,000	(12,065,000)	333,679,000

Date: June 24, 2009
W.I.: 1255
Referred By: PAC
Revised: 12/16/09-C 02/24/10-C
03/24/10-C 06/23/10-C
07/28/10-C 10/27/10-C
12/15/10-C 03/23/11-C
05/25/11-C 06/22/11-C
07/27/11-C 09/28/11-C
11/16/11-C 03/28/12-C
06/27/12-C 07/25/12-C
11/28/12-C 01/23/13-C

ABSTRACT

Resolution No. 3914, Revised

This resolution allocates AB 1171 Bridge Toll funds to eligible projects.

This resolution includes the following attachments:

Attachment A – Allocations of AB 1171 Bridge Toll funds

This resolution was revised on December 16, 2009 to allocate \$13.9 million to BART towards the eBART project for construction of the transfer station at the Pittsburg Bay Point BART station and guideway to Railroad Avenue.

This resolution was revised on February 24, 2010 to allocate AB 1171 funds to the Transbay Joint Powers Authority, \$10.7 million towards the final design phase of the Transbay Transit Center, and \$5.226 million towards the Program Management/Program Controls (PMPC) services for the project.

This resolution was revised on March 24, 2010 to allocate a total of \$13 million in AB 1171 funds to CCTA towards the construction of eBART median structures to be integrated into Segments 1, 2, 3, 4, and 5 of Caltrans/CCTA State Route 4 contracts, and towards right-of-way to accommodate e-BART.

This resolution was revised on June 23, 2010 to allocate a total of \$11 million in AB 1171 funds to BART towards the completion of final design on the eBART project. This resolution was also revised to allocate \$134 million towards the final design phase for the Transit Center building

ABSTRACT

MTC Resolution No. 3914, Revised

Page 2

and ramps and construction of the Transit Center, including the below-grade rail levels of the Transit Center.

This resolution was revised on July 28, 2010 to allocate \$5 million to BART towards the Line, Trackwork, Systems & Station (LTSS) construction and related activities for the BART Warm Springs Extension project; \$1.25 million to ACCMA towards purchase of right-of-way and \$250,000 to MTC for an independent Opportunity/Risk Analysis for the BART to Livermore ROW Preservation project; and \$2.8 million towards the initial project development activities for the Regional Express Lane Network.

This resolution was revised on October 27, 2010 to allocate a total of \$73.6 million to BART towards the purchase of Diesel Multiple Unit (DMU) vehicles for the eBART project.

This resolution was revised on December 15, 2010 through Commission action to allocate \$7 million for environmental and preliminary engineering for the I-80/I-680/SR-12 Interchange project in Solano County.

This resolution was revised on March 23, 2011 through Commission action to rescind \$52 million from the October 27, 2010 allocation of \$73.6 million for the purchase of Diesel Multiple Unit (DMU) vehicles for the eBART project. This resolution was also revised to allocate \$19 million for construction and construction management activities on State Route 4 related to eBART.

This resolution was revised on May 25, 2011 through Commission action to rescind \$76 million from the June 23, 2010 allocation of \$134 million towards the final design phase for the Transit Center building and ramps and construction of the Transit Center, including the below-grade rail levels of the Transit Center.

This resolution was revised on June 22, 2011 through Commission action to allocate \$26.4 million for the construction of the I-80 Eastbound Cordelia Truck Scales Relocation project in Solano County.

This resolution was revised on July 27, 2011 to update the allocation conditions for the BART Warm Springs project to add principles for addressing potential cost increases.

ABSTRACT

MTC Resolution No. 3914, Revised

Page 3

This resolution was revised on September 28, 2011 to allocate \$27.1 million to CCTA towards construction and construction management activities for the integration of eBART median structures into Caltrans/CCTA SR 4 contract segments and to accommodate eBART in the SR4 median.

This resolution was revised on November 16, 2011 to allocate \$6.5 million to VTA towards construction and construction management activities for the Mission/Warren/Truck-Rail Facility.

This resolution was revised on March 28, 2012 to rescind \$3,817,000 from allocation #17 for the I-80 Eastbound Cordelia Truck Scales Relocation project; and allocate \$14,280,000 for the I-80/680/12 Interchange Initial Construction Package 1 project towards right-of-way acquisition.

This resolution was revised on June 27, 2012 to allocate \$73.7 million to the Transbay Joint Powers Authority to certify upcoming construction contracts, finalize the Transbay Transit Center design, fund remaining Construction Management/General Contractor (CM/GC) services on the project, and fund pre-bid construction management for the “steel cast nodes” elements of glass exterior shell.

This resolution was revised on June 27, 2012 to allocate \$9.41 million to BART for eBART for the completion of Final Design and Construction Management (CM) and Design Service during Construction (DSDC) for the maintenance shop shell, Hillcrest parking lot and re-alignment construction at the Slatten Ranch Rd. This resolution is also being revised to rescind \$13.5 million in savings from prior allocations on this project.

This resolution was revised on July 25, 2012 to allocate \$8.5 million to the Solano Transportation Authority for the completion of the environmental document and preliminary engineering of the I-80/680/12 Interchange project, and to amend the scope of allocation #14 to include eligible expenses from all three phases of the interchange project, effective as of the original date of allocation.

This resolution was revised on November 28, 2012 to allocate \$5.98 million to the Solano Transportation Authority for utility relocation and right-of-way activities for the I-80/680/12 Interchange project.

ABSTRACT

MTC Resolution No. 3914, Revised

Page 4

This resolution was revised on January 23, 2013 to allocate \$5.8 million to the Solano Transportation Authority for utility relocation and right-of-way activities for the I-80/680/12 Interchange project; \$8.6 million to BART towards the environmental, conceptual engineering, and project approval phase of the BART to Livermore Extension project; and \$0.75 million to the SMART project towards design for the re-construction of the SMART track facilities between Santa Rosa North and Sonoma County Airport area. The Commission also approved program commitments of: 1) \$4.4 million, subject to future allocation, towards the re-construction of the SMART track facilities between Santa Rosa North and the Sonoma County Airport area; and 2) \$0.5 million to BART for the eBART project.

Additional discussion of this allocation is contained in the Executive Director's memoranda and MTC Programming and Allocations Committee Summary sheet dated June 10, 2009, December 9, 2009, February 10, 2010, March 10, 2010, June 9, 2010, July 14, 2010, October 13, 2010, December 8, 2010, March 9, 2011, May 11, 2011, June 8, 2011, July 13, 2011, September 14, 2011, November 9, 2011, March 7, 2012, June 13, 2012, July 11, 2012, November 14, 2012, and January 9, 2013.

Date: June 24, 2009
W.I.: 1255
Referred By: PAC

RE: Allocation of AB 1171 Bridge Toll funds

METROPOLITAN TRANSPORTATION COMMISSION
RESOLUTION NO. 3914

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, 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, pursuant to Streets and Highways Code (SHC) Section 31010(b), funds generated in excess of those needed to meet the toll commitments as specified by paragraph (4) of subdivision (b) of Section 188.5 of the SHC shall be available to BATA for funding projects consistent with SHC Sections 30913 and 30914; and

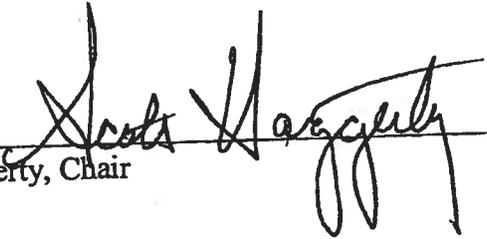
WHEREAS, MTC adopted Resolution 3434, Revised, which establishes commitments of AB 1171 bridge toll funds to specific projects and corridors; and be it

RESOLVED, that MTC approves the allocation and reimbursement of AB 1171 bridge toll funds in accordance with the amount, conditions and reimbursement schedule for the phase, and activities as set forth in Attachment A; and, be it further

RESOLVED, that should the allocation of AB 1171 Bridge Toll Funds 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.

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

METROPOLITAN TRANSPORTATION COMMISSION



Scott Haggerty, Chair

The above resolution was entered into by the Metropolitan Transportation Commission at a regular meeting of the Commission held in Oakland, California on June 24, 2009.

Date June 24, 2009
W.I.: 1255
Referred by: PAC
Revised: 12/16/09-C 02/24/10-C 03/24/10-C
06/23/10-C 07/28/10-C 10/27/10-C
12/15/10-C 03/23/11-C 05/25/11-C
06/22/11-C 07/27/11-C 09/28/11-C
11/16/11-C 03/28/12-C 06/27/12-C
07/25/12-C 11/28/12-C 01/23/13-C

Attachment A
Resolution No. 3914
Page 1 of 22

ALLOCATION OF AB 1171 Bridge Toll Funds
Allocation Authorization: S&H § 31010(b)

Alloc. #	Fiscal Year	Claimant	Project Title	Allocation Amount	Date of MTC Approval	Allocation Conditions
01	2008-09	San Francisco County Transportation Authority (SFCTA)	Doyle Drive project	\$80,000,000	06/24/2009	Allocation and disbursement is contingent upon the execution of a funding agreement between MTC and SFCTA for the AB 1171 Bridge Toll funds. Such agreement shall include the following provisions: SFCTA shall agree to comply with the provisions of MTC Resolution No. 3636, Revised and that any AB 1171 Bridge Toll funds received under the funding agreement be subject to MTC Resolution No. 3636, Revised, unless otherwise stated in the agreement.
02	2009-10	Bay Area Rapid Transit District (BART)	e-BART	\$13,890,000	12/16/2009	Allocation and disbursement is contingent upon the execution of a funding agreement between MTC and BART for the AB 1171 Bridge Toll funds. Such agreement shall include the following provisions: BART shall agree to comply with the provisions of MTC Resolution No 3636, Revised and that any AB 1171 Bridge Toll funds received under the funding agreement be subject to MTC Resolution No. 3636, Revised, unless otherwise stated in the agreement.

Alloc. #	Fiscal Year	Claimant	Project Title	Allocation Amount	Date of MTC Approval	Allocation Conditions
03	2009-10	TJPA	Transbay Transit Center/ Downtown Caltrain Extension	\$10,700,000	02/24/10	<p>Scope of Work: This allocation will fund the final design phase for the Transit Center building and ramps, including the below-grade rail levels of the Transit Center. The scope includes final design work, various consulting services, coordination with public agencies, and permits and fees.</p> <p>TJPA shall agree to comply with the provisions of MTC Resolution No 3636, Revised and that any AB 1171 Bridge Toll funds received be subject to MTC Resolution No. 3636, Revised, unless otherwise stated in the agreement.</p> <p>TJPA shall submit to MTC an “Implementing Agency Resolution of Project Compliance” which resolves that the TJPA will comply with the provisions of MTC Resolution No 3636 for the drawdown of AB 1171 funds.</p> <p>This allocation is also conditioned on the approval of the IPR package by the TJPA board.</p>

Alloc. #	Fiscal Year	Claimant	Project Title	Allocation Amount	Date of MTC Approval	Allocation Conditions
04	2009-10	Transbay Joint Powers Authority (TJPA)	Transbay Transit Center/ Downtown Caltrain Extension	\$5,226,000	02/24/10	<p>Scope of Work: This allocation will fund the Program Management/Program Controls (PMPC) services for the project. The PMPC provides assistance with the design, oversight, and management of the entire project.</p> <p>TJPA shall agree to comply with the provisions of MTC Resolution No 3636, Revised and that any AB 1171 Bridge Toll funds received be subject to MTC Resolution No. 3636, Revised, unless otherwise stated in the agreement.</p> <p>TJPA shall submit to MTC an “Implementing Agency Resolution of Project Compliance” which resolves that the TJPA will comply with the provisions of MTC Resolution No 3636 for the drawdown of AB 1171 funds.</p>

Alloc. #	Fiscal Year	Claimant	Project Title	Allocation Amount	Date of MTC Approval	Allocation Conditions
05	2009-10	CCTA	e-BART	\$11,000,000	03/24/10	<p>Scope of Work: This allocation will fund \$11,000,000 for ROW Activities and associated utility coordination and construction between Somersville Rd and SR160. This is a contribution towards BART and CCTA's agreed upon right-of-way cost for median.</p> <p>Allocation is conditioned on the approval of the IPR package by the CCTA Board and concurrence by the BART board.</p> <p>Allocation and disbursement is contingent upon the execution of a funding agreement between MTC and CCTA for the AB 1171 Bridge Toll funds. Such agreement shall include the following provisions:</p> <p>CCTA agrees to comply with the provisions of MTC Resolution No 3636, Revised and that any AB 1171 Bridge Toll funds received under the funding agreement shall be subject to MTC Resolution No. 3636, Revised, unless otherwise stated in the agreement.</p>

Alloc. #	Fiscal Year	Claimant	Project Title	Allocation Amount	Date of MTC Approval	Allocation Conditions
06	2009-10	CCTA	e-BART	\$2,000,000	03/24/10	<p>Scope of Work: This allocation will fund \$2,000,000 for construction activities associated with eBART costs in the median between Loveridge Road and SR160.</p> <p>Allocation is conditioned on the approval of the IPR package by the CCTA Board and concurrence by the BART board.</p> <p>Allocation and disbursement is contingent upon the execution of a funding agreement between MTC and CCTA for the AB 1171 Bridge Toll funds. Such agreement shall include the following provisions:</p> <p>CCTA agrees to comply with the provisions of MTC Resolution No 3636, Revised and that any AB 1171 Bridge Toll funds received under the funding agreement shall be subject to MTC Resolution No. 3636, Revised, unless otherwise agreed herein.</p>

Alloc. #	Fiscal Year	Claimant	Project Title	Allocation Amount	Date of MTC Approval	Allocation Conditions
07	2009-10	BART	e-BART	\$11,000,000	06/23/10	<p>Scope of Work: This allocation is towards the completion of the final design for the eBART project. The specific elements of this allocation include final design for the Hillcrest station, parking lot and maintenance facility, trackworks & systems, vehicle procurement, and various Caltrans & Utility agreements.</p> <p>Allocation is conditioned on the approval of the Initial Project Report (IPR) package by the BART board and concurrence by the CCTA board.</p> <p>BART shall agree to comply with the provisions of MTC Resolution No. 3636, Revised and that any AB 1171 Bridge Toll funds received be subject to MTC Resolution No. 3636, Revised.</p> <p>BART shall submit to MTC an “Implementing Agency Resolution of Project Compliance” which resolves that BART will comply with the provisions of MTC Resolution No. 3636 for the drawdown of AB 1171 funds.</p>

Alloc. #	Fiscal Year	Claimant	Project Title	Allocation Amount	Date of MTC Approval	Allocation Conditions
08	2009-10	Transbay Joint Powers Authority (TJPA)	Transbay Transit Center/ Downtown Caltrain Extension	\$134,074,000	06/23/10	<p>Scope of Work: This allocation is towards the final design phase for the Transit Center building and ramps and construction of the Transit Center, including the below-grade rail levels of the Transit Center. The elements that will proceed to NTP using AB 1171 funds are: <i>Construction Management Oversight, Existing Terminal & Ramps Demolition, Construction Docs/Final Design, City Agency Inspection, Permits & Fees, PMPC, Utility Relocation, Buttress Shoring Wall & Excavation and Construction Management General Contractor services.</i></p> <p>The allocation of funds is conditioned on the following:</p> <p>a) Approval of the Initial Project Report (IPR) package by the TJPA board.</p> <p>b) *Once the ARRA funds are secured in a grant agreement, MTC will rescind the remaining AB 1171 funds from this allocation so that they may be used for future elements of this project.</p> <p>The demolition and construction allocation of roughly \$112 million is conditioned on:</p> <p>a) Federal Railroad Administration (FRA) issuance of the Record of Decision adopting those portions of the 2004 EIS dealing with Phase 1.</p> <p style="text-align: center;">(cont. next page)</p>
08 (cont.)						<p>b) Execution of a funding agreement between MTC and TJPA for the AB 1171 Bridge Toll funds. Such agreement shall include the following provisions: TJPA shall agree to comply with the provisions of MTC Resolution No. 3636,</p>

Alloc. #	Fiscal Year	Claimant	Project Title	Allocation Amount	Date of MTC Approval	Allocation Conditions
						<p>Revised and that any AB 1171 Bridge Toll funds received be subject to MTC Resolution No. 3636, Revised.</p> <p>*The TJPA is currently working with the Federal Railroad Administration (FRA) on finalizing a grant agreement for \$400 million in American Reinvestment and Recovery Act (ARRA) High Speed and Intercity Passenger Rail (HSIPR) funds. Though these funds have been committed, the timing of the grant agreement is unknown at this time. TJPA anticipates receiving a grant before the end of the calendar year. TJPA is requesting this allocation of AB 1171 funds in order to maintain the project schedule while awaiting the grant agreement.</p>
09	2010-11	BART	BART Warm Springs Extension	\$5,000,000	07/28/10 Conditions Revised 7/27/11	<p>Scope of Work: This allocation is towards the following costs for the Line, Trackwork, Station and Systems (LTSS) contract on the Warm Springs Extension project: a) Award of the LTSS contract, b) Construction Management, c) Design support during construction, d) BART staff support, e) Coordination with other jurisdictional agencies and development of agreements, f) Owner Controlled Insurance Program (OCIP), and g) Community Relations. The allocation of funds is conditioned on the following:</p> <p>a) Approval of the Initial Project Report (IPR) package by the BART board.</p> <p>b) Execution of a funding agreement between MTC and BART prior to the Notice-to-Proceed (NTP) of the LTSS construction contract for the RM1, RM2, and AB 1171 Bridge Toll funds. Such agreement shall include: BART shall agree to comply with the provisions of MTC Resolution No. 3636, Revised and that any Bridge Toll funds received be subject to MTC Resolution No. 3636, Revised. The agreement shall include the following:</p> <ul style="list-style-type: none"> The approved BART to Warm Springs LTSS construction plus soft cost, as of June 2011, totals \$437 million, which includes a 12.4% contingency. The 12.4% contingency is a reduction of

Alloc. #	Fiscal Year	Claimant	Project Title	Allocation Amount	Date of MTC Approval	Allocation Conditions
						<p>approximately \$10 million from the 15% contingency previously estimated by BART to be required for successful completion of the LTSS phase. While this amount is within the financial envelope of \$890 million, it is higher than the currently identified and available funding.</p> <ul style="list-style-type: none"> • Bridge Tolls, Measure B, State Proposition 1B, BART, and VTA Measure A funds total \$421 million. • Roughly \$16 million from the Right of Way phase and Central Park Subway segment combined can be assigned to the LTSS funding plan based on identified cost savings and budget adjustments as of June 2011. • BART and the funding partners have agreed to proceed with the project using the available funding. • Principles for addressing construction costs up to the \$10 million difference between approved project cost and available funding include, in priority order: <p>(cont. next page)</p>
						<ol style="list-style-type: none"> 1. Apply any additional savings from the Right of Way phase or Subway Segment after June 2011; 2. Apply any savings from the LTSS construction contract or soft costs; and 3. If additional funding is still needed, direct SFO net operating surplus revenues and Alameda STIP funds or other funds controlled by the Alameda County Transportation Commission to the project, in equal share to the original funding plan adopted in September 2008 (44% and 56%, respectively). <ul style="list-style-type: none"> • Should unexpected changes to the LTSS funding plan or costs occur beyond the \$10 million described above, the funding partners would need to agree on new principles for delivering the LTSS phase. <p>c) All the funding partners maintaining their funding commitment for the estimated \$890 million project as outlined in the 2008 revision to MTC Resolution No. 3434, unless agreed otherwise as part of condition d) below.</p>

Alloc. #	Fiscal Year	Claimant	Project Title	Allocation Amount	Date of MTC Approval	Allocation Conditions
						d) Funding partners reaching an agreement prior to BART's NTP of the LTSS contract that outlines the distribution of potential total project cost savings or overruns, given disproportionate contributions by partners to date.

10	2010-11	ACCMA (Co-sponsor - BART)	BART to Livermore ROW Preservation	\$1,250,000	07/28/10	<p>Scope of Work: This allocation is to fund the purchase of right-of-way in the vicinity of I-580 and El Charro Rd to retain land for future transit use. The allocation of funds is conditioned on the following:</p> <p>I- Execution of a funding agreement between MTC and ACCMA for the AB 1171 Bridge Toll funds. Such agreement shall include the following provisions:</p> <p>ACCMA shall agree to comply with the provisions of MTC Resolution No. 3636, Revised and that any AB 1171 Bridge Toll funds received be subject to MTC Resolution No. 3636, Revised.</p> <p>BART and ACCMA concur with an additional AB 1171 allocation, not to exceed \$500,000, to MTC for an independent Opportunity/Risk Assessment Study administered by MTC related to the \$95 million in AB 1171 funds committed to the project in Resolution 3434.</p> <p>Establishment of a Land Trust (or similar mechanism) including, but not limited to the following terms: a) property shall be held for the benefit of a BART Extension to Livermore or other transit project in corridor consistent with Resolution 3434 – Tri-Valley Transit Access Improvements to/from BART (PROJECT); and b) if PROJECT does not commence construction within ten years, property in the Land trust shall be sold for fair market value and proceeds distributed equally to funding partners, based on funding participation.</p>
11	2010-11	MTC	Opportunity/Risk Analysis for the BART to Livermore ROW Preservation project	\$250,000	07/28/10	<p>Scope of Work: Develop an Opportunity/Risk Analysis related to future allocations of AB 1171 funds for ROW preservation for transit use in the corridor in the context of the programmatic level Environmental Impact Report certified by the BART Board.</p>

12	2010-11	MTC	Regional Express Lane Network	\$2,800,000	07/28/10	<p>Scope of work: The funds requested in this allocation will be used to develop a project initiation document and application to the CTC for authority to implement the Regional Express Lanes Network. Additional planning and project development will be funded with this allocation, including: a) development of concepts of operation, b) exploration of options to enhance project delivery, c) development of an overall program delivery strategy.</p>
13	2010-11	BART	e-BART	\$73,600,000	10/27/10	<p>Scope of work: This allocation is to fund the purchase of 8 Diesel Multiple Unit (DMU) vehicles for the eBART project.</p> <p><i>Conditions:</i> Allocation is conditioned on the concurrence of the IPR package by the CCTA board.</p> <p>Allocation and disbursement is contingent upon the execution of a funding agreement between MTC and BART for the AB 1171 Bridge Toll funds. Such agreement shall include the following provisions:</p> <p>BART agrees to comply with the provisions of MTC Resolution No 3636, Revised and that any AB 1171 Bridge Toll funds received under the funding agreement shall be subject to MTC Resolution No. 3636, Revised, unless otherwise agreed herein.</p>

14	2010-11	Solano Transp. Authority (STA)	I-80/680/12 Interchange Initial Construction Package (ICP)	\$7,000,000	12/15/10	<p>Scope of work: This allocation funds the environmental document and preliminary engineering for the Interchange Complex, including three segments of the interchange – the I-80 Westbound to SR-12 Westbound Connector, the I-80 Westbound to I-680 Southbound Connector, and the Red Top/I-680 Interchange.</p> <p>Scope change approved 07/25/12 and effective as of the original allocation approval date of 12/15/10.</p> <p><i>Conditions:</i> Allocation is conditioned on the concurrence of the IPR package by the STA board.</p> <p>STA agrees to comply with the provisions of MTC Resolution No 3636, Revised and that any AB 1171 Bridge Toll funds received under the funding agreement shall be subject to MTC Resolution No. 3636, Revised, unless otherwise agreed herein.</p>
13	2010-11	BART	e-BART	(\$52,000,000)	03/23/11	<p>This rescission of \$52 million reduces Allocation #13 to \$21.6 million for the purchase of 8 Diesel Multiple Unit (DMU) vehicles for the eBART project. The remaining \$21.6 million allocation in AB 1171 funds is subject to the conditions listed under Allocation #13.</p>

16	2010-11	CCTA	e-BART	\$19,000,000	03/23/11	<p>Scope of work: This allocation will fund \$19,000,000 for construction and construction management activities associated with e-BART costs in the median of State Route 4 between Somersville Road and SR160.</p> <p>Allocation is conditioned on concurrence by the BART board with the IPR package.</p> <p>Allocation and disbursement are also conditioned upon the execution of a funding agreement between MTC and CCTA for the AB 1171 funds. Such agreement shall include the following provisions:</p> <p>CCTA agrees to comply with the provisions of MTC Resolution No 3636, Revised and that any AB 1171 Bridge Toll funds received under the funding agreement shall be subject to MTC Resolution No. 3636, Revised, unless otherwise agreed herein.</p>
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08	2010-11	Transbay Joint Powers Authority (TJPA)	Transbay Transit Center/ Downtown Caltrain Extension	(\$76,024,000)	05/25/11	<p>This rescission of \$76,024,000 reduces Allocation #8 to \$58,050,000 for final design and construction of the Transit Center building, including:</p> <ul style="list-style-type: none"> Construction Management Oversight Demolition of the Transbay Terminal and ramps Transit Center Final Design City Agency Inspection Transit Center Permits and Fees Program Management / Program Controls (PMPC) Utility Relocation Buttress, Shoring Wall and Excavation (BSE) construction Construction Management / General Contractor (CMGC) services <p>The remaining \$58.05 million allocation in AB 1171 funds is subject to the conditions listed under Allocation #8.</p>
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17	2010-11	Solano Transp. Authority (STA)	I-80 Eastbound Cordelia Truck Scales Relocation	\$26,400,000	06/22/11	<p>Scope of work: This allocation funds the construction of the I-80 Eastbound Cordelia Truck Scales Relocation project in Solano County.</p> <p><i>Conditions:</i> Allocation is conditioned on the allocation of Proposition 1B Trade Corridor Improvement Fund (TCIF) / State Highway Operations and Protection Program (SHOPP) funds by the California Transportation Commission.</p> <p>Allocation and disbursement is contingent upon the execution of a funding agreement between MTC and STA for the AB 1171 Bridge Toll funds. Such agreement shall include the following provisions:</p> <p>STA agrees to comply with the provisions of MTC Resolution No 3636, Revised and that any AB 1171 Bridge Toll funds received under the funding agreement shall be subject to MTC Resolution No. 3636, Revised, unless otherwise agreed herein.</p>
18	2011-12	CCTA	e-BART	\$27,100,000	09/28/11	<p>Scope of Work: This allocation will fund construction and construction management activities for integration of eBART median structures into Caltrans/CCTA SR 4 contract segments (3,4,5) and to accommodate eBART in the median between Somersville Road and State Route 160.</p> <p><i>Conditions:</i> Allocation and disbursement is contingent upon the execution of a funding agreement between MTC and CCTA for the AB 1171 Bridge Toll funds. Such agreement shall include the following provisions:</p> <p>CCTA agrees to comply with the provisions of MTC Resolution No 3636, Revised and that any AB 1171 Bridge Toll funds received under the funding agreement shall be subject to MTC Resolution No. 3636, Revised, unless otherwise agreed herein.</p>

19	2011-12	VTA	Mission/Warren/ Truck-Rail Facility	\$6,500,000	11/16/11	<p>Scope of Work: This allocation will fund construction and construction management activities for the Mission/Warren/Truck-Rail Facility project.</p> <p><i>Conditions:</i> The \$6.5 million in AB 1171 funds shall be the last fund source expended on the original estimated cost of \$148 million project. If the project cost is less than the \$148 million, MTC would rescind or reduce this allocation.</p> <p>Additionally, allocation and disbursement is contingent upon the execution of a funding agreement between MTC and VTA for the AB 1171 Bridge Toll funds. Such agreement shall include the following provisions:</p> <p>VTA agrees to comply with the provisions of MTC Resolution No 3636, Revised and that any AB 1171 Bridge Toll funds received under the funding agreement shall be subject to MTC Resolution No. 3636, Revised, unless otherwise agreed herein.</p>
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17	2010-11	Solano Transp. Authority (STA)	I-80 Eastbound Cordelia Truck Scales Relocation	(\$3,817,000)	03/28/12	This rescission of \$3,817,000 reduces Allocation #17 to \$22,583,000 for construction of the I-80 Eastbound Cordelia Truck Scales Relocation project. The remaining \$22,583,000 allocation in AB 1171 funds is subject to the conditions listed under Allocation #17.
20	2011-12	Solano Transp. Authority (STA)	I-80/680/12 Interchange Initial Construction Package (ICP)	\$14,280,000	03/28/12	<p>Scope of work: This allocation funds right-of-way acquisition related to the I-80/680/12 Interchange Initial Construction Package 1 project.</p> <p><i>Conditions:</i> Allocation is conditioned on the concurrence of the IPR package and approval of the CEQA environmental document by the STA board on March 14, 2012.</p> <p>STA agrees to comply with the provisions of MTC Resolution No 3636, Revised and that any AB 1171 Bridge Toll funds received under the funding agreement shall be subject to MTC Resolution No. 3636, Revised, unless otherwise agreed herein.</p>

21	2011-12	Transbay Joint Powers Authority (TJPA)	Transbay Transit Center/ Downtown Caltrain Extension	\$73,700,000	06/27/12	<p>Scope of work: This allocation funds the following:</p> <ol style="list-style-type: none"> 1) Construction of the Transit Center “below grade structure” - \$41.5 M 2) Finalize Transit Center design - \$27.4 M 3) Complete remaining CM/GC pre-construction services - \$2.8 M 4) Pre-bid construction administration for structural cast steel nodes - \$2 M <p><i>Conditions:</i> Allocation and disbursement is contingent upon: a) Approval of the Initial Project Report (IPR) package by the TJPA board; and b) execution of a funding agreement between MTC and TJPA for the AB 1171 Bridge Toll funds. Such agreement shall include the following provisions:</p> <p>TJPA agrees to comply with the provisions of MTC Resolution No 3636, Revised and that any AB 1171 Bridge Toll funds received under the funding agreement shall be subject to MTC Resolution No. 3636, Revised, unless otherwise agreed herein.</p> <p>Note: For this allocation, TJPA may send more than one invoice per month to MTC, as long as they don’t invoice more frequently than monthly for each vendor/contractor.</p>
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22	2011-12	BART	eBART	\$9,410,000	06/27/12	<p>Scope of work: This allocation funds the following:</p> <ul style="list-style-type: none"> a) Completion of Final Design (\$3.4M) and; b) Construction Management (CM) and Design Service During Construction (DSDC) for the maintenance shop shell, Hillcrest parking lot and Slatten Ranch Road (\$6.01M). <p><i>Conditions:</i> Allocation and disbursement is contingent upon the execution of a funding agreement between MTC and BART for the AB 1171 Bridge Toll funds. Such agreement shall include the following provisions:</p> <p>BART agrees to comply with the provisions of MTC Resolution No 3636, Revised and that any AB 1171 Bridge Toll funds received under the funding agreement shall be subject to MTC Resolution No. 3636, Revised, unless otherwise agreed herein.</p>
2	2009-10	BART	e-BART	(\$7,933,300)	06/27/12	<p>This rescission of \$7.9 million reduces Allocation #2 to \$5.9 million for the construction of the transfer station at the Pittsburg Bay Point BART station and guideway to Railroad Avenue for the eBART project.</p> <p>The remaining \$5.9 million allocation in AB 1171 funds is subject to the conditions listed under Allocation #2.</p>

13	2010-11	BART	e-BART	(\$5,600,000)	06/27/12	<p>This rescission of \$5.6 million reduces Allocation #13 to \$16 million for the purchase of 8 Diesel Multiple Unit (DMU) vehicles for the eBART project and CM/DSDC costs associated with this contract.</p> <p>The remaining \$16 million allocation in AB 1171 funds is subject to the conditions listed under Allocation #13.</p>
23	2012-13	Solano Transp. Authority (STA)	I-80/680/12 Interchange Initial Construction Package (ICP)	\$8,500,000	07/25/12	<p>Scope of work: This allocation funds the environmental document and preliminary engineering for the Interchange Complex, including three segments of the interchange – the I-80 Westbound to SR-12 Westbound Connector, the I-80 Westbound to I-680 Southbound Connector, and the Red Top/I-680 Interchange.</p> <p><i>Conditions:</i> Allocation is conditioned on the concurrence of the IPR package by the STA board.</p> <p>STA agrees to comply with the provisions of MTC Resolution No 3636, Revised and that any AB 1171 Bridge Toll funds received under the funding agreement shall be subject to MTC Resolution No. 3636, Revised, unless otherwise agreed herein.</p>

24	2012-13	Solano Transp. Authority (STA)	I-80/680/12 Interchange Initial Construction Package (ICP)	\$5,980,000	11/28/12	<p>Scope of work: This allocation funds the utility relocation and right-of-way activities related to the I-80/680/12 Interchange project.</p> <p><i>Conditions:</i> STA agrees to comply with the provisions of MTC Resolution No 3636, Revised and that any AB 1171 Bridge Toll funds received under the allocation shall be subject to MTC Resolution No. 3636, Revised, unless otherwise agreed herein.</p>
25	2012-13	Solano Transp. Authority (STA)	I-80/680/12 Interchange Initial Construction Package (ICP)	\$5,796,000	1/23/13	<p>Scope of work: This allocation funds additional work for utility relocation and right-of-way activities related to the I-80/680/12 Interchange project.</p> <p><i>Conditions:</i> STA agrees to comply with the provisions of MTC Resolution No 3636, Revised and that any AB 1171 Bridge Toll funds received under the allocation shall be subject to MTC Resolution No. 3636, Revised, unless otherwise agreed herein.</p>

26	2012-13	BART	BART To Livermore Extension Project	\$8,600,000	1/23/13	<p>Scope of Work: This allocation is for the completion of CEQA-level environmental documentation for proposed transit improvements in the I-580 corridor and the related modifications to I-580 and SR-84, and for a Ridership Development Plan to be conducted by the City of Livermore to sufficient detail to support selection of a preferred alternative.</p> <p>Conditions: The allocation is conditioned on:</p> <ul style="list-style-type: none"> a) BART agrees to comply with the provisions of MTC Resolution No 3636, Revised and that any AB 1171 Bridge Toll funds received under the allocation shall be subject to MTC Resolution No. 3636, Revised, unless otherwise agreed herein. b) BART staff to report a decision on whether to pursue a joint NEPA/CEQA or CEQA-only document, including having a lead Federal agency, by June 1, 2013.
27	2012-13	Sonoma Marin Area Rail Transit (SMART)	SMART Extension	750,000	1/23/13	<p>Scope of work: Re-construction of the SMART track facilities between Santa Rosa North and Sonoma County Airport area. (Design costs).*</p> <p>Conditions: The allocation is conditioned on:</p> <p>SMART shall agree to comply with the provisions of MTC Resolution No. 3636, Revised and that any AB1171 funds received under this allocation be subject to MTC Resolution No. 3636, Revised.</p>
Total Allocated				\$418,431,700		

* On January 23, 2013, MTC approved program commitments of: 1) \$4.4 million (subject to future allocation action) towards the reconstruction of the SMART track facilities between Santa Rosa North and the Sonoma County Airport area; and 2) \$0.5 million to BART for the eBART project.

Date: June 24, 2009
W.I.: 1514
Referred by: PAC
Revised: 01/23/13

ABSTRACT

Resolution No. 3915

This resolution allocates Regional Measure 1 (RM1) Rail Extension Reserves (West) to eligible projects.

This resolution includes the following attachments:

Attachment A – Allocation of Bridge Toll Revenues

This resolution was revised on January 23, 2013 to allocate \$47.8 million to TJPA in order to certify their upcoming Structural Steel Superstructure construction contract, as well as ancillary logistics contracts.

Further discussion of this allocation is contained in the Programming and Allocations Summary Sheet dated June 10, 2009 and January 9, 2013.

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Date: June 24, 2009
W.I.: 1514
Referred by: PAC

RE: Allocation of Regional Measure 1 (RM1) Rail Extension Reserves (West)

METROPOLITAN TRANSPORTATION COMMISSION
RESOLUTION NO. 3915

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

WHEREAS, MTC is responsible for the allocation of certain bridge toll revenues, to wit:

(1) Pursuant to Streets and Highways Code §30892, after deduction for MTC's administrative costs, MTC shall allocate toll bridge net revenues to public entities operating public transportation systems and to the California Department of Transportation (Caltrans) to achieve MTC's capital planning objectives in the vicinity of toll bridges as set forth in its adopted Regional Transportation Plan (RTP) ("Net Revenues"); and

(2) Streets and Highways Code §30914(a)(4), provides that 90 percent of the revenues derived from the toll increase for Class 1 vehicles on the San Francisco-Oakland Bay Bridge, authorized by Sections 30916 and 30917, shall be used exclusively for rail transit capital improvements ("90% Rail Extension Reserves") consistent with Section 30919(b); and

(3) Streets and Highways Code §30919(b) provides that the revenues expended pursuant to 30914(a)(4) shall be expended on rail extension and improvement projects designed to reduce vehicular traffic congestion on the San Francisco-Oakland bay Bridge. Seventy percent of the revenues shall be expended on rail extensions and improvement projects in the Counties of Alameda and Contra Costa, including, but not limited to, extending the regional rail system in the Concord-Antioch, Fremont-San Jose, and the Bayfair-Livermore rail transit corridors ("90% Rail Extension Reserves East"). The remaining 30 percent shall be expended on rail extensions and improvement projects in the City and County of San Francisco and the Counties of San Mateo and Santa Clara ("90% Rail Extension Reserves West").

WHEREAS, eligible claimants have submitted an application to MTC for an allocation of certain bridge toll revenues for the projects and purposes set forth in Attachment A to this resolution, attached hereto and incorporated herein as though set forth at length; and

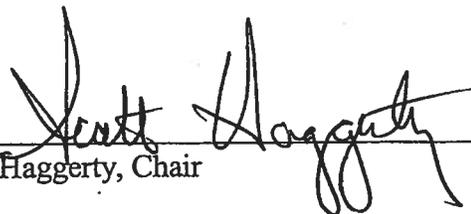
WHEREAS, claimants have certified that the projects and purposes set forth in Attachment A are in compliance with the requirements of the California Environmental Quality Act (Public Resources Code §21000 et seq.) and the State EIR Guidelines (14 Cal. Code Regs. §15000 et seq.); now, therefore, be it

RESOLVED, that MTC finds that claimants' projects and purposes are in conformance with MTC's Regional Transportation Plan, MTC's bridge toll revenue allocation policies, and MTC's capital planning and ferry system objectives; and, be it further

RESOLVED, that MTC approves the allocation of Regional Measure 1 (RM1) 90% Rail Extension Reserves West Bridge Toll Revenues to claimants, in the amounts, for the purposes, and subject to the conditions listed on Attachment A to this resolution; and be it further

RESOLVED, that should the allocation of RM1 Rail Extension Reserve 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.

METROPOLITAN TRANSPORTATION COMMISSION



Scott Haggerty, Chair

The above resolution was entered into by the Metropolitan Transportation Commission at a regular meeting of the Commission held in Oakland, California, on June 24, 2009.

Date: June 24, 2009
W.I.: 1514
Referred by: PAC
Revised: 01/23/13
Attachment A
Resolution No. 3915
Page 1 of 1

ALLOCATION OF REGIONAL MEASURE 1 (RM1) 90% RAIL EXTENSION RESERVES WEST REVENUES

Allocation Authorization: S&H § 30919(b)

Alloc. #	Fund Reserve	Fiscal Year	Claimant	Project Description	Allocation Amount	Date of MTC Approval	Allocation Conditions
01	Regional Measure 1 (RM1) 90% Rail Extension Reserves West	2008-09	TJPA	Transbay Terminal/ Downtown Caltrain Extension – PMPC Services (Phase: PS&E)	\$5,200,000	06/24/2009	<ol style="list-style-type: none"> 1. Allocation and disbursement is contingent upon the TJPA board approving the Initial Project Report and the corresponding resolution of project compliance. 2. In the resolution of project compliance TJPA shall agree: (1) to complete the project described in its updated Initial Project Report, through its contractor; and (2) to comply with all provisions of MTC Resolution No. 3636, Revised and that any RM1 funds received under this allocation be subject to MTC Resolution No. 3636, Revised.

Alloc. #	Fund Reserve	Fiscal Year	Claimant	Project Description	Allocation Amount	Date of MTC Approval	Allocation Conditions
2	Regional Measure 1 (RM1) 90% Rail Extension Reserves West	2012-13	TJPA	Transbay Terminal/ Downtown Caltrain Extension – certification of Structural Steel Superstructure construction contract and ancillary logistics contracts. (Phase: CON)	47,800,000	01/23/2013	<p>Scope of Work: This allocation will be used to certify the upcoming Structural Steel Superstructure contracts, as well as ancillary logistics contracts (i.e: temporary power, site maintenance, traffic control and personnel/material hoists).</p> <p>This allocation will be used mainly to issue the first NTP, which will cover pre-construction work and the production of shop drawings. Once the land sales revenues are available in Spring 2013, TJPA will switch the funding source from bridge tolls to land sales proceeds for the balance of the Superstructure contract and this allocation will be rescinded for future use. The allocation of funds is conditioned on the following:</p> <p>a) Approval of the Initial Project Report (IPR) package by the TJPA board.</p> <p>b) Once the land sales revenues are available in Spring 2013, MTC will rescind the remaining RM1 funds from this allocation so that they may be used for future elements of this project.</p> <p>c) In the resolution of project compliance TJPA shall agree: (1) to complete the project described in its updated Initial Project Report, through its contractor; and (2) to comply with all provisions of MTC Resolution No. 3636, Revised and that any RM1 funds received under this allocation be subject to MTC Resolution No. 3636, Revised.</p>
TOTAL					\$53,000,000		

Date: September 28, 2011
W.I.: 1255
Referred By: PAC
Revised: 03/28/12-C
01/23/13-C

ABSTRACT

Resolution No. 4022, Revised

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.

This allocation was revised on January 23, 2013 to allocate \$2.7 million towards design and/or construction of the SMART Initial Operating Segment to backfill SLPP funds allocated to the project in September 2011. The Commission also approved a program commitment of \$7.3 million, subject to future allocation, towards the re-construction of the SMART track facilities between Santa Rosa North and Sonoma County Airport area.

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, March 7, 2012, and January 9, 2013.

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

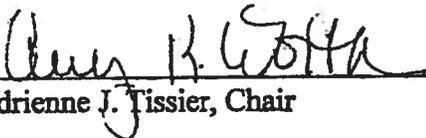
WHEREAS, MTC adopted Resolution 4015 adopting programming and allocation policies for AB664 Net Bridge Toll Revenues, RM2 Regional Rail Extension Reserve, Two Percent Bridge Toll Revenues, and Five Percent State General Fund Revenues transit funding programs; now therefore be it

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



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
 01/23/13-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 Extension	\$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"> - 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.

Alloc. #	Fiscal Year	Claimant	Project Title	Allocation Amount	Dates of MTC Approval	Allocation Conditions
02	2012-13	Sonoma Marin Area Rail Transit (SMART)	Sonoma Marin Area Rail Transit Extension	2,677,000	01/23/2013	<p>Scope of Work: Design and/or construction of the SMART Initial Operating Segment project as scoped at the time of this allocation.</p> <p>Note: This additional allocation of \$2.7 million in Two Percent funds is to backfill SLPP funds allocated to the project in September 2011. MTC's commitment of SLPP funds at that time was subject to the availability of these funds from the State. MTC had noted that if MTC's share of SLPP funds decreased, staff would return to the Commission and increase the Two Percent Bridge Toll contribution commensurately, such that the total SLPP and Two Percent revenue contribution equals \$10 million.</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"> - 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.
Total Allocated				\$ 7,677,000		

*On January 23, 2013, MTC approved a program commitment (subject to future allocation action) of \$7.3 million towards the re-construction of the SMART track facilities between Santa Rosa North and the Sonoma County Airport area.