

**Metropolitan Transportation Commission
Programming and Allocations Committee**

June 12, 2013

Item Number 3b

Resolution No. 3655, Revised.

Subject: Proposed allocation of \$1.5 million in Regional Measure 2 (RM2) funds towards real estate acquisition and advance traffic mitigation measures for the AC Transit East Bay Bus Rapid Transit (BRT) project.

Background: **AC Transit BRT project:** AC Transit is requesting an allocation of \$1.5 million for parking and traffic mitigations that are required by the environmental impact statement and are part of the conditions of approval for the project agreed upon with the City of Oakland.

Parking Mitigation: AC Transit needs to offset the loss of on-street parking in the San Antonio, Fruitvale and Elmhurst commercial areas. At this point, AC Transit has identified potential lots for acquisition and improvement in the Fruitvale and Elmhurst neighborhoods and is working with Oakland and other stakeholders to identify solutions in other areas.

Traffic Mitigation: AC Transit needs to improve the intersections at Fruitvale Avenue and San Leandro Street, East 12th Street and East 10th Street to improve traffic flow and make East 12th and San Leandro Streets function more effectively as alternatives to International Blvd for automobile traffic. As part of this work, AC Transit needs to acquire small portions of two of the lots where San Leandro Street and East 10th Street intersect Fruitvale Avenue.

Overall, the project received its environmental clearance in 2012 and is moving toward final design.

Issues: None.

Recommendation: Refer Resolution No. 3655, Revised to the Commission for approval.

Attachments: MTC Resolution No. 3655, Revised.

Date: September 22, 2004
W.I.: 1255
Referred by: PAC
Revised: 12/15/04-C 07/27/05-C
01/25/06-C 09/27/06-DA
10/22/08-DA 01/27/10-C
11/16/11-C 06/26/13-C

ABSTRACT

MTC Resolution No. 3655, Revised

This resolution approves the allocation of Regional Measure 2 funds for the Alameda Contra Costa Transit (AC Transit) Enhanced Bus – International Blvd./Telegraph Avenue - project sponsored and implemented by AC Transit.

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 AC Transit's Initial Project Report (IPR) for this project

Attachment D - RM2 Deliverable/Useable Segment Cash Flow Plan

This resolution was revised on December 15, 2004 to allocate \$600,000 for the Estudillo Pedestrian Plaza in San Leandro and \$150,000 for the Uptown Transit Center at 20th Street in Oakland.

This resolution was revised on July 27, 2005 to allocate \$400,000 for the Uptown Transit Center at 20th Street in Oakland and \$7.5 million for signalization work.

This resolution was revised on January 25, 2006 to allocate \$5,000 to right-of-way for permits, carryover \$53,000 from the final design phase to the construction phase, and newly allocate \$3.302 million for the construction of the Uptown Transit Center at 20th Street in Oakland.

This resolution was revised on September 27, 2006 to allocate an additional \$900,000 for construction of the canopy structures at the Uptown Transit Center at 20th Street in Oakland.

ABSTRACT

MTC Resolution No. 3655, Revised

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This resolution was revised on October 22, 2008 via Delegated Authority to allocate an additional \$600,000 for improvements to the uptown canopies in the form of installation of weather protection shields at the Uptown Transit Center at 20th Street in Oakland.

This resolution was revised on January 27, 2010 to allocate an additional \$1.5 million towards the completion of environmental-related activities for the AC Transit BRT project.

This resolution was revised on November 16, 2011 to allocate \$2 million towards the environmental study of the project and towards project branding/project management.

This resolution was revised on June 26, 2013 to allocate \$1.5 million towards real estate acquisition and advance construction for parking and traffic mitigation, on the BRT project.

Additional discussion of this allocation is contained in the Executive Director's memorandum to the MTC Programming and Allocations Committee dated September 8, 2004, December 8, 2004, July 13, 2005, January 11, 2006, January 13, 2010, November 9, 2011, and June 12, 2013.

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

Re: Approval of Allocation of Regional Measure 2 funds for the AC Transit Enhanced Bus (International Blvd./Telegraph Avenue) Project

METROPOLITAN TRANSPORTATION COMMISSION
RESOLUTION No. 3655, Revised

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

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

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

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

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

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

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

WHEREAS, AC Transit has submitted a request for the allocation of RM 2 funds for the Enhanced Bus (International Blvd./Telegraph Avenue) Rolling Stock project; and

WHEREAS, the Enhanced Bus (International Blvd./Telegraph Avenue) is identified as capital project number 24 under RM 2 and is eligible to receive RM 2 funding as identified in Streets and Highways Code Sections 30914(c); and

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

WHEREAS, Attachment A to this resolution, attached hereto and incorporated herein as though set forth at length, lists the project and phase for which the AC Transit is requesting RM2 funding and the 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 AC Transit's Initial Project Report (IPR) for this project; and

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

RESOLVED, that MTC approves MTC staff's review of AC Transit's Initial Project Report (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

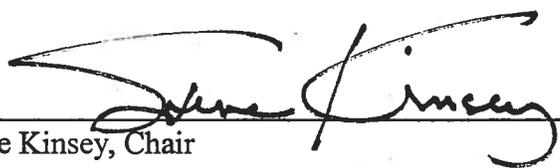
RESOLVED, that the allocation and reimbursement of RM2 funds as set forth in Attachment A are conditioned upon AC Transit complying with the provisions of the Regional Measure 2 Regional Traffic Relief Plan Policy and Procedures as set forth in length in MTC Resolution 3636; and be it further

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

METROPOLITAN TRANSPORTATION COMMISSION



Steve Kinsey, Chair

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

**REGIONAL MEASURE 2 PROGRAM
Allocation of Funds**

Project Title: AC Transit Enhanced Bus (International Blvd./Telegraph Ave. Project)
Sponsor: AC Transit
Project Number: 24

SubProject No. 24.1					
Activities to be funded with Allocation #1:					
The RM2 funded component delivers fifteen (15) Van Hool 60' articulated buses.					
Funding Information for Allocation #1:					
Allocation Instruction No.	Approval Date	Amount	Phase	Reimbursement Year	Cumulative Total To Date
05365501	22-Sep-04	\$ 8,200,000	Construction	FY 2004-05	\$ 8,200,000

SubProject No. 24.2					
Activities to be funded with Allocation #2, 4, 5:					
1. Uptown Transit Center: Preliminary design of transit center on 20th between Telegraph Avenue and Broadway 2. Construction of the Uptown Transit Center. 3. Installation of weather protection shields to bus canopies, two bike racks, an additional bus bench, spare windscreen glazing panels					
Funding Information for Allocation #2:					
Allocation Instruction No.	Approval Date	Amount	Phase	Reimbursement Year	Cumulative Total To Date
05365502	15-Dec-04	\$ 150,000	ENV/PAED	FY 2004-05	\$ 150,000
06365504	27-Jul-05	\$ 400,000	PS&E	FY 2005-06	\$ 550,000
06365504	25-Jan-06	\$ (53,000)	PS&E	FY 2005-06	\$ 497,000
06365506	25-Jan-06	\$ 5,000	ROW	FY 2005-06	\$ 502,000
06365507	25-Jan-06	\$ 3,355,000	CON	FY 2005-06	\$ 3,857,000
07365508	27-Sep-06	\$ 900,000	CON	FY 2006-07	\$ 4,757,000
09365509	22-Oct-08	\$ 600,000	CON	FY 2008-09	\$ 5,357,000

SubProject No. 24.3					
Activities to be funded with Allocation #3:					
1. Estudillo Pedestrian Plaza: Construction of passenger facilities and access improvements at E. 14th and Estudillo Streets					
Funding Information for Allocation #3:					
Allocation Instruction No.	Approval Date	Amount	Phase	Reimbursement Year	Cumulative Total To Date
05365503	15-Dec-04	\$ 600,000	Construction	FY 2004-05	\$ 600,000

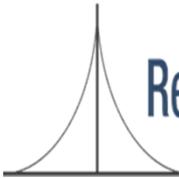
SubProject No. 24.4					
Activities to be funded with Allocation #4:					
1. Signal interconnects and coordination construction for the BRT line being completed by the Alameda County Congestion Management Agency (ACCMA). Included in this deliverable segment will be other construction and equipment needs such as Bus Arrival Information equipment, emitters, signage poles and related installation charges, utility relocation and street furniture.					
Funding Information for Allocation #4:					
Allocation Instruction No.	Approval Date	Amount	Phase	Reimbursement Year	Cumulative Total To Date
06365505	27-Jul-05	\$ 7,500,000	Construction	FY 2005-06	\$ 7,500,000

SubProject No. 24.5					
Activities to be funded with Allocation #5:					
Complete Environmental-related activities which include:					
1) Conduct public outreach and prepare necessary reports ;					
2) Update engineering, capital, and operating costs;					
3) Provide technical support for AC Transit Technical Advisory and AC Transit Policy Steering Committee					
Funding Information for Allocation #4:					
Allocation Instruction No.	Approval Date	Amount	Phase	Reimbursement Year	Cumulative Total To Date
10365510	27-Jan-10	\$ 1,500,000	ENV	FY 2009-10	\$ 1,500,000

SubProject No. 24.5					
Activities to be funded with Allocation #6:					
1) Advance environmental study of the project.					
2) Project branding and project management.					
Funding Information for Allocation #6:					
Allocation Instruction No.	Approval Date	Amount	Phase	Reimbursement Year	Cumulative Total To Date
12365511	16-Nov-11	\$ 2,000,000	ENV	FY 2011-12	\$ 3,500,000

SubProject No. 24.5					
Activities to be funded with Allocation #7:					
1) Acquisition and improvement of up to three lots for parking mitigation.					
2) Partial acquisition of two lots and required traffic signal and intersection upgrades for off-alignment traffic mitigation.					
Funding Information for Allocation #7:					
Allocation Instruction No.	Approval Date	Amount	Phase	Reimbursement Year	Cumulative Total To Date
13365512	26-Jun-13	\$ 1,500,000	ROW/CON	FY 2012-13	\$ 5,000,000

Total Allocated to Date \$26,657,000



Regional Measure 2 Regional Traffic Relief Plan

September 22, 2004
 Attachment C
 MTC Resolution No. 3655
 Revised: 12/15/04-C
 07/27/05-C
 01/25/06-C
 09/27/06-DA
 01/27/10-C
 11/16/11-C
 06/26/13-C

RM2 Project Number: 24

AC Transit Telegraph International Enhanced Bus

Lead Sponsor AC Transit	Other Sponsors(s) N/A	Implementing Agency (if applicable) AC Transit/ ACCMA
Legislated Project Description AC Transit Enhanced Bus-Phase 1 on Telegraph Avenue, International Boulevard, and East 14th Street (Berkeley-Oakland-San Leandro). Develop enhanced bus service on these corridors, including bus bulbs, signal prioritization, new buses, and other improvements. Priority of investment shall improve the AC Connection to BART on these corridors.		
RM2 Legislated Funding (in \$1,000) Total Overall Funding \$65,000	Total Estimated Project Cost (in \$1,000) \$213,230	
Project Purpose and Description 24.1 Purchase fifteen (15) 60' Van Hool Articulated Buses to provide service on the Telegraph Avenue/ International Boulevard/ East 14th Street corridors. 24.2 Design and construct a joint AC Transit/City of Oakland transit center on 20th between Telegraph Avenue and Broadway. 24.3 Design and construction of passenger facilities and pedestrian access on Estudillo and E 14th Streets in conjunction with the City of San Leandro's planning efforts to provide greater pedestrian access and improve connectivity between AC Transit and BART. 24.4 Signal interconnects and coordination construction for the BRT line being completed by the Alameda County Congestion Management Agency (ACCMA). Included in this deliverable segment will be other construction and equipment needs such as Bus Arrival Information equipment, emitters, signage poles and related installation charges, utility relocation and street furniture. 24.5* Bus Rapid Transit Phase 1: This phase will install BRT keynote features such as bus-only lanes and BRT stations. This phase would focus investments on the route segments with the highest potential to increase ridership and reduce operating costs.		
Funding Description Committed Funds: Committed funds include RM2, FTA 5309 funds, FTA 5339 funds, Alameda County Measure B, and STIP. Uncommitted Funds: \$27.5 million in FTA 5309 NS funds Operating Capacity: AC Transit expects to operate the RM 2 Enhanced Bus Program through a combination of RM 2 operating subsidies and fares.		

* FTA Small Starts defined project

Phase	Scope	Start	End	Cost (in \$1,000)
1	Final Environmental Document	03/2003	09/2012	\$20,980
2	Plans, Specifications and Estimates	02/2013	05/2014	\$14,734
3	Right-of-Way	03/2013	07/2014	\$7,505
4	Construction	11/2013	04/2016	\$170,011
Total**:				\$213,230

Overall Project Cost and Schedule

Total Project Funding Plan: Committed and Uncommitted Sources
(Amounts Escalated in Thousands)

Project Title		AC Transit Telegraph International Enhanced Bus		Project No. 24									
Lead Sponsor		AC Transit											
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													
RM-2	ENV		150					1,500		2,000			3,650
STIP	ENV						1,550						1,550
FTA 5309 BUS	ENV								100				100
Fed 5339	ENV						238						238
MEAS B	ENV		2,278				3,399			3,243			8,920
FTA Small Starts	ENV						2,450	3,792					6,242
AC Transit Funds	ENV						280						280
MEAS B	PSE		1,596								2,558		4,154
RM-2	PSE			347									347
FTA 5309 BUS	PSE										2,085		2,085
FTA Small Starts	PSE										8,148		8,148
RM-2	ROW			5							1,500		1,505
FTA Small Starts	ROW										6,000		6,000
MEAS B	CON		9,076		2,094							200	11,370
PTMISEA/Lifeline	CON											2,824	2,824
FTA Small Starts	CON										10,852	16,168	27,020
FTA 5309 BUS	CON											871	871
STIP	CON											40,000	40,000
RM2	CON		6,891	11,207	900		600					39,900	59,498
Total:		0	19,991	11,559	2,994	0	8,517	5,292	100	5,243	31,143	99,963	184,802
Uncommitted													
TPI Incentive	CON											839	839
FTA Small Starts	CONST											27,589	27,589
Total:		0	0	0	0	0	0	0	0	0	0	28,428	28,428
Funding Source still TBD													
Total:		0	0	0	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	2010-11	2011-12	2012-13	Future	Total
Total:		0	19,991	11,559	2,994	0	8,517	5,292	100	5,243	31,143	128,391	213,230

** Project Cost for the Small Starts defined project is \$216,100

**REGIONAL MEASURE 2 PROGRAM
Project Cash Flow Plan**

September 22, 2004
Attachment D
MTC Resolution No. 3655
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Revised: 12/15/04-C
01/25/06-C
09/27/06-DA
10/22/08-DA
01/27/10-C
11/16/11-C
06/26/13-C

Project Title: AC Transit Enhanced Bus (International Blvd./Telegraph Ave.)
Sponsor: AC Transit
RM2 Project Number: 24

RM2 Project No. 24.1	PRIOR	FY 2005-06	FY 2006-07	FY 2007-08	FY 2008-09	FY 2009-10	FY 2010-11	FY 2011-12	FY 2012-13	TOTAL
RM2 Funds Total	8,950,000	11,207,000	900,000	-	600,000	1,500,000		2,000,000	1,500,000	26,657,000
Environmental (ENV)	2,544,000	2,700,000	0	0	238,000	1,500,000	3,576,000	2,000,000	0	12,558,000
RM2	150,000					1,500,000		2,000,000		3,650,000
Measure B	2,394,000						3,576,000			5,970,000
Federal Other					238,000					238,000
STIP		2,700,000								2,700,000
Final Design (PS&E)	1,843,000	828,000	502,000	534,000	564,000	0	0	6,184,000	0	10,455,000
RM2		347,000								347,000
Measure B	1,596,000							5,456,000		7,052,000
FTA 5309 BUS	247,000	481,000	502,000	534,000	564,000			728,000		3,056,000
Right of Way	0	5,000	0	0	0	0	0	0	1,500,000	5,000
RM2		5,000							1,500,000	5,000
										0
										0
Construction	17,876,000	10,855,000	3,162,000	2,450,000	5,560,000	0	0	15,000,000	0	54,903,000
RM 2	8,800,000	10,855,000	900,000		600,000					21,155,000
FTA 5309 NS				2,450,000	4,960,000			15,000,000		22,410,000
Measure B	9,076,000		2,262,000							11,338,000
TOTAL FUNDING										
Environmental	2,544,000	2,700,000	0	0	238,000	1,500,000	3,576,000	2,000,000	0	12,558,000
Final Design (PS&E)	1,843,000	828,000	502,000	534,000	564,000	0	0	6,184,000	0	10,455,000
Right of Way	0	5,000	0	0	0	0	0	0	1,500,000	1,505,000
Construction	17,876,000	10,855,000	3,162,000	2,450,000	5,560,000	0	0	15,000,000	0	54,903,000
PROJECT TOTAL	22,263,000	14,388,000	3,664,000	2,984,000	6,362,000	1,500,000	3,576,000	23,184,000	1,500,000	79,421,000