

**Metropolitan Transportation Commission  
Programming and Allocations Committee**

September 10, 2014

MTC Resolution No. 3653, Revised

**Subject:** Rescission of \$1.8 million and allocation of \$2 million in Regional Measure 2 (RM2) funds for the Caldecott Tunnel Fourth Bore project.

**Background:** The Contra Costa Transportation Authority (CCTA) requests rescinding \$1.8 million in previously allocated RM2 funds for various enhancements to the Caldecott Tunnel Fourth Bore project. CCTA also requests allocation of \$2 million (coming from the \$1.8 million rescinded above, and \$192,000 rescinded from RM2 Project 36.2 (Caldecott Tunnel Transit Study) in July 2014) for the construction close-out phase of the Caldecott Tunnel Fourth Bore project.

The RM2 funds will be used for construction close-out costs related to the Caldecott Tunnel Fourth Bore project, which opened to traffic in November 2013. CCTA plans to use Contra Costa sales tax funds to construct various enhancements to the Caldecott Tunnel project, as identified in an agreement with the Fourth Bore Coalition neighborhood group. These enhancements are expected to be completed towards the end of the decade.

With this action, the Commission has allocated a total of \$45.1 million to the Caldecott Tunnel project. The Commission redirected a total of \$5.4 million in unused RM2 funds in May 2014 from the Caldecott project to the I-680 high occupancy vehicle (HOV)/express lane project in Contra Costa County. Today's allocation was anticipated at the time the strategic plan was developed, and the funds reallocated to the I-680 project are not affected by this action today. All RM2 funds for the Caldecott Tunnel have now been allocated.

**Issues:** MTC's RM2 Policies and Procedures do not allow for project costs incurred prior to the allocation date to be eligible for reimbursement. As this allocation is for project close-out costs, staff recommends an exception to this policy to allow for costs incurred after the original RM2 construction allocation (July 22, 2009) to be eligible for reimbursement under this allocation.

**Recommendation:** Refer MTC Resolution No. 3653, Revised to the Commission for approval.

**Attachments:** MTC Resolution No. 3653, Revised.

Date: September 22, 2004  
W.I.: 1255  
Referred by: PAC  
Revised: 01/25/06-C 09/28/07-DA  
11/28/07-C 11/26/08-C  
07/22/09-C 04/28/10-C  
07/28/10-C 06/27/12-C  
09/24/14-C

### ABSTRACT

MTC Resolution No. 3653, Revised

This resolution approves the allocation of Regional Measure 2 funds for the Caldecott Tunnel Improvements – Fourth Bore project sponsored and implemented by the Contra Costa Transportation Authority (CCTA) in partnership with the California Department of Transportation (Caltrans).

This resolution includes the following attachments:

Attachment A - Allocation Summary Sheet

Attachment B - Project Specific Conditions for Allocation Approval

Attachment C - MTC staff's review of CCTA's Initial Project Report (IPR) for this project

Attachment D - RM2 Deliverable/Useable Segment Cash Flow Plan

This resolution was revised on January 25, 2006 to allocate an additional \$4 million to the project for preliminary engineering work. Additionally, the following conditions have been removed or modified from the funds, because they no longer apply:

- Removal of entire condition. "RM2 funds for this project shall not be made available for reimbursement as long as allocated Traffic Congestion Relief Program (TCRP) funds are available for expenditure by, and reimbursement to, the CCTA. RM2 funding reimbursements to CCTA may proceed only after the full and complete expenditure and reimbursement of all the allocated TCRP funds authorized for expenditure by and reimbursement to the CCTA for this project."
- Removal of specific date from "Approval of the allocation package by the CCTA Board on September 15, 2004. The allocation package consists of the Initial Project Report (IPR), resolution of project compliance, and opinion of legal counsel."

## ABSTRACT

MTC Resolution No. 3653, Revised

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This resolution was revised on September 28, 2007 by Delegated Authority to add a condition of allocation allowing CCTA to bill MTC as frequently as monthly in accordance with the cash flow plan for Project 36.1.

This resolution was revised on November 28, 2007 by Commission action to allocate \$8 million in RM2 funds for the final design phase of the project.

This resolution was revised on November 26, 2008 by Commission action to allocate \$2 million in RM2 funds for the final design phase of the project.

This resolution was revised on July 22, 2009 by Commission action to allocate \$33 million in RM2 funds for the construction phase of the project.

This resolution was revised on April 28, 2010 by Commission action to rescind allocation of \$14.7 million in RM2 funds for construction, due to the lower than expected award amount of the construction contract.

This resolution was revised on July 28, 2010 by Commission action to allocate \$6.4 million in RM2 funds for the construction phase of the project, due to higher-than-anticipated savings attributed to state funds.

This resolution was revised on June 27, 2012 by Commission action to allocate \$2,873,000 in RM2 funds for the construction phase of the project, due to unanticipated site conditions leading to a cost increase.

This resolution was revised on September 24, 2014 by Commission action to de-allocate \$1.8 million in RM2 funds from various enhancement and study projects, and to allocate \$2 million in RM2 funds for the construction close-out of the Caldecott Tunnel Fourth Bore project.

Additional discussion of this allocation is contained in the Executive Director's memoranda to the MTC Programming and Allocations Committee dated September 8, 2004, January 11, 2006, and November 14, 2007, and the summary sheet dated November 12, 2008, July 8, 2009, April 14, 2010, July 14, 2010, June 13, 2012, and September 10, 2014.

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

Re: Approval of Allocation of Regional Measure 2 Funds for the Caldecott Tunnel Improvements – Fourth Bore Project

METROPOLITAN TRANSPORTATION COMMISSION  
RESOLUTION No. 3653, 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, the Contra Costa Transportation Authority (“CCTA”) has submitted a request for the allocation of RM 2 funds for the Caldecott Tunnel Improvement – Fourth Bore project; and

WHEREAS, the Caldecott Tunnel Improvements – Fourth Bore project is identified as capital project number 36 under RM 2 and is eligible to receive RM 2 funding as identified in Streets and Highways Code Sections 30914(c); and

WHEREAS, CCTA 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 CCTA 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 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; now, therefore be it

RESOLVED, that MTC approves MTC staff’s review of CCTA’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 CCTA 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 any complementary funding as set forth in Attachment D; and be it further

RESOLVED, that reimbursement of RM2 funds as set forth in Attachment A is subject to the availability of RM2 funding; and be it further

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

METROPOLITAN TRANSPORTATION COMMISSION

  
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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: Caldecott Tunnel Improvements - Fourth Bore  
Sponsor: Contra Costa Transportation Authority (CCTA)  
Project Number: 36.1

<b>Allocation No. 36.1-1</b>						
Activities to be funded with Allocation #1:						
Completion of Project Approval and Environmental Document (PA&ED) for the fourth bore of the Caldecott Tunnel, including all activities and studies needed to complete the Project Report, Environmental Document, preliminary design and geotechnical investigations. The RM2 funded Environmental component includes the following activities:						
1. Project Management for the PA&ED Phase						
2. Preparation of Project Report						
3. Environmental Studies						
4. Preparation of Environmental Document						
5. Perform Geotechnical Investigations						
6. Prepare Geotechnical Report						
7. Seismic Assessment and study of impact on existing tunnels						
8. Preliminary Engineering						
Funding Information:						
Allocation Instruction No.	Approval Date	Amount	Phase	Reimbursement Year	Cumulative Total To Date	
05365301	22-Sep-04	\$ 3,000,000	ENV	FY 2004-05	\$ 3,000,000	

<b>Allocation No. 36.1-2</b>						
Activities to be funded with Allocation #2:						
Prepare preliminary engineering work, up to 50%.						
Funding Information:						
Allocation Instruction No.	Approval Date	Amount	Phase	Reimbursement Year	Cumulative Total To Date	
06365302	25-Jan-06	\$ 4,000,000	ENV	FY 2005-06	\$ 7,000,000	

<b>Allocation No. 36.1-3</b>						
Activities to be funded with Allocation #3:						
Prepare final design and engineering for the project, including all necessary studies, specifications, and estimates.						
Funding Information:						
Allocation Instruction No.	Approval Date	Amount	Phase	Reimbursement Year	Cumulative Total To Date	
08365303	28-Nov-07	\$ 8,000,000	PS&E	FY 2007-08	\$ 15,000,000	

## REGIONAL MEASURE 2 PROGRAM Allocation of Funds

Project Title: Caldecott Tunnel Improvements - Fourth Bore  
Sponsor: Contra Costa Transportation Authority (CCTA)  
Project Number: 36.1

<b>Allocation No. 36.1-4</b>						
Activities to be funded with Allocation #4:						
Prepare final design and engineering for the project, including all necessary studies, specifications, and estimates.						
Funding Information:						
Allocation Instruction No.	Approval Date	Amount	Phase	Reimbursement Year	Cumulative Total To Date	
09365304	26-Nov-08	\$ 2,000,000	PS&E	FY 2008-09	\$ 17,000,000	

<b>Allocation No. 36.1-5</b>						
Activities to be funded with Allocation #5:						
Allocation #10365305 will fund the capital construction costs for the SR-24 Caldecott Tunnel Fourth Bore project. \$14.7 million was rescinded from #10365305 due to lower than expected award amount for construction. Allocation #11365309 reallocates \$6.402 million due to higher-than-expected savings to state funds.						
Allocation #10365306 will fund improvements for the SR-13 corridor in Berkeley, as an enhancement for the Caldecott Tunnel Fourth Bore project.						
Allocation #10365307 will fund improvements to FROG park in Oakland, as an enhancement for the Caldecott Tunnel Fourth Bore project.						
Allocation #10365308 will partially fund the SR-24 corridor wide transportation study, as an enhancement for the Caldecott Tunnel Fourth Bore project. The lead agency will be MTC.						
Funding Information:						
Allocation Instruction No.	Approval Date	Amount	Phase	Reimbursement Year	Cumulative Total To Date	
10365305	22-Jul-09	\$ 30,792,000	Const.	FY 2009-10	\$ 47,792,000	
10365306	22-Jul-09	\$ 2,000,000	Const.	FY 2009-10	\$ 49,792,000	
10365307	22-Jul-09	\$ 150,000	Const.	FY 2009-10	\$ 49,942,000	
10365308	22-Jul-09	\$ 58,000	ENV	FY 2009-10	\$ 50,000,000	
10365305	28-Apr-10	\$ (14,700,000)	Const.	FY 2009-10	\$ 35,300,000	
11365309	28-Jul-10	\$ 6,402,000	Const.	FY 2010-11	\$ 41,702,000	

<b>Allocation No. 36.1-6</b>						
Activities to be funded with Allocation #6:						
Allocation #12365310 will fund the capital construction costs for the SR-24 Caldecott Tunnel Fourth Bore project. It allocates \$2.873 million for higher costs due to unanticipated site conditions.						
Funding Information:						
Allocation Instruction No.	Approval Date	Amount	Phase	Reimbursement Year	Cumulative Total To Date	
12365310	27-Jun-12	\$ 2,873,000	CON	FY 2011-12	\$ 44,575,000	

**REGIONAL MEASURE 2 PROGRAM  
Allocation of Funds**

Project Title: Caldecott Tunnel Improvements - Fourth Bore  
Sponsor: Contra Costa Transportation Authority (CCTA)  
Project Number: 36.1

<b>Allocation No. 36.1-7</b>					
Activities to be funded with Allocation #7:					
De-allocate funds from Allocation Nos. 10365306, 10365307, and 10365308 (for various enhancements and study), and allocate those funds (and funds transferred from Project No. 36.2) under Allocation No. 15365311 to the Caldecott Tunnel Fourth Bore Construction Close-Out.					
Funding Information:					
Allocation Instruction No.	Approval Date	Amount	Phase	Reimbursement Year	Cumulative Total To Date
10365306	24-Sep-14	\$ (1,616,533.71)	Const.	FY 2009-10	\$ 42,958,466.29
10365307	24-Sep-14	\$ (150,000.00)	Const.	FY 2009-10	\$ 42,808,466.29
10365308	24-Sep-14	\$ (58,000.00)	ENV	FY 2009-10	\$ 42,750,466.29
15365311	24-Sep-14	\$ 2,016,533.71	Const.	FY 2014-15	\$ 44,767,000.00

## **REGIONAL MEASURE 2 PROGRAM Project Specific Conditions**

Project Title: Caldecott Tunnel Improvements – Fourth Bore Project  
Sponsor: Contra Costa Transportation Authority (CCTA)  
Project Number: 36.1

following :

### **GENERAL CONDITIONS**

1. Approval of the allocation package by the CCTA Board. The allocation package consists of the Initial Project Report (IPR), resolution of project compliance, and opinion of legal counsel.
2. RM 2 funds shall not be made available to Caltrans as long as ITIP funds are available to Caltrans for expenditure and reimbursement.
- 3 CCTA may invoice MTC for eligible project expenses as frequently as monthly, in accordance with the cash flow plan.

### **ALLOCATION SPECIFIC CONDITIONS**

#### **Allocation #1 & #2**

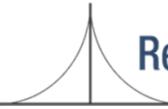
4. RM2 funds for this project shall be made available for the preliminary engineering component of the environmental/preliminary engineering phase.
5. If the selected preferred alternative has an impact on the direction and scope of the preliminary engineering work, CCTA will be requested to cease from continuing with the preliminary engineering work until further notice and collaboration with MTC.
6. CCTA may use these funds to complete the environmental study work only after all of the available TCRP funds have been exhausted and a funding gap remains on the environmental study work. CCTA will provide MTC with a revised estimated budget plan and work plan should funds be used to complete the environmental study work.

#### **Allocation #5**

7. If the bids for the construction contract are lower than anticipated, any savings would be split among the local funding partners in amounts proportional to the capital contribution of each agency. Any rescinded amount shall remain available for subsequent allocation to the project if a justifiable cost increase has occurred.

#### **Allocation #7**

8. Allocation No. 15365311 may be used for construction close-out invoices, including for invoices in which activity occurred prior to the allocation date, but no earlier than July 22, 2009.



# Regional Measure 2 Regional Traffic Relief Plan

September 22, 2004  
 Attachment C  
 MTC Resolution No. 3653  
 Rev: 1/25/06-C 11/19/08-C  
 11/28/07-C 07/22/09-C 04/28/10-C 07/28/10-C 06/27/12-C 09/24/14-C

## RM2 Project Number: 36.1

### Caldecott Tunnel Improvements – Fourth Bore

Lead Sponsor Contra Costa Transportation Authority	Other Sponsors(s) Caltrans	Implementing Agency (if applicable) Contra Costa Transportation Authority
Legislated Project Description Provide funds to plan and construct a fourth bore at the Caldecott Tunnel between Contra Costa and Alameda Counties.		
RM2 Legislated Funding (in \$1,000) Total Overall Funding \$45,075 36.1 Caldecott Tunnel - Fourth Bore (\$44,767) 36.2 SR 24 Transit Study (\$308)	Total Estimated Project Cost (in \$1,000) \$420,000	
Project Purpose and Description Provide for a new fourth bore at the Caldecott Tunnel. Route 24 serves as a major east/west connector between Interstates 580 and 80 in Alameda County and Interstate 680 Contra Costa County. The Caldecott Tunnel is considered to be the key bottleneck on Route 24 for traffic traveling between Alameda, Eastern and Central Contra Costa, and San Francisco Counties. This project proposes to construct a fourth tunnel to improve mobility of people and goods along the Route 24 corridor via the Caldecott Tunnels. The limits of the proposed project are from Route 24/Route 13 interchange in Alameda County to Route 24/Gateway Boulevard interchange in Contra Costa County. The project will improve the movement of people and goods along Route 24 via the Caldecott tunnels and improve travel time and therefore reduce delays. Other benefits include enhancing safety of the traveling public and Caltrans maintenance workers and improving tunnel emergency response time.		
Funding Description Committed Funds: The project is fully funded with the infusion of CMIA Proposition 1B funds, as well as RM2, Measure/Sales Tax, and other state and federal sources. Uncommitted Funds: This project is fully funded. Operating Capacity: Caltrans will maintain and operate the facility as part of the State Highway System (State Route 24).		

#### Overall Project Cost and Schedule

Phase	Scope	Start	End	Cost (in \$1,000)
1	Final Environmental Document*	12/2002	09/2007	\$26,000
2	Plans, Specifications and Estimates	01/2006	02/2009	\$27,600
3	Right-of-Way	01/2007	10/2008	\$1,100
4	Construction	12/2009	04/2014	\$334,466
<b>Total:</b>				<b>\$389,166</b>

## Total Project Funding Plan: Committed and Uncommitted Sources

(Amounts Escalated in Thousands)

<b>Project Title</b>	Caldecott Tunnel Improvements – Fourth Bore	<b>Project No.</b> 36.1
<b>Lead Sponsor</b>	Contra Costa Transportation Authority	

Fund Source	Phase	Prior	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14+	Total
<b>Committed</b>										
STIP-IIP	PA&ED	9,000								9,000
TCRP	PA&ED	10,000								10,000
RM2	PA&ED *	7,000								7,000
STIP-IIP	PS&E		5,200							5,200
STIP-RIP	PS&E		2,000							2,000
TCRP	PS&E	10,000								10,000
RM2	PS&E		8,000	2,000						10,000
Measure J	PS&E							400		400
STIP-IIP	R/W		1,100							1,100
CMIA	Const						11,043			11,043
RM2	Const			22,877			2,873		2,017	27,767
ARRA-State	Const			92,700						92,700
ARRA-Regional	Const			104,957						104,957
Measure J	Const			81,675			10,084	4,800		96,559
SAFETEA-LU	Const			1,440						1,440
<b>Total:</b>		<b>36,000</b>	<b>16,300</b>	<b>305,649</b>	<b>0</b>	<b>0</b>	<b>24,000</b>	<b>5,200</b>	<b>2,017</b>	<b>389,166</b>
<b>Uncommitted</b> * Note: \$4.5m of PA&ED allocation were used for preliminary engineering/design.										
										0
<b>Total:</b>		<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Total Project Committed and Uncommitted</b>										
		<b>Prior</b>	<b>2007-08</b>	<b>2008-09</b>	<b>2009-10</b>	<b>2010-11</b>	<b>2011-12</b>	<b>2012-13</b>	<b>2013-14+</b>	<b>Total</b>
<b>Total:</b>		<b>36,000</b>	<b>16,300</b>	<b>305,649</b>	<b>0</b>	<b>0</b>	<b>24,000</b>	<b>5,200</b>	<b>2,017</b>	<b>389,166</b>

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

September 22, 2004  
Attachment D  
MTC Resolution No. 3653  
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09/24/14-C

Project Title: Caldecott Tunnel Improvements - Fourth Bore  
Sponsor: Contra Costa Transportation Authority (CCTA)  
RM2 Project Number: 36.1

RM2 Project # 36.1	PRIOR	FY 2005-06	FY 2006-07	FY 2007-08	FY 2008-09	FY 2009-10+	TOTAL
<b>RM2 Funds Total</b>	-	7,000,000	-	8,000,000	2,000,000	27,767,000	44,767,000

<b>Environmental (ENV)</b>	19,000,000	7,000,000	0	0	0	0	26,000,000
RM2*		7,000,000					7,000,000
TCRP	10,000,000						10,000,000
ITIP	9,000,000						9,000,000
							0

\* Note: \$4.5m of PA&ED allocation was used for preminary engineering/design

<b>Final Design (PS&amp;E)</b>	0	10,000,000	0	15,200,000	2,000,000	400,000	27,600,000
RM2				8,000,000	2,000,000	0	10,000,000
STIP-IIP				5,200,000			5,200,000
STIP-RIP				2,000,000			2,000,000
Measure J						400,000	400,000
TCRP		10,000,000					10,000,000

<b>Right of Way</b>	0	0	0	1,100,000	0	0	1,100,000
IIP				1,100,000			1,100,000
							0

<b>Construction</b>	0	0	0	0	0	334,466,000	334,466,000
RM2						27,767,000	27,767,000
ARRA						197,657,000	197,657,000
Measure J						96,559,000	96,559,000
Federal Earmark						1,440,000	1,440,000
CMIA Reserve (allocated)						11,043,000	11,043,000

<b>TOTAL FUNDING</b>							
Environmental	19,000,000	7,000,000	0	0	0	0	26,000,000
Final Design (PS&E)	0	10,000,000	0	15,200,000	2,000,000	400,000	27,600,000
Right of Way	0	0	0	1,100,000	0	0	1,100,000
Construction	0	0	0	0	0	334,466,000	334,466,000
<b>PROJECT TOTAL</b>	19,000,000	17,000,000	0	16,300,000	2,000,000	334,866,000	389,166,000