

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

ABSTRACT

MTC Resolution No. 3684

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

Additional discussion of this allocation is contained in the Executive Director's memorandum to the MTC Programming and Allocations Committee dated March 2, 2005.

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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.

Program: Regional Measure 2
 Project No: 13
 Project Title: Rail Extension to East Contra Costa County
 Sponsor: BART and CCTA
 Implementing Agency: BART

Attachment A
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REGIONAL MEASURE 2
Deliverable/Useable Segment
Allocation of Regional Measure 2 Funds

Allocation No. 13					
Activities to be funded with Allocation #1:					
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).					
Funding Information for Allocation #1:					
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

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Attachment B
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REGIONAL MEASURE 2
Project Specific Conditions
Rail Extension to East Contra Costa County Project
RM2 Project No. 13

Lead Sponsor: BART and CCTA
Implementing Agency: BART
Project Title: No. 13 – Rail Extension to East Contra Costa County

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 may invoice MTC for eligible project expenses as frequently as monthly, in accordance with the cash flow plan.



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) \$390,000 (2004 dollars)
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 23-mile rail extension that would utilize a non-BART technology, and link directly into the BART system. The eBART technology is proposed to be diesel-multiple unit trains. The alignment would run from the Pittsburg/Bay Point BART Station eastward in the already-widened median of State Route 4 to a transfer station where passengers would walk directly between a BART train and an eBART train. The alignment leaves the SR 4 median at Loveridge Road, using a reconstructed overpass to reach the Mococo line, a semi-abandoned corridor owned by Union Pacific. The alignment then continues through the Cities of Antioch (two stations), Oakley (one station shared with Antioch), Brentwood (one station) and the community of Byron (one station). This proposed project is the option selected by the Policy Advisory Committee, BART Board of Directors, and CCTA Board of Directors in 2002. The environmental clearance phase will look again at appropriate options for technology and alignment, and could result in a different locally preferred alternative.		
Funding Description Committed Funds: Uncommitted Funds: 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. Projected operating costs are \$15.9 million in the first year of operation, with approximately \$12.3 million recovered from fares and parking charges, reflecting a 77 percent recovery rate.		

Overall Project Cost and Schedule

Phase	Scope	Start	End	Cost (in \$1,000)
1	Final Environmental Document	04/2005	06/2007	\$18,750
2	Plans, Specifications and Estimates	04/2005	06/2007	\$8,000
3	Right-of-Way	04/2005	06/2008	\$50,000
4	Construction	07/2008	06/2010	\$313,250

Total: \$390,000

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	Future	Total
Committed										
RM2	Environmental		17,650							17,650
Measure C	Environmental		500							500
CMA T-Plus	Environmental		100							100
MTC SAPs	Environmental			500						
RM2	PS&E			8,000						8,000
RM2	ROW			50,000						50,000
RM2	Construction				20,350					20,350
TCRP	Construction					5,000				5,000
RM-1	Construction								52,000	52,000
Measure J*	Construction						103,000			103,000
ECCFRA									5,400	5,400
Total:		0	18,250	58,500	20,350	5,000	103,000	0	57,400	262,000
Uncommitted										
STIP	Construction							13,000		13,000
AB1171	Construction								68,000	68,000
AB1171/Measure J*	Construction								47,000	47,000
Total:		0	0	0	0	0	0	13,000	115,000	128,000
Total Project Committed and Uncommitted										
		Prior	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10	Future	Total
Total:		0	18,250	58,500	20,350	5,000	103,000	13,000	172,400	390,000

* Note: \$150 million is committed in the Contra Costa sales tax reauthorization. The remaining funds not included in the funding plan will be available to cover a shortfall in the funding plan, financing costs or scope changes for the BART/East Contra Costa Rail Extension project.

REGIONAL MEASURE 2
Rail Extension to East Contra Costa County
BART and CCTA

Deliverable/Useable Segment

Cash Flow Plan

As Adopted March 23, 2005

RM2 Project # 13	PRIOR	FY 2004-05	FY 2005-06	FY 2006-07	FY 2007-08	FY 2008-09	TOTAL
RM2 Funds Total	-	300,000	7,450,000	9,000,000	2,000,000	-	18,750,000
Environmental (ENV)	0	900,000	7,450,000	8,400,000	2,000,000	0	18,750,000
RM 2		300,000	6,950,000	8,400,000	2,000,000		17,650,000
Measure C		500,000					500,000
CCTA T-Plus Funds		100,000					100,000
MTC Station Area Plans			500,000				500,000
Final Design (PS&E)	0	0	0	0	0	0	0
							0
							0
							0
							0
Right of Way	0	0	500,000	600,000	0	0	1,100,000
RM 2			500,000	600,000			1,100,000
							0
							0
							0
Construction	0	0	0	0	0	0	0
							0
							0
							0
							0
TOTAL FUNDING							
Environmental	0	900,000	7,450,000	8,400,000	2,000,000	0	18,750,000
Final Design (PS&E)	0	0	0	0	0	0	0
Right of Way	0	0	500,000	600,000	0	0	1,100,000
Construction	0	0	0	0	0	0	0
PROJECT TOTAL	0	900,000	7,950,000	9,000,000	2,000,000	0	19,850,000