

Date: April 25, 2007  
W.I.: 1255  
Referred by: PAC  
Revised: 11/28/07-C

ABSTRACT

MTC Resolution No. 3806, Revised

This resolution approves the allocation of Regional Measure 2 funds for South San Francisco Ferry Vessels project sponsored and implemented by the Water Transit Authority (WTA).

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

This resolution was revised on November 28, 2007 to allocate \$11.725 million for the purchase of 2 vessels.

Additional discussion of this allocation is contained in the Executive Director's memoranda to the MTC Programming and Allocations Committee memorandum dated April 25, 2007 and November 14, 2007.

**REGIONAL MEASURE 2 PROGRAM  
Allocation of Funds**

Project Title: South San Francisco Ferry Vessel Procurement  
Sponsor: Water Transit Authority  
Project Number: 27.1

<b>Allocation No. 27.1-1 - South San Francisco Ferry Vessels</b>						
Activities to be funded with Allocation #1:						
Construction Management for bidding process to procure two ferry vessels and spare parts.						
Allocation Instruction No.	Approval Date	Amount	Phase	Reimbursement Year	Cumulative Total To Date	
07380601	25-Apr-07	\$ 275,000	PSE	FY 2006-07	\$	275,000

<b>Allocation No. 27.1-2 - South San Francisco Ferry Vessels</b>						
Activities to be funded with Allocation #2:						
Construction of two 25-knot passenger only catamaran ferry vessels seating up to 199-passengers.						
Funding Information for Allocation #1:						
Allocation Instruction No.	Approval Date	Amount	Phase	Reimbursement Year	Cumulative Total To Date	
07380602	28-Nov-07	\$ 11,725,000	CON	FY 2007-08	\$	12,000,000
					\$	12,000,000

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

Project Title: South San Francisco Ferry Vessel Procurement  
Sponsor: Water Transit Authority (WTA)  
Project Number: 27.1

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

1. Receipt of these funds by the Water Transit Authority is conditioned on working cooperatively with MTC and the relevant local jurisdictions to encourage Transit-Oriented Development with the goal of assuring that an appropriate number of residences, jobs, services and other activities will be planned for and located within walking distance of the ferry terminals.
2. WTA may invoice MTC for eligible expenses as frequently as monthly, in accordance with the cash flow plan.

## RM2 Project Number: 27.1 South San Francisco Ferry Vessel Procurement

Lead Sponsor Water Transit Authority	Other Sponsors(s) N/A	Implementing Agency (if applicable) N/A
Legislated Project Description Commuter Ferry Service for South San Francisco. Purchase two vessels for ferry services to the peninsula. Parking access and landside feeder connections must be sufficient to support ridership projections.		
RM2 Legislated Funding (in \$1,000) Total Overall Funding \$12,000	27.1 Total Estimated Project Cost (in \$1,000) \$17,000	
Project Purpose and Description To construct two new vessels that will carry up to 199 passengers and 25 bikes. These vessels will be used to support the future ferry service from Alameda/Oakland to South San Francisco.		
Funding Description  Committed Funds: The project is funded by RM2 funds and secured federal earmarks. Uncommitted Funds: This RM 2 project is fully funded. Operating Capacity: RM2 includes an annual operating subsidy for the Alameda/Oakland, Berkeley, and South San Francisco ferry services. This subsidy plus fares is projected to meet the operating expenses. The spare vessels will be operated with funds available to existing operators and the WTA for operating services that are already funded through existing sources.		

### Overall Project Cost and Schedule

Phase	Scope	Start	End	Cost (in \$1,000)
1	Environmental Document/Preliminary Engineering	N/A	N/A	\$0
2	Designs, Plans, Specs, & Estimates	4/2007	12/07	\$275
3	Right-of-Way Acquisition	N/A	N/A	\$0
4	Construction	12/2007	4/2009	\$16,725
<b>Total:</b>				<b>\$17,000</b>

## Total Project Funding Plan: Committed and Uncommitted Sources

(Amounts Escalated in Thousands)

<b>Project Title</b>	South San Francisco Ferry Vessel Procurement	<b>Project No.</b>	27.1
<b>Lead Sponsor</b>	WTA		

Fund Source	Phase	Prior	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10	Future	Total
<b>Committed</b>										
RM2	PSE				275					275
RM2	Construction					11,725				11,725
FY 2004 Ferry Boat (Fed)	Construction					881				881
FY 2005 Ferry Boat (Fed)	Construction					694				694
FY 2006 Ferry Boat (Fed)	Construction					630				630
Section 5309 Earmark	Construction					2,795				2,795
FY 2003 Ferry Boat	Construction					2,500				2,500
<b>Total:</b>		0	0	0	0	19,225	0	0	0	\$ 19,500
<b>Uncommitted</b>										
<b>Total:</b>		0	0	0	0	0	0	0	0	\$ -
<b>Total Project Committed and Uncommitted</b>										
<b>Total:</b>		0	0	0	0	19,225	0	0	0	\$ 19,500

## REGIONAL MEASURE 2 PROGRAM Project Cash Flow Plan

South San Francisco Ferry Vessel Procurement  
Sponsor: Water Transit Authority  
RM2 Project Number: 27.1

	PRIOR	FY 2004-05	FY 2005-06	FY 2006-07	FY 2007-08	FY 2008-09	TOTAL
<b>RM2 Funds Total</b>	-	-	-	275,000	11,725,000	-	12,000,000
<b>Environmental (ENV)</b>	0	0	0	0	0	0	0
							0
<b>Final Design (PS&amp;E)</b>	0	0	0	275,000	0	0	275,000
RM2				275,000			275,000
							0
							0
<b>Right of Way</b>	0	0	0	0	0	0	0
							0
							0
							0
<b>Construction</b>	0	0	0	0	19,225,000	0	17,020,100
RM2					11,725,000		11,725,000
FY 2004 Ferry Boat					880,800		
FY 2005 Ferry Boat					693,900		
FY 2006 Ferry Boat					630,200		
Section 5309 Earmark					2,795,100		2,795,100
FY 2003 Ferry Boat					2,500,000		2,500,000
<b>TOTAL FUNDING</b>							
Environmental	0	0	0	0	0	0	0
Final Design (PS&E)	0	0	0	275,000	0	0	275,000
Right of Way	0	0	0	0	0	0	0
Construction	0	0	0	0	19,225,000	0	19,225,000
<b>PROJECT TOTAL</b>	0	0	0	275,000	19,225,000	0	19,500,000

Date: November 28, 2007  
W.I.: 1255  
Referred by: PAC

ABSTRACT

MTC Resolution No. 3828

This resolution approves the allocation of Regional Measure 2 funds for the Oakland Airport Connector project sponsored and implemented by the Bay Area Rapid Transit District (BART).

This resolution includes the following attachments:

- Attachment A - Allocation Summary Sheet for RM2 funds
- Attachment B - Project Specific Conditions for Allocation Approval
- Attachment C - MTC staff's review of BART's Initial Project Report (IPR) for this project
- Attachment D - RM2 Complementary Funding Plan for RM2 Allocated Funds
- Attachment E - Synopsis of Terms for Funding Agreement

Additional discussion of this allocation is contained in the MTC Programming and Allocations Committee Executive Director memo dated November 14, 2007.

Date: November 28, 2007  
W.I.: 1255  
Referred by: PAC

Re: Approval of Allocation of Regional Measure 2 funds for the Oakland Airport Connector Project

METROPOLITAN TRANSPORTATION COMMISSION  
RESOLUTION No. 3828

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 an \$1.00 toll increase for all vehicles on the seven state-owned toll bridges in the San Francisco Bay Area to fund a specific list of capital projects and programs and transit operating assistance within the region that have been determined to reduce congestion or to make improvements to travel in the toll bridge corridors, as identified in Streets and Highways Code Sections 30914(c) & (d), commonly referred as Regional Measure 2 (“RM 2”); and

WHEREAS, the administrative duties and responsibilities for the implementation of the RM 2 funds has been assigned to MTC; and

WHEREAS, BATA shall fund the projects of the RM 2 Program by transferring authorized funds to MTC; and

WHEREAS, the Bay Area Rapid Transit District (BART) Oakland Airport Connector project is eligible to receive RM 2 funding as identified in California Streets and Highways Code Sections 30914(c)(23); and

WHEREAS, MTC has established a process whereby eligible transportation project sponsors may submit allocation requests for RM 2 funding (MTC Resolution No. 3636, Revised as amended); and

WHEREAS, BART has submitted an Initial Project Report for the project, as required pursuant to Streets and Highway Code Section 30914(e), for the allocation of RM 2 funds 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 RM 2 funding for the project 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, conditions the allocation and disbursement of RM2 funds on the execution of a funding agreement between MTC and BART; 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's Initial Project Report (IPR) for this project; and

WHEREAS, Attachment D attached hereto and incorporated herein as though set forth at length, lists anticipated contributing funding sources for the deliverable/useable RM 2 project segment; now, therefore be it

RESOLVED, that MTC approves the allocation and disbursement of RM 2 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 disbursement of RM 2 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, Revised; and be it further

RESOLVED, that the allocation and disbursement of RM 2 funds are further conditioned upon the project specific conditions as set forth in Attachment B; and, be it further

RESOLVED, that MTC approves MTC staff's review of BART's Initial Project Report (IPR) for this project as set forth in Attachment C; and be it further

RESOLVED, that the allocation and disbursement of RM 2 funds as set forth in Attachment A are conditioned upon the availability and expenditure of any contributing fund sources as set forth in Attachment D; and be it further

RESOLVED, that the Executive Director or his designee is authorized to negotiate and enter into a funding agreement with BART that includes the provisions contained in Attachment E; 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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Bill Dodd, Chair

The above resolution was entered into by the Metropolitan Transportation Commission at the regular meeting of the Commission held in Oakland, California, on November 28, 2007.

## REGIONAL MEASURE 2 PROGRAM Allocation of Funds

Project Title: Oakland Airport Connector  
 Sponsor: BART  
 Project Number: 23.0

<b>Allocation No. 23</b>					
Activities to be funded with Allocation #1:					
Construction of a 3.2 mile automated guideway transit (AGT) system between the existing Oakland Coliseum BART station and the Oakland International Airport.					
Allocation Instruction No.	Approval Date	Amount	Phase	Reimbursement Year	Cumulative Total To Date
08382801	28-Nov-07	\$ 68,000,000	CON	FY 2007-08	\$ 68,000,000

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

Project Title: Oakland Airport Connector  
Sponsor: BART  
Project Number: 23.0

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

1. Execution of a funding agreement between MTC and BART for the Regional Measure 1 90% Rail Reserve East and Regional Measure 2 funds.

**RM2 Project Number: 37  
Oakland Airport Connector**

Lead Sponsor Bay Area Rapid Transit District	Other Sponsors(s) Port of Oakland	Implementing Agency (if applicable) Private Concessionaire
Legislated Project Description New transit connection to link BART, Capitol Corridor and AC Transit with Oakland Airport. The Port of Oakland shall provide a full funding plan for the connector.		
RM2 Funding (in \$1,000) Total: \$ 68,000	Total Estimated Project Cost (in \$1,000) \$458,000	
Project Purpose and Description The Oakland Airport Connector Project is a 3.2 mile long Automated Guideway Transit (AGT) system running on an exclusive right-of-way along the Hegenberger Road corridor that would link the Oakland International Airport with the region's rail systems: BART, the Capital Corridor, and Amtrak. AGT encompasses a variety of technologies and no specific technology has yet been selected. This would be a design-build-finance-operate (DBFO) project implemented via a public - private partnership.		
Funding Description Committed Funds: The project is a public private partnership joint venture. Full funding of the project is contingent upon the bid and negotiation with the private concessionaires Uncommitted Funds: N/A  Operating Capacity: Upon project completion, BART and the private concessionaire will be responsible for operating and maintaining all components of this project.		

Overall Project Cost and Schedule

Overall Project Cost and Schedule				
<b>1</b>	Environmental Document/Preliminary Engineering	N/A	N/A	
<b>2</b>	Designs, Plans, Specs, & Estimates	N/A	N/A	
<b>3</b>	Right-of-Way Acquisition	N/A	N/A	
<b>4</b>	Construction	4/2008	12/2011	\$458,330
<b>Total:</b>				<b>\$458,330</b>

## Total Project Funding Plan: Committed and Uncommitted Sources

(Amounts Escalated in Thousands)

<b>Project Title</b>	Oakland Airport Connector					<b>Project No.</b>	37			
<b>Lead Sponsor</b>	Bay Area Rapid Transit District									

  

Fund Source	Phase	Prior	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12	Future	Total
Alameda County Measure B	multiple	9,702					71,098		17,500	98,300
STIP (RIP)	multiple	20,530					0			20,530
STIP (ITIP)	const						10,000			10,000
Port of Oakland	multiple	1,500				30,000				31,500
RM-1 Bridge Tolls	const			11,000	11,000	9,000				31,000
RM-2 Bridge Tolls	const			10,000	43,000	15,000				68,000
Private funding	const			31,200	69,900	59,800	13,100			174,000
P5 Federal/ FTA	const					25,000				25,000
										0
										0
										0
<b>Sub Total:</b>		31,732	0	52,200	123,900	138,800	94,198	0	17,500	\$ 458,330
										0
<b>Sub Total:</b>		0	0	0	0	0	0	0	0	\$ -
		<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>Future</b>	<b>Total</b>
<b>Total:</b>		31,732	0	52,200	123,900	138,800	94,198	0	17,500	\$ 458,330

## REGIONAL MEASURE 2 PROGRAM Project Complementary Funding Plan for RM2 Allocated Funds

Project: Oakland Airport Connector  
Sponsor: BART  
RM2 Project Number: 23.0

	PRIOR	FY 2007-08	FY 2008-09	FY 2009-10	FY 2010-11	FY 2011-12	TOTAL
<b>RM2 Funds Total</b>	-	68,000,000	-		-	-	68,000,000
<b>Environmental (ENV)</b>	0	0	0	0	0	0	0
							0
<b>Final Design (PS&amp;E)</b>	0	0	0	0	0	0	0
RM2							0
							0
<b>Right of Way</b>	0	0	0	0	0	0	0
RM2							0
							0
<b>Construction</b>	0	295,530,000	0	0	0	0	295,530,000
RM 2		68,000,000					68,000,000
RM 1		31,000,000					31,000,000
Alameda County Measure B		3,530,001					3,530,001
Private		128,000,000					128,000,000
STIP (ITIP)		10,000,000					10,000,000
Port of Oakland		30,000,000					30,000,000
P5		24,999,999					24,999,999
<b>TOTAL FUNDING</b>							
Environmental	0	0	0	0	0	0	0
Final Design (PS&E)	0	0	0	0	0	0	0
Right of Way	0	0	0	0	0	0	0
Construction	0	295,530,000	0	0	0	0	295,530,000
<b>PROJECT TOTAL</b>	0	295,530,000	0	0	0	0	295,530,000

ATTACHMENT E  
Synopsis of Terms for Funding Agreement

BART shall agree:

1. To complete the project described in its updated Initial Project Report, through its contractor.
2. That it shall not request any reimbursements until it executes a concession agreement with its contractor.
3. To comply with all provisions of MTC Resolution No. 3636, Revised and that any RM1 funds received under the funding agreement in addition to the RM2 funds be subject to MTC Resolution No. 3636 as revised.

MTC shall agree to provide BART an amount not to exceed \$99,000,000 comprised of \$68,000,000 in RM2 funds and \$31,000,000 in RM1 90% Rail Reserve East Funds.