I-880 to Mission Blvd. East-West Connector

Project Status Report
March 2018

Agenda

- Project Overview
  - Purpose, Needs, Benefits
  - History
  - Memorandum of Understanding
- Project Status (Scope, Cost, & Schedule)
- Complexities and Outstanding Risks
- Project Delivery Options
Project Overview

For illustrative purposes only.

Total Project Cost: $320 million

Purpose, Need & Benefits

• Reduce local traffic congestion and driving time.

• Provide critical intersection improvements.

• Provide an important east-west link in the transportation network in Fremont and Union City.

• Accommodate recent and future growth in the area.

• Provide opportunity for economic revitalization.
Project History

- **1958**: CTC adopted New Route 84
- **1970s, 1980s**: Corridor Right-of-Way Being Reserved
- **1980**: CTC rescinded the Route Adoption of Route 84
- **1986**: Measure B/1986 Transportation Expenditure Plan (TEP) passes
- **1989**: Environmental Phase Initiated (Project Approval and Environmental Document - PA/ED)
- **1991**: Litigation filed against Project by Citizens for Responsible Neighborhoods
- **1994**: Litigation Settled, but Continuing Lack of Consensus Increased Cost
- **2002**: Completed Draft Environmental Phase (Final PA/ED - EIR/EIS)
- **2003**: ACTA took over as lead implementation agency
- **2004**: ACTA developed “Option 2” (Current Project) and received both Cities concurrence
- **2006**: ACTA approved Amend No. 2, inclusion into the 1986 Measure B TEP for the EWC project
- **2007**: ACTA executed MOU with Union City, Fremont & Caltrans
- **2008**: SB 791 was signed into law creating a separate LATIP for SR 84
- **2009**: CEQA (State) Final EIR Approved

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Project History – EWC today

- **2009**: EIR certified
- **2011**: PS&E suspended
- **2013**: PS&E re-started
- **2015**: MBB approved
- **2017**: Tri-City Leadership Forum
- **2019**: Comprehensive Cost Update
- **2018**: Significant PS&E re-design
- **2010**: PS&E started

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Memorandum of Understanding

Roles & Responsibilities for Project Delivery

- **Sponsor:** Alameda CTC, Union City, Fremont
- **Implementing Agency:** Alameda CTC
- **Caltrans:** LATIP

**ALL:** Work cooperatively to fund and deliver option 2, EWC

Segment A $25 million

For illustrative purposes only.
Segment A - Status

- Design plans 95% complete, unchecked
- Right of Way Engineering 65% complete
  - Right of Way Appraisal & Acquisition not started
  - Possible Right of Way Condemnation process
- Environmental permitting to be handled as corridor still needs to be negotiated and finalized
Segment B - Status

- Design Plans 65% complete
  - ACFCED Channel Flow Work with Corp Engineer needs to be finalized
  - Two new ACWD Creek Bridges Design needs to be completed
  - ACWD Line M Diversion Flow Volumes with RWQWB Impacts needs to be finalized
- Right of Way Engineering 50% complete
  - Right of Way Appraisal & Acquisition not started
- Environmental permitting to be handled as corridor still needs to be negotiated and finalized

Segment C  $172 million

For illustrative purposes only.
Segment C - Status

• Design plans 65% complete
  • Finalize BART Shoofly, Mainline Grade Separated Structure Design
    • Finalize Power, Train Control & Utility Relocation Design
    • Finalize Bus Bridge for Construction
    • Finalize BART Construction Agreement
  • Finalize UPRR Shoofly & Double Track Mainline Structure Design for Two Grade Separated Structures
    • Finalize Fiber Optic Joint Trench With 3 Companies
    • Finalize Maintenance Road for Nile Division Location
    • Finalize C&M Agreement with UPRR
  • Finalize CSMD Retaining Wall Design

Segment C - Status

• ACWD Line M Diversion Flow Volumes with RWQWB Impacts needs to be finalized
• Right of Way Engineering 65% complete
  • Right of Way Appraisal & Acquisition not started
• Environmental permitting to be handled as corridor still needs to be negotiated and finalized
Segment D - Status

- Design plans 65% complete
- Right of Way Engineering 65% complete
  - Right of Way Appraisal & Acquisition not started
- Environmental permitting to be handled as corridor still needs to be negotiated and finalized
**Project Cost Estimate**

<table>
<thead>
<tr>
<th>Project Phase / Element</th>
<th>Segment A</th>
<th>Segment B</th>
<th>Segment C</th>
<th>Segment D</th>
<th>Total Project</th>
</tr>
</thead>
<tbody>
<tr>
<td>Planning / Scoping &amp; PE / Environmental Studies/Final Design</td>
<td>$2,448,000</td>
<td>$7,119,000</td>
<td>$12,460,000</td>
<td>$223,000</td>
<td>$22,250,000</td>
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<tr>
<td>Environmental Mitigation</td>
<td>$1,746,000</td>
<td>$5,072,000</td>
<td>$8,876,000</td>
<td>$156,000</td>
<td>$15,850,000</td>
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<tr>
<td>Right of Way Support</td>
<td>$119,000</td>
<td>$347,000</td>
<td>$607,000</td>
<td>$11,000</td>
<td>$1,084,000</td>
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<tr>
<td>Right of Way Capital</td>
<td>$1,839,000</td>
<td>$52,460,000</td>
<td>$23,809,000</td>
<td>$122,000</td>
<td>$78,230,000</td>
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<tr>
<td>Construction Support</td>
<td>$2,463,000</td>
<td>$6,795,000</td>
<td>$13,213,000</td>
<td>$1,004,000</td>
<td>$23,475,000</td>
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<td>Construction Capital</td>
<td>$16,555,000</td>
<td>$47,915,000</td>
<td>$112,847,000</td>
<td>$1,654,000</td>
<td>$178,971,000</td>
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<tr>
<td>Totals</td>
<td>$25,170,000</td>
<td>$119,708,000</td>
<td>$171,812,000</td>
<td>$3,170,000</td>
<td>$319,860,000</td>
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</table>

**Project Schedule**

- **Segment A**: Design/ROW, Construction
- **Segment B**: Final Design/ROW, Construction
- **Segment C**: Final Design/ROW, Construction
- **Segment D**: Final Design/ROW, Construction

MAR 2018
Project Complexities

1. Stakeholder Coordination (Schedule)
2. Environmental Permits (Schedule/Cost)
3. Right of Way & Utilities (Schedule/Cost)
4. Former Superfund Site (Cost)
5. UPRR/BART/ACFCD Channel (Schedule/Cost)
6. Concrete Deep Soil Mixing (CDSM) Wall (Cost)
7. Public Consensus (Scope/Cost/Schedule)

Key Stakeholder Coordination

- Regional Water Quality Control Board (RWQCB)
- Alameda County Flood Control District (ACFC)
- Alameda County Water District (ACWD)
- U.S. Army Corp of Engineers (COE)
- California Department of Transportation (Caltrans)
- Fremont/Union City
- S.F. Bay Area Rapid Transit (BART)
- Union Pacific Railroad (UPRR)
- Utility Companies
- Mitigation Monitoring Committee (MMC)
Environmental Permits

- Required Permits
  - USACE – 404 Wetlands
  - CDF&G – 1602 Streambed Alteration
  - RWQCB – 401 Water Quality
  - USF & WS – Section 7 Endangered Species
  - NMFS – Section 7 Endangered Species
  - SHPO – Section 106 Historic Preservation
- Mitigation Measures
  - Offsite
  - Onsite

Right of Way & Utilities

- Right of Way Surveying Issues with City Owned Parcels in Segment B
- Potential Right of Way Condemnation Process in Segment A
- Utility Company/Facility Relocation
  - Verizon - Fiber (Oakland/BART)
  - Level 3 - Fiber (Niles/BART)
  - Quest - Fiber (Niles)
  - Sprint – Fiber (Niles)
  - ELI/Integra - Fiber (BART)
  - BART – Fiber/34.5KV
Right-of-way Capital Cost

<table>
<thead>
<tr>
<th>Entity</th>
<th>Total*</th>
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<tbody>
<tr>
<td>Private</td>
<td>$ 8.9 M</td>
</tr>
<tr>
<td>City of Fremont</td>
<td>$ 17.3 M</td>
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<tr>
<td>Union City</td>
<td>$ 15.5 M</td>
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<tr>
<td>State of California</td>
<td>$ 27.7 M</td>
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<tr>
<td>BART</td>
<td>$ 331.0 K</td>
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<tr>
<td>ACFD</td>
<td>$ 142.0 K</td>
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<tr>
<td>ACWD</td>
<td>$ 8.3 M</td>
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<tr>
<td>Total</td>
<td>$ 78.2 M</td>
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*Includes Fee-Take, Easements, Damages, other

Outstanding Risks

1. Contaminated Soil
2. Right of Way/Utilities
3. BART Shoofly
**Project Cost Estimate (x $1,000)**

<table>
<thead>
<tr>
<th>Project Element</th>
<th>2004</th>
<th>2008</th>
<th>2011</th>
<th>2017</th>
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<tbody>
<tr>
<td>Project Engineering and Support</td>
<td>$20,840</td>
<td>$36,620</td>
<td>$38,540</td>
<td>$46,809</td>
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<tr>
<td>Environmental Mitigation</td>
<td>$0</td>
<td>$7,010</td>
<td>$7,910</td>
<td>$15,850</td>
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<tr>
<td>Right of Way Capital</td>
<td>$46,070</td>
<td>$23,000</td>
<td>$23,000</td>
<td>$78,230</td>
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<tr>
<td>Construction Capital</td>
<td>$69,480</td>
<td>$125,410</td>
<td>$141,460</td>
<td>$178,971</td>
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<td><strong>Totals</strong></td>
<td>$136,390</td>
<td>$192,040</td>
<td>$210,910</td>
<td>$319,860</td>
</tr>
</tbody>
</table>

- Cost escalation factors.
- Unpredictability of Right of Way market.
- Changes to environmental regulations, design parameters.
- Utilities increasing.

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**Options for Consideration**

**Option A: Build**
Approve a full funding plan concept for the project that applies $210 million of Measure BB funds from various discretionary funding categories included in the 2014 Transportation Expenditure Plan (2014 TEP).

**Option B: No Build**
Decide to not move forward with the project and reprogram the remaining 1986 Measure B funds according to the Memorandum of Understanding.

**Option C: Deferred**
Approve the project moving forward and defer the full funding decision until the project’s construction bid document is complete and meeting the requirements for advertisement, construction readiness, and the project delivery plan all as established and approved by the Commission.

Staff is not requesting any programming or allocation action at this time.
Build – Local Funding Scenario

Estimated Project cost (March 2017): $320,000,000

Programmed Funds:
- 1986 Measure B $ 88,871,000
- Union City $ 6,708,000
- CMA-TIP $ 14,300,000

$109,879,000

SHORTFALL = $210,121,000

Funding Assessment

- **Federal:**
  - National Environmental Protection Act (NEPA).
  - Obtaining clearance would likely take an additional three years or more based upon the impacts outlined in the approved EIR document.
  - This delay would increase the project cost and there is no assurance that the project would compete well for federal funding.

- **State funds:**
  - The project can qualify for state funds from some of the funding programs under SB1.
  - Many state funding programs are leveraged with federal dollars.

- **Regional funds:** No funding has been identified that could be pursued for the project.

- **Local funds:** The project is eligible to receive sales tax funding subject to the eligible uses and approval of the Alameda CTC.
## Conceptual Transportation Expenditure Plan Funding Proposal

<table>
<thead>
<tr>
<th>MBB Funding Category</th>
<th>EWC Amount ($1,000)</th>
<th>Total TEP ($1,000)</th>
<th>%</th>
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<tbody>
<tr>
<td>TEP 21 - Dumbarton Corridor Area Transportation Improvements</td>
<td>$40.0</td>
<td>$120.0</td>
<td>33.3</td>
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<tr>
<td>TEP 22* - Union City Intermodal Railroad Corridor Right-of-Way Preservation and Track Improvements</td>
<td>$32.0</td>
<td>$110.0</td>
<td>29.0</td>
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<tr>
<td>TEP 26 - Congestion Relief, Local Bridge Seismic Safety</td>
<td>$25.0</td>
<td>$639.0</td>
<td>3.9</td>
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<tr>
<td>TEP 44 - Bicycle and Pedestrian Grant Program</td>
<td>$10.0</td>
<td>$154.8</td>
<td>6.4</td>
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<tr>
<td>TEP 45 - Community Development Investments Program</td>
<td>$9.5</td>
<td>$300.0</td>
<td>3.2</td>
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**Total Discretionary Measure BB:** $116.5  
**Total Measure BB:** $191.5  

* Named Capital – Requires Plan Amendment

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## Potential Funds

**POTENTIAL FUNDS:** $210,900,000

* * Named Capital – Requires Plan Amendment
Build - Conditions

• City of Union City will sponsor and implement the project as contained within the approved environmental document.

• City of Union City will be responsible for all cost overruns.

• City of Union City will not be eligible to receive any future discretionary funding from Measure BB.

• All provisions of Alameda CTC’s Project Funding Agreement apply.

• The project will comply with the timely use of funds requirement which will require that the City of Union City deliver the project in accordance with an approved project delivery plan. The delivery plan will ensure that all project segments will begin construction by January 2021, assuming that all additional funds are available for allocation and encumbrance. No construction funding will be authorized until the delivery plan is approved by Alameda CTC. In the event the City cannot meet this requirement, the project will be deemed infeasible, and the provisions of the “No Build” option will apply.

• In the event of project savings or additional funding is secured from regional, state, or federal sources for the project, the order of reduction will be as follows: TEP 21, then TEP 22, then TEP 23.

• If the approved delivery plan results in the need to bond, the City of Union City will bear the cost of bonding and/or other advancement of funds.

• Accept the assignment of all contracts and agreements associated with the development of the project (BART, UPRR, TYLIN, permits, etc.)

No-Build

1986 Measure B Allocated Funds: $ 88,871,000
Estimated Sunk Costs: $ 19,871,000
Estimated Remaining Funds: $ 69,000,000

Fremont $ 9,338,000 Transportation projects in Fremont

Newark $ 1,960,000 Transportation projects in Newark

$46,000,000 Construct Historic Parkway in Union City
$ 9,000,000 Historic Parkway Environmental mitigation costs
$ 2,702,000 Transportation projects in Union City

Union City $57,702,000
Deferred

1986 Measure B Allocated Funds: $ 88,871,000

<table>
<thead>
<tr>
<th>Component</th>
<th>Amount</th>
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</thead>
<tbody>
<tr>
<td>Estimated Sunk Costs:</td>
<td>$ 19,871,000</td>
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<tr>
<td>Remaining Design Work</td>
<td>$ 2,379,000</td>
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<tr>
<td>Permits/Right-of-way</td>
<td>$ 18,471,000</td>
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<tr>
<td>Environmental Mitigation</td>
<td>$ 15,850,000</td>
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<tr>
<td>Total to Ready-to-List</td>
<td>$ 56,571,000</td>
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</table>

Deferred - Conditions

- City of Union City will *sponsor and implement* the project as contained within the approved environmental document.
- All provisions of Alameda CTC’s Project Funding Agreement apply.
- City of Union City will *accept the assignment of all contracts and agreements* associated with the development of the project.
- The City of Union City must ensure the project’s construction bid document is complete and ready for advertisement and meeting the requirements for construction readiness and the project delivery plan as established and approved by the Commission.
- The project will comply with the timely use of funds requirement which will require that the City of Union City deliver the project in accordance with an approved project delivery plan. The delivery plan will *ensure that all project segments will be in a position to advertise by June 2020.*
Discussion

[Map showing segments A, B, C, and D, with Union City and Fremont indicated]