





ALAMEDA
County Transportation
Commission

I-880 to Mission Blvd. East-West Connector

Project Status Report March 2018




CITY OF UNION CITY
CALIFORNIA



CITY OF
Fremont





ALAMEDA
County Transportation
Commission

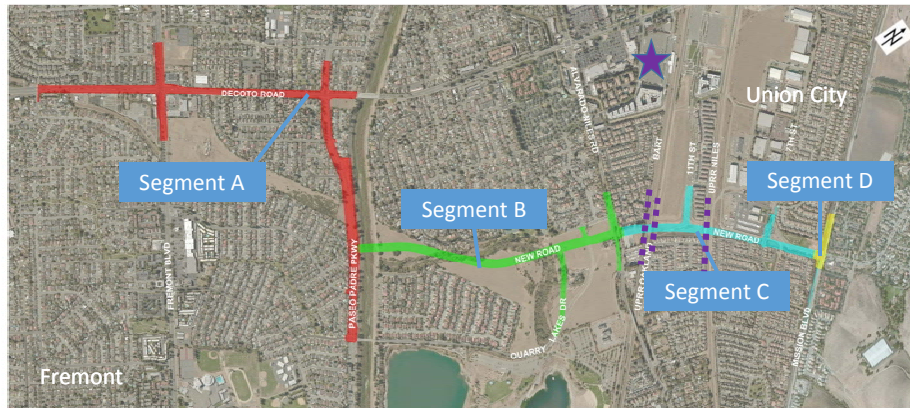
Agenda

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

2



Project Overview



For illustrative purposes only.

Total Project Cost: \$320 million

3



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.

4



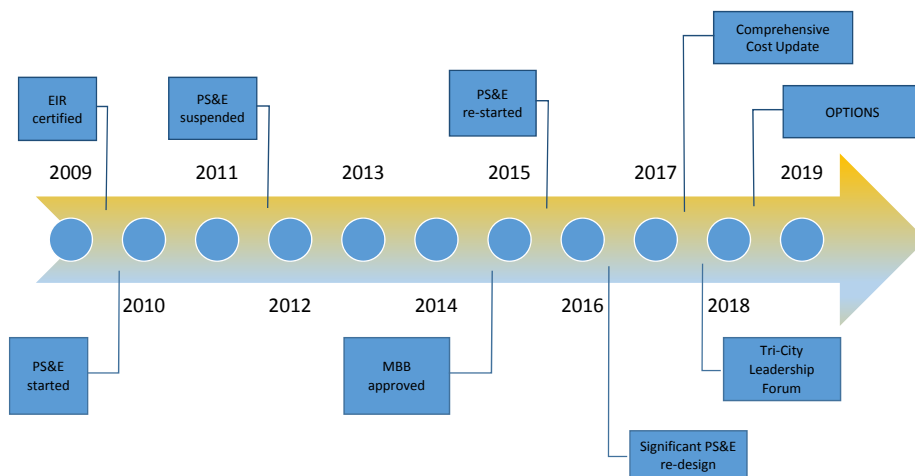
Project History

- **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- • **1980** CTC rescinded the Route Adoption of Route 84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

5



Project History – EWC today



6



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

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

2



For illustrative purposes only.

8



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



9



Segment B

\$120 million



For illustrative purposes only.

10



Segment B - Status

- Design Plans 65 % complete
 - ACFCO 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



11



Segment C

\$172 million



For illustrative purposes only.

12



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

13

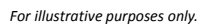


Segment C - Status

- 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



14



- 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



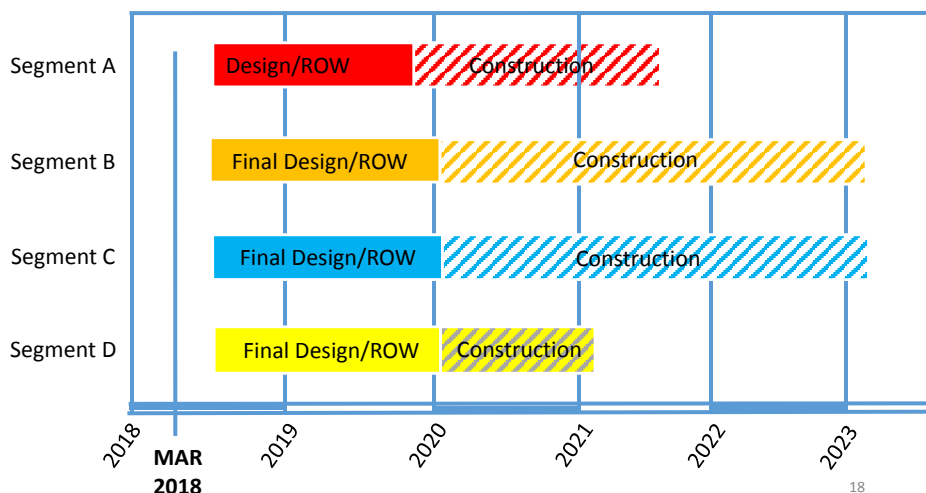
Project Cost Estimate

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

17



Project Schedule



18



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)

19



Key Stakeholder Coordination

- **Regional Water Quality Control Board (RWQCB)**
- **Alameda County Flood Control District (ACFCD)**
- **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)**

20



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



21



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

22



Right-of-way Capital Cost

Entity	Total*
Private	\$ 8.9 M
City of Fremont	\$ 17.3 M
Union City	\$ 15.5 M
State of California	\$ 27.7 M
BART	\$ 331.0 K
ACFD	\$ 142.0 K
ACWD	\$ 8.3 M
Total	\$ 78.2 M

*Includes Fee-Take, Easements, Damages, other

23



Outstanding Risks

1. Contaminated Soil
2. Right of Way/Utilities
3. BART Shoofly



24



Project Cost Estimate (x\$1,000)

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

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

25



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.

26



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
		<hr/>
		\$109,879,000

SHORTFALL = \$210,121,000

27



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.

28



Build – Analysis

Conceptual Transportation Expenditure Plan Funding Proposal		
TEP 21	Dumbarton Corridor Area Transportation Improvements	\$40,000,000
TEP 22*	Union City Intermodal	\$75,000,000
TEP 23	Railroad Corridor Right-of-Way Preservation and Track Improvements	\$32,000,000
TEP 26	Congestion Relief, Local Bridge Seismic Safety	\$25,000,000
TEP 44	Bicycle and Pedestrian Grant Program	\$10,000,000
TEP 45	Community Development Investments Program	\$9,500,000
	Additional Union City Local Match	\$19,400,000
	POTENTIAL FUNDS:	\$210,900,000

* Named Capital – Requires Plan Amendment

29



Build – Analysis

CONCEPTUAL Transportation Expenditure Plan Funding Proposal			
MBB Funding Category	EWC Amount (X\$1,000)	Total TEP (X\$1,000)	%
TEP 21 -Dumbarton Corridor Area Transportation Improvements	\$40.0	\$120.0	33.3
TEP 23 -Railroad Corridor Right-of-Way Preservation and Track Improvements	\$32.0	\$110.0	29.0
TEP 26 -Congestion Relief, Local Bridge Seismic Safety	\$25.0	\$639.0	3.9
TEP 44 -Bicycle and Pedestrian Grant Program	\$10.0	\$154.8	6.4
TEP 45 -Community Development Investments Program	\$9.5	\$300.0	3.2
Total Discretionary Measure BB:	\$116.5		
*TEP 22 -Union City Intermodal	\$75.0		
Total Measure BB:	\$191.5		
Additional Union City Local Match	\$19.4		
POTENTIAL FUNDS:	\$210.9		

* Named Capital – Requires Plan Amendment

30



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 follow: 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.)

31



No-Build

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

Estimated Sunk Costs: \$ 19,871,000

Estimated Remaining Funds: \$ 69,000,000

Fremont	<u>\$ 9,338,000</u>	<u>Transportation projects in Fremont</u>
Newark	<u>\$ 1,960,000</u>	<u>Transportation projects in Newark</u>
	\$46,000,000	Construct Historic Parkway in Union City
	\$ 9,000,000	Historic Parkway Environmental mitigation costs
	<u>\$ 2,702,000</u>	<u>Transportation projects in Union City</u>
Union City	<u>\$57,702,000</u>	

32



Deferred

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

Estimated Sunk Costs:	\$ 19,871,000
Remaining Design Work	\$ 2,379,000
Permits/Right-of-way	\$ 18,471,000
<u>Environmental Mitigation</u>	<u>\$ 15,850,000</u>
Total to Ready-to-List	<u>\$ 56,571,000</u>

33



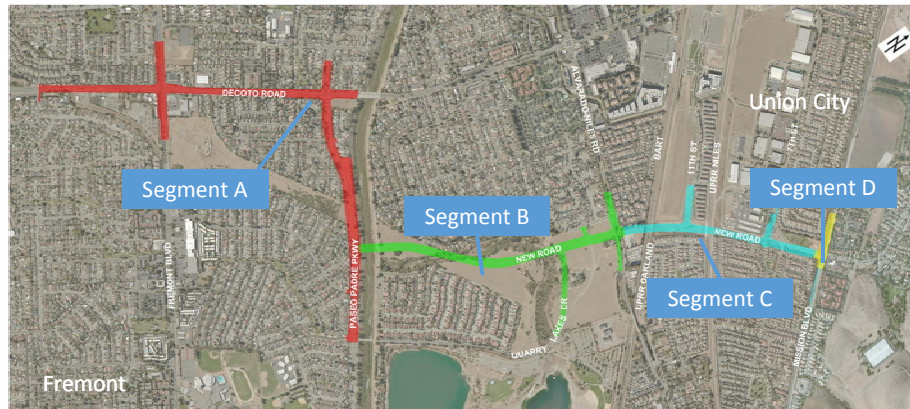
Deferred - Conditions

- 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.

34



Discussion



35