



Alameda County Transportation Commission
meeting as a committee of the whole as the

PROGRAMS AND PROJECTS COMMITTEE

MEETING NOTICE

Monday, February 11, 2013, 12:00 P.M.

1333 Broadway, Suite 300, Oakland, California 94612

(see map on last page of agenda)

Commission Chair
Scott Haggerty, Supervisor – District 1

Commission Vice Chair
Rebecca Kaplan, Councilmember

AC Transit
Greg Harper, Director

Alameda County
Supervisors
Richard Valle – District 2
Wilma Chan – District 3
Nate Miley – District 4
Keith Carson – District 5

BART
Thomas Blalock, Director

City of Alameda
Marilyn Ezzy Ashcraft, Vice Mayor

City of Albany
Peggy Thomsen, Mayor

City of Berkeley
Laurie Capitelli, Councilmember

City of Dublin
Tim Sbranti, Mayor

City of Emeryville
Ruth Atkin, Councilmember

City of Fremont
Suzanne Chan, Councilmember

City of Hayward
Marvin Peixoto, Councilmember

City of Livermore
John Marchand, Mayor

City of Newark
Luis Freitas, Councilmember

City of Oakland
Larry Reid, Councilmember

City of Piedmont
John Chiang, Mayor

City of Pleasanton
Jerry Thorne, Mayor

City of San Leandro
Michael Gregory, Vice Mayor

City Of Union City
Carol Dutra-Vernaci, Mayor

Executive Director
Arthur L. Dao

Chair: Larry Reid
Vice Chair: Suzanne Chan
Members: Scott Haggerty, Rebecca Kaplan, Ruth Atkin, Luis Freitas, Laurie Capitelli, Nate Miley, Carol Dutra-Vernaci
Staff Liaison: Stewart D. Ng
Executive Director: Arthur L. Dao
Clerk of the Commission: Vanessa Lee

AGENDA

Copies of Individual Agenda Items are Available on the:
Alameda CTC Website -- www.AlamedaCTC.org

1 PUBLIC COMMENT

Members of the public may address the Committee during "Public Comment" on any item not on the agenda. Public comment on an agenda item will be heard when that item is before the Committee. Only matters within the Committee's jurisdictions may be addressed. Anyone wishing to comment should make their desire known by filling out a speaker card and handling it to the Clerk of the Commission. Please wait until the Chair calls your name. Walk to the microphone when called; give your name, and your comments. Please be brief and limit comments to the specific subject under discussion. Please limit your comment to three minutes.

2 ROLL CALL

3 CONSENT CALENDAR

3A. Minutes of January 14, 2013– Page 1 A

4 PROGRAMS

4A. Approval of State Transportation Improvement Program (STIP) At Risk Report– Page 5 A

4B. Approval of Federal Surface Transportation/Congestion Mitigation and Air Quality (STP/CMAQ) Program At Risk Report - Page 13 A

- 4C. [Approval of Transportation Fund for Clean Air \(TFCA\) Program At Risk Report – Page 27](#) **A**
- 4D. [Approval of Alameda CTC Transportation Fund for Clean Air \(TFCA\) Program Guidelines, Consistent with the Air District’s FY 2013/14 TFCA Polices – Page 33](#) **A**
- 4E. [Approval of Transportation for Clean Air \(TFCA\) FY 2013/14 Expenditure Plan Application - Page 53](#) **A**
- 4F. [California Transportation Commission \(CTC\) January 2013 Meeting Summary- Page 59](#) **I**

## **5 PROJECTS**

- 5A. [East Bay Greenway Project – Segment 7A \(ACTIA 28\) – Approval of Amendment No. 2 to the Professional Services Agreement with HQE Incorporated \(Agreement No. A10-0026\) - Page 63](#) **A**
- 5B. [I-580 San Leandro Soundwall & Landscape Project \(ACTC 774.0\) – Approval of Amendment No. 4 to the Professional Services Agreement with Mark Thomas & Company \(Agreement No. A06-003\) - Page 67](#) **A**

## **7 COMMITTEE MEMBER REPORTS (VERBAL)**

## **8 STAFF REPORTS (VERBAL)**

## **9 ADJOURNMENT/NEXT MEETING: March 11, 2013**

Key: A- Action Item; I – Information Item; D – Discussion Item

\* Materials will be provided at meeting.

(#) All items on the agenda are subject to action and/or change by the Committee.

*PLEASE DO NOT WEAR SCENTED PRODUCTS SO INDIVIDUALS WITH ENVIRONMENTAL SENSITIVITIES MAY ATTEND.*

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**PROGRAMS AND PROJECTS COMMITTEE  
MINUTES OF JANUARY 14, 2013  
OAKLAND, CALIFORNIA**

Vice Chair Haggerty convened the meeting at 12:30 p.m.

**1. Public Comment**

There was no public comment.

**2. Roll Call**

Lee conducted a roll call. A quorum was confirmed.

**3. Consent Calendar**

**3A. Minutes of November 19, 2012**

Councilmember Freitas motioned to approve this Item. Councilmember Chan seconded the motion. The motion passed 7-0.

**4. Programs**

**4A. Measure B Paratransit Program -- Approval of the Measure B-funded Cycle 5 Gap Grant Program**

John Hemiup recommended that the Commission approve the Measure B-funded Cycle 5 Gap Grant Program for the Measure B Paratransit Program.

Councilmember Atkin wanted information on the wheelchair breakdown service. Mr. Hemiup stated that there is a toll free number that can be called that connects to MV Transportation.

Supervisor Haggerty questioned how the hospital discharge portion of the program operated. Mr. Hemiup stated that the hospital pays for vouchers and provides to the vehicle driver, and at the time of the pick-up Alameda CTC reimburses the service provider (MV Transportation) for the vouchers.

Councilmember Freitas motioned to approve this Item. Supervisor Miley seconded the motion. The motion passed 7-0.

**4B. Approval to Submit Investment Justifications and Project Applications for the State Proposition 1B Transit System Safety, Security & Disaster Response Account (TSSSDRA) Funds for FYs 2010-11, 2011-12 and 2012-13**

Vivek Bhat recommended that the Commission approve the submittal of Investment Justifications and Project Applications for the State Proposition 1B Transit System Safety, Security & Disaster Response Account (TSSSDRA) Funds for FYs 2010-11, 2011-12 and 2012-13.

Councilmember Atkin motioned to approve this Item. Councilmember Chan seconded the motion. The motion passed 7-0.

**4C. Approval of Issuance of a Request for Proposal (RFP) for Professional Services, Authorization to Negotiate and Execute a Contract, and Approve Resolution for Federal Funding for Countywide Safe Routes to School (SR2S) Services**

Arun Goel recommended that the Commission approve the issuance of a Request for Proposal (RFP) for Professional Services, authorize the agency to negotiate and execute a contract, and approve the Resolution for Federal Funding for Countywide Safe Routes to School (SR2S) Services. Mr. Goel stated that the Commission previously approved funding for the Safe Routes to School program. He provided a review of the funding, scope of services and timeline and process for issuing the request for proposals.

Councilmember Atkin asked if the inclusion of teachers and staff was a new process. Mr. Goel stated that a focus on teachers and staff is included in the current contract and would be carried forward in the new RFP.

Mayor Thomsen motioned to approve this Item. Councilmember Chan seconded the motion. The motion passed 7-0.

**4D. California Transportation Commission (CTC) December 2012 Meeting Summary**

Vivek Bhat provided a review of the California Transportation Commission December Meeting. Mr. Bhat summarized the nine agenda items of significance pertaining to Projects / Programs within Alameda County.

This Item was for information only.

**5. Projects**

**5A. I-880/Marina Boulevard Interchange Improvements (APN 750.0) – Approval of Amendment No. 4 to the Professional Services Agreement with BKF Engineers (Agreement No. A08-016)**

Gary Sidhu recommended that the Commission approve Amendment No. 4 to the Professional Services Agreement with BKF Engineers (Agreement No. A08-016). Mr. Sidhu stated that the improvements were to support the Kaiser expansion and would be funded by Kaiser. Mr. Sidhu concluded by stating that the improvements would be included in the scope of work for the HOV contract.

Councilmember Atkin motioned to approve this Item. Councilmember Atkin seconded the motion. The motion passed 7-0.

**5B. I-580 Westbound Express (HOT) Lane Project (APN 724.1) – Approval of Amendment No. 2 to the Professional Services Agreements with URS Corporation (Agreement No. A11-0024)**

Connie Fremier recommended that the Commission approve Amendment No. 2 to the Professional Services Agreements with URS Corporation (Agreement No. A11-0024). Ms. Fremier stated that the amendment is needed to provide final plans, specifications and estimate for the project, to refine traffic studies needed for an open access configuration, and for design services during construction.

Mayor Dutra-Vernacci motioned to approve this Item. Mayor Peggy Thomsen seconded the motion. The motion passed 7-0.

**5C. East Bay Greenway Project (ACTIA 28) – Approval to Execute a Construction Contract for the East Bay Greenway Project – Segment 7A**

Connie Fremier recommended that the Commission authorize the Executive Director or his designee to execute a construction contract for the East Bay Greenway Project- Segment 7A. Ms. Fremier stated that the project is expected to be advertised in February with bids to be opened and the contract awarded in March. Construction is scheduled to start in April 2013.

Supervisor Miley motioned to approve this Item. Mayor Dutra-Vernacci seconded the motion. The motion passed 7-0.

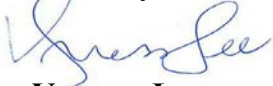
**6/7. Staff and Committee Member Reports**

There were no staff or committee reports.

**9. Adjournment and Next Meeting: February 11, 2013**

Vice Chair Haggerty adjourned the meeting at 1:05 p.m. The next meeting is on February 11, 2013.

**Attest by:**



**Vanessa Lee  
Clerk of the Commission**

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## Memorandum

**DATE:** January 31, 2013

**TO:** Programs and Projects Committee

**FROM:** Matt Todd, Principal Transportation Engineer  
Jacki Taylor, Programming Analyst

**SUBJECT: Approval of State Transportation Improvement Program (STIP) At Risk Report**

### Recommendation

It is recommended the Commission approve the attached STIP At Risk Report, dated January 31, 2013. ACTAC is scheduled to consider this item on February 5<sup>th</sup>.

### Summary

The Report includes a total of 37 STIP projects being monitored for compliance with the STIP “Timely Use of Funds” provisions. Red zone projects are considered at a relatively high risk of non-compliance with the provisions. Yellow zone projects are considered at moderate risk and Green zone projects at low risk.

### Discussion

The report is based on the information made available to the Alameda CTC’s project monitoring team. This information stems from the project sponsors as well as other funding agencies such as Caltrans, MTC and the CTC.

The report segregates projects into Red, Yellow, and Green zones. The criteria for determining the project zones are listed near the end of the report. The durations included in the criteria are intended to provide adequate time for project sponsors to perform the required activities to meet the deadline(s). The risk zone associated with each risk factor is indicated in the tables following the report. Projects with multiple risk factors are listed in the zone of higher risk.

The Alameda CTC requests copies of certain documents related to the required activities to verify that the deadlines have been met. Typically, the documentation requested are copies of documents submitted by the sponsor to other agencies involved with transportation funding such as Caltrans, MTC, and the CTC. The one exception is the documentation requested for the “Complete Expenditures” deadline which does not have a corresponding requirement from the other agencies. Sponsors must provide documentation supported by their accounting department as proof that the Complete Expenditures deadline has been met.

### Attachment

Attachment A: STIP At Risk Report

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STIP At Risk Report  
STIP-RIP Locally-Sponsored Alameda County Projects

Status Date: January 31, 2013

### Red Zone Projects

Index	PP No. Source	Sponsor Prog'd Amount (\$x 1,000)	Project Title Phase	FY	Required Activity	Date Req'd By	Zone	Notes	Prev Zone
1	0044C RIP	Alameda CTC \$2,000	I-880 Reconstruction, 29th to 23rd PSE	10/11	Complete Expend	6/30/13	R		Y
2	2100K RIP-TE	Alameda CTC \$400	I-880 Landscape/Hardscape Improvements in San Leandro PSE	09/10	Complete Expend	6/30/13	R	\$400K Allocated 6/30/10 12-Mo Ext App'd April 2012	Y
3	0057J RIP RIP RIP	Caltrans \$400 \$1,100 \$500	SR-24 Caldecott Tunnel 4th Bore Landscaping PSE ConSup Con	12/13 13/14 13/14	Allocate Funds Allocate Funds Allocate Funds	6/30/13 6/30/14 6/30/14	R G G	Added in 2012 STIP	Y
4	2100E ARRA-TE	Oakland \$1,300	7th St. / West Oakland TOD Con	09/10	Accept Contract	Note 1	R	\$1,300 Obligated 8/5/09 Contract Awd 2009	R
5	2110A RIP RIP-TE	Union City \$715 \$3,000	Union City Intermodal Stn, Ped Enhanc PH 2 & 2A Con Con	11/12 10/11	Award Contract	Note 1	R G	6-mo Ext. app'v'd 1/25/12 \$3M Allocated 6/23/11 Transferred to FTA Grant	R R

*End of Red Zone*

### Yellow Zone Projects

Index	PP No. Source	Sponsor Prog'd Amount (\$x 1,000)	Project Title Phase	FY	Required Activity	Date Req'd By	Zone	Notes	Prev Zone
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*No Yellow Zone Projects*

*End of Yellow Zone*

### Green Zone Projects

Index	PP No. Source	Sponsor Prog'd Amount (\$x 1,000)	Project Title Phase	FY	Required Activity	Date Req'd By	Zone	Notes	Prev Zone
6	2009N RIP	Alameda \$4,000	Tinker Avenue Extension Con	07/08	Final Invoice/Report		NA	\$4M Allocated 9/25/08	G
7	2009A RIP	AC Transit \$3,705	Maintenance Facilities Upgrade Con	06/07	Final Invoice/Report		NA	\$3,705K Allocated 9/7/06	G

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**Green Zone Projects (cont.)**

Index	PP No.	Sponsor	Project Title	Source	Prog'd Amount (\$x 1,000)	Phase	FY	Required Activity	Date Req'd By	Zone	Notes	Prev Zone
8	2009B	AC Transit	SATCOM Expansion	RIP	\$1,000	Con	06/07	Accept Contract	Note 3	G	\$1,000K Allocated 9/7/06	G
9	2009C	AC Transit	Berkeley/Oakland/San Leandro Corridor MIS	RIP	\$2,700	Env	06/07	Final Invoice/Report	Note 3	NA	\$2,700K Allocated 4/26/07	G
10	2009D	AC Transit	Bus Component Rehabilitation	RIP	\$4,500	Con	06/07	Accept Contract	Note 3	G	\$4.5M Allocated 7/20/06	G
11	2009Q	AC Transit	Bus Purchase	RIP	\$14,000	Con	06/07	Accept Contract	Note 3	G	\$14M Allocated 10/12/06	G
12	2009L	Alameda Co.	Vasco Road Safety Improvements	RIP	\$4,600	Con	07/08	Final Invoice/Report		NA	\$4.6M Allocated 2/14/08 Contract Awd 7/29/08 Final Billing sub'd 2/14/12	G
13	2100F	Alameda Co.	Cherryland/Ashland/Castro Valley Sidewalk Imps.	RIP-TE	\$1,150	Con	10/11	Accept Contract	11/1/14	G	\$1,150 Allocated 5/12/11 Awarded Nov 2011	G
14	0016O	Alameda CTC	I-680 SB HOT Lane Accommodation	RIP	\$8,000	Con	07/08	Final Invoice/Report	6/26/13	G	\$8M Allocated 6/26/08 42 -Mo Ext for Awd App'd 12-Mo Ext for Accept App'd 5/23/12	Y
15	0016U	Alameda CTC	I-580 Castro Valley I/C Improvements	RIP	\$7,315	Con	07/08	Final Invoice/Report		NA	Contract Accepted July '11	G
16	0062E	Alameda CTC	I-80 Integrated Corridor Mobility	RIP	\$954	Env	07/08	Final Invoice/Report		NA	\$954 Allocated 9/5/07 Contra Costa RIP Expenditures Comp	G
17	0081H	Alameda CTC	RT 84 Expressway Widening (Segment 2)	RIP	\$34,851	Con	16/17	Allocate Funds	6/30/17	G	Added in 2012 STIP	G
				RIP-TE	\$2,179	Con	16/17	Allocate Funds	6/30/17	G		
18	0139F	Alameda CTC	Rt 580, Landscaping, San Leandro Estudillo Ave - 141st	RIP-TE	\$350	Con	10/11	Accept Contract	7/26/15	G	\$350K Allocated 10/27/11 3-Mo Ext for Awd 5/23/12 Contract Awarded 7/26/12	G
19	2179	Alameda CTC	Planning, Programming and Monitoring (Note 2)	RIP	\$1,563	Con	12/13	Complete Expend	6/30/15	G	\$1,563 Allocated 6/28/12	Y
				RIP	\$1,947	Con	11/12	Complete Expend	6/30/14	G	\$1,947 Allocated 8/11/11	
				RIP	\$750	Con	13/14	Allocate Funds	6/30/14	G	Added in 2012 STIP	
				RIP	\$886	Con	16/17	Allocate Funds	6/30/17	G	Added in 2012 STIP	

**Green Zone Projects (cont.)**

Index	PP No.	Sponsor	Project Title	Phase	FY	Required Activity	Date Req'd By	Zone	Notes	Prev Zone
20	1014	BART	<b>BART Transbay Tube Seismic Retrofit</b>							
	RIP		\$38,000	Con	07/08	Project Complete		NA	\$38M Allocated 9/5/07 Final Invoice 12/21/12	R
21	2008B	BART	<b>MacArthur BART renovate &amp; enhance entry plaza</b>							
	RIP-TE		\$954	Con	10/11				\$954 Allocated 6/23/11 Transferred to FTA Grant	G
22	2009P	BART	<b>Alameda County BART Station Renovation</b>							
	RIP		\$3,000	Con	07/08				\$3M Allocated 12/11/08 FTA Grant CA-90-Y270	G
	RIP		\$248	PSE	07/08				\$248 Allocated 9/5/07 Expenditures Complete	
23	2009Y	BART	<b>Ashby BART Station Concourse/Elevator Imps</b>							
	RIP-TE		\$1,200	Con	07/08	Final Invoice/Report		NA	\$1,200 Allocated 6/26/08	G
24	2103	BART	<b>Oakland Airport Connector</b>							
	RIP		\$20,000	Con	10/11	Accept Contract	9/1/14	G	App'd into STIP and allocated 9/23/10 Awarded Oct 2010	G
25	9051A	BATA	<b>Improved Bike/Ped Connectivity to East Span SFOBB</b>							
	RIP-TE		\$3,063	Con	16/17	Allocate Funds	6/30/17	G	Added in 2012 STIP	G
26	2009W	Berkeley	<b>Ashby BART Station Intermodal Imps</b>							
	RIP		\$4,614	Con	07/08	Final Invoice/Report		NA	\$4,614 Allocated 6/26/08	G
	RIP		\$1,500	Con	09/10	Final Invoice/Report		NA	AB 3090 App'd 8/28/08 \$1.5M Allocated 9/10/09	
27	2100G	Berkeley	<b>Berkeley Bay Trail Project, Seg 1</b>							
	RIP-TE		\$1,928	Con	10/11	Accept Contract	5/29/15	G	\$1,928 Allocated 12/15/11 Awarded 5/29/12	G
28	0521J	Caltrans	<b>I-680 Freeway Performance Initiative Project</b>							
	RIP		\$0		14/15			NA	\$2M Returned to Ala Co RIP Shares June 2012	G
29	2100H	Dublin	<b>Alamo Canal Regional Trail, Rt 580 undercrossing</b>							
	RIP-TE		\$1,021	Con	10/11	Accept Contract	2/7/15	G	\$1,021 Allocated 8/11/11 Contract Awd 2/7/12	G
30	2014U	GGBHTD	<b>SF Golden Gate Bridge Barrier</b>							
	RIP		\$12,000	Con	11/12	Allocate Funds	12/31/13	G	18-Mo Ext App'd May 12	G

**Green Zone Projects (cont.)**

Index	PP No. Source	Sponsor Prog'd Amount (\$x 1,000)	Project Title Phase FY		Required Activity	Date Req'd By	Zone	Notes	Prev Zone
31	2140S RIP-TE	LAVTA \$200	<b>Rideo Bus Restoration Project</b> Con 10/11		Accept Contract	8/10/14	G	\$200 Allocated 5/12/11 from SM County Reserve Contract Awd 8/10/11	G
32	2009K RIP RIP	LAVTA \$4,000 \$1,500	<b>Satellite Bus Operating Facility (Phases 1 &amp; 2)</b> Con 11/12 Con 06/07		Accept Contract Final Invoice/Report	11/7/14	G NA	Note 3 \$4M Alloc'd 6/23/11 PTA Contract Awd 11/7/11 Contract Accepted	G
33	2100 RIP RIP RIP RIP RIP	MTC \$118 \$122 \$114 \$126 \$131	<b>Planning, Programming and Monitoring <sup>2</sup></b> Con 13/14 Con 14/15 Con 12/13 Con 15/16 Con 16/17		Allocate Funds Allocate Funds Complete Expenditures Allocate Funds Allocate Funds	6/30/14 6/30/15 6/30/15 6/30/16 6/30/17	G G G G G	\$114 Allocated 6/27/12 Added in 2012 STIP Added in 2012 STIP	G
34	1022 RIP	Oakland \$5,990	<b>Rte. 880 Access at 42nd Ave./High St., APD</b> R/W 07/08		Final Invoice/Report	NA	G	\$5.99M Allocated 12/13/07	R
35	2100C1 RIP-TE	Oakland \$193	<b>MacArthur Transit Hub Improvement, 40th St</b> Con 07/08		Final Invoice/Report		NA	\$193 Allocated 7/26/07	G
36	2103A RIP-TE	Oakland \$885	<b>Oakland Coliseum TOD</b> Con 10/11		Accept Contract	11/10/14	G	\$885 Allocated 6/23/11 Contract Awd 11/10/11	G
37	2110 RIP RIP RIP-TE RIP-TE RIP	Union City \$4,600 \$720 \$5,307 \$2,000 \$9,787	<b>Union City Intermodal Station</b> Con 07/08 Con 05/06 Con 05/06 Con 06/07 Con 06/07		Final Invoice/Report Final Invoice/Report Final Invoice/Report Final Invoice/Report Final Invoice/Report		NA NA NA NA NA	\$4.6M Allocated 9/5/07 \$720K Allocated 11/9/06 \$5,307K Allocated 11/9/06 \$2,000K Allocated 11/9/06 \$9,787K Allocated 11/9/06 6-Mo Ext App'd 9/23/10 for Accept Contract - Site Imps accepted 11/19/10	G

*End of Green Zone*

**Notes:**

- 1 The "Date Req'd By" for the required activity is before the status date of this report. Sponsor is working with Caltrans, MTC and Alameda CTC to expedite/complete the required activity and/or satisfy the requirement.
- 2 PPM funds programmed in the Con phase are not subject to the typical construction phase requirements. Once PPM funds are allocated, the next deadline is "Complete Expenditures."
- 3 Transit projects receiving State-only funds are subject to project specific requirements in agreements with Caltrans (Federal funds are typically transferred to FTA grant).

**2010 STIP -Timely Use of Funds Provisions**

The Timely Use of Funds and At Risk reports monitor the STIP Timely Use of Funds Provisions included in the current STIP Guidelines as adopted by the CTC. The current Timely Use of Funds Provisions are as follows:

Required Activity	Timely Use of Funds Provision
Allocation	For all phases, by the end (June 30th) of the fiscal year identified in the STIP.
Construction Contract Award <sup>1</sup>	Within six (6) months of allocation.
Accept Contract (Construction)	Within 36 months of contract award.
Complete Expenditures	For Env, PSE, & R/W funds, costs must be expended by the end of the second FY following the FY in which the funds were allocated.
Final Invoice/Project Completion (Final Report of Expenditures)	For Env, PSE, & R/W funds, within 180 days (6 months) after the end of the FY in which the final expenditure occurred. For Con funds, within 180 Days (6 months) of contract acceptance.

**Zone Criteria**

The Timely Use of Funds and At Risk reports utilize the deadlines associated with each required activity of the STIP Timely use of Funds Provisions to assign a zone of risk. The following zone criteria was developed for each of these risk zones (Red, Yellow, & Green). For the Final Invoice, this activity is tracked but no zone of risk is assigned.

Required Activity	Criteria Timeframes for Required Activities		
	Red Zone	Yellow Zone	Green Zone
Allocation -Env Phase	within four months	within four to eight months	All conditions other than Red or Yellow Zones
Allocation -PS&E Phase	within six months	within six to ten months	All conditions other than Red or Yellow Zones
Allocation -Right of Way Phase	within eight months	within eight to twelve months	All conditions other than Red or Yellow Zones
Allocation -Construction Phase	within eight months	within eight to twelve months	All conditions other than Red or Yellow Zones
Construction Contract Award	within six months	within six to eight months	All conditions other than Red or Yellow Zones
Accept Contract	within six months	within six to twelve months	All conditions other than Red or Yellow Zones
Complete Expenditures	within eight months	within eight to twelve months	All conditions other than Red or Yellow Zones
Final Invoice/Project Completion (Final Report of Expenditures)	NA	NA	NA

**Other Zone Criteria**

<b>Yellow Zone</b>	STIP /TIP Amendment pending
<b>Red Zone</b>	Extension Request pending

**Notes:**

1. Statute requires encumbrance by award of a contract for construction capital and equipment purchase within twelve months of allocation. CTC Policy is six months.

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**Memorandum**

**DATE:** January 31, 2013

**TO:** Programs and Projects Committee

**FROM:** Matt Todd, Principal Transportation Engineer  
Jacki Taylor, Programming Analyst

**SUBJECT: Approval of Federal Surface Transportation/Congestion Mitigation and Air Quality (STP/CMAQ) Program At Risk Report**

**Recommendation**

It is recommended the Commission approve the attached Federal STP/CMAQ Program At Risk Report, dated January 31, 2013. ACTAC is scheduled to consider this item on February 5<sup>th</sup>.

**Summary**

The report includes 66 locally-sponsored, federally-funded projects segregated by “zone.” Red zone projects are considered at a relatively high risk of non-compliance with the provisions of MTC’s Resolution 3606, the Regional STP/CMAQ Project Delivery Policy. Yellow zone projects are considered at moderate risk and Green zone projects at low risk.

**Discussion**

The report is based on the information made available to the Alameda CTC’s project monitoring team. This information stems from the project sponsors as well as other funding agencies such as MTC and Caltrans Local Assistance.

The report is intended to identify activities required to comply with the requirements set forth in MTC’s Resolution 3606, the Regional STP/CMAQ Project Delivery Policy–Revised (as of July 23, 2008). Per Resolution 3606, for projects programmed with funding in federal FY 2012/13, the deadline to submit the request for authorization is February 1, 2013 and the obligation deadline is April 30, 2013.

The report segregates projects into Red, Yellow, and Green zones. The criteria for determining the project zones are listed in Appendix A of the report. The durations included in the criteria are intended to provide adequate time for project sponsors to perform the required activities to meet the deadline(s). A project may have multiple risk factors that indicate multiple zones. The zone associated with each risk factor is indicated in the report tables. Projects with multiple risk factors are listed in the zone of higher risk. Appendix B provides details related to the deadlines associated with each of the Required Activities used to determine the assigned zone of risk. The Resolution 3606 deadline for submitting the environmental package one year in advance of the obligation deadline for right of way or construction capital funding is tracked and reported, but is not affiliated with any zone of risk.

**Attachment**

Attachment A: Federal STP/CMAQ Program At Risk Report

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Federal At Risk Report

Status Date: January 31, 2013

Federally-Funded Locally-Sponsored Alameda County Projects

## Red Zone Projects

Index	TIP ID	Sponsor		Project Title		Required Activity	Date Req'd By	Zone	Notes	Prev Zone
		Source	Prog'd Amount (\$x 1,000)	Phase	FY					
1	HSIP2-04-027	Ala. County		<b>Remove Permanent Obstacle along Shoulder (Foothill Road)</b>						
		HSIP	\$427	Con	10/11	Submit Req for Auth	Note 1	R	See Note 2	R
						Complete Closeout	09/30/14	G		
		HSIP	\$59	PE	Prior				Obligated 2/23/09	
2	ALA090069	Ala County		<b>Alameda County: Rural Roads Pavement Rehab</b>						
		STP	\$1,815	Con	11/12	Award Contract	Note 1	R	\$1,815 Obligated 4/4/12	R
						Submit First Invoice	04/04/13	Y		
						Liquidate Funds	04/04/18	G		
		STP	\$320	PE	10/11	Liquidate Funds	03/16/17	G	\$320 Obligated 3/16/11	
3	ALA110026	Ala County		<b>Alameda Co - Central Unincorporated Pavement Rehab</b>						
		STP	\$1,071	Con	11/12	Award Contract	Note 1	R	\$1,071 Obligated 4/4/12	R
						Submit First Invoice	04/04/13	Y		
						Liquidate Funds	04/04/18	G		
		STP	\$50	PE	10/11	Liquidate Funds	03/23/17	G	\$50 Obligated 3/23/11	
4	ALA110007	Berkeley		<b>City of Berkeley Transit Action Plan - TDM</b>						
		CMAQ	\$10	Con	11/12	Obligate Funds	Note 1	R	Working with Caltrans and MTC to add to PE	R
						Liquidate Funds	02/22/17	G	\$1,990 Obligated 2/22/11	
		CMAQ	\$1,990	PE	10/11	Liquidate Funds				
5	ALA110022	Berkeley		<b>Berkeley - Sacramento St Rehab - Dwight to Ashby</b>						
		STP	\$955	Con	10/11	Submit First Invoice	Note 1	R	\$955 Obligated 3/18/11	R
						Liquidate Funds	03/18/17	G	Contract Awd 7/19/11	
		STP								
6	ALA110024	Dublin		<b>Dublin Citywide Street Resurfacing</b>						
		STP	\$547	Con	11/12	Award Contract	Note 1	R	\$547 Obligated 3/16/12	R
						Submit First Invoice	03/16/13	R		
						Liquidate Funds	03/16/18	G		
		STP								
7	ALA110012	Fremont		<b>Fremont CBD/Midtown Streetscape</b>						
		CMAQ	\$1,114	Con	11/12	Award Contract	Note 1	R	\$1,114 Obligated 3/27/12	R
						Submit First Invoice	03/27/13	R		
						Liquidate Funds	03/27/18	G		
				CMAQ	\$432	Con	10/11	Project Complete	NA	\$432 Obligated 4/13/11
		CMAQ	\$54	Con	10/11	Project Complete	NA	\$54 Obligated 6/13/11		
8	HSIP1-04-005	Fremont		<b>Install Median Barrier, Install Raised Median and Improve Delineation (Mowry)</b>						
		HSIP	\$164	Con	11/12	Obligate Funds	Note 1	R	See Note 2	R
						Complete Closeout	03/31/14	G		
		HSIP	\$35	PE	Prior				Obligated 11/28/07	

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**Red Zone Projects (cont.)**

Index	TIP ID	Sponsor		Project Title		Required Activity	Date Req'd By	Zone	Notes	Prev Zone	
		Source	Prog'd Amount (\$x 1,000)	Phase	FY						
9	HSIP3-04-006	Fremont	Paseo Padre Parkway - Walnut Ave and Argonaut Way		Con	12/13	Submit Req for Auth	Note 1	R	See Note 2  Obligated 11/22/10	R
							Complete Closeout	12/02/14	G		
					PE	Prior					
10	ALA110019	Hayward	Hayward Various Arterials Pavement Rehab		Con	10/11	Award Contract	Note 1	R	\$1,336 Obligated 2/23/11	R
							Submit First Invoice	Note 1	R		
							Liquidate Funds	02/23/17	G		
11	ALA110035	Hayward	South Hayward BART Area/Dixon Street Streetscape		Con	11/12	Award Contract	Note 1	R	\$1,264 Obligated 4/4/12 Amounts per Phase Adjusted	R
							Submit First Invoice	04/04/13	Y		
							Liquidate Funds	04/04/18	G		
					PE	10/11	Liquidate Funds	01/18/17	G		
12	HSIP5-04-007	Hayward	West "A" Street between Hathaway and Garden		PE	12/13	Submit Req for Auth	02/01/13	R	New Cycle 5 Project	NA
							Obligate Funds	04/30/13	Y		
					CON	13/14	Submit Req for Auth	02/01/14	G		
							Obligate Funds	04/30/14	G		
13	ALA110037	Livermore	Livermore Village Streetscape Infrastructure		Con	11/12	Award Contract	02/16/13	R	\$2,500 obligated 5/16/12 Fed Aid (022)	R
							Submit First Invoice	05/16/13	Y		
							Liquidate Funds	05/16/18	G		
14	ALA110016	Newark	Newark - Cedar Blvd and Jarvis Ave Pavement Rehab		Con	11/12	Award Contract	Note 1	R	\$682 Obligated 2/17/12 Advertised 8/14/12	R
							Submit First Invoice	02/17/13	R		
							Liquidate Funds	02/17/18	G		
15	ALA110006	Oakland	Various Streets Resurfacing and Bikeway Facilities		Con	11/12	Submit First Invoice	02/16/13	R	\$3,492 Obligated 2/16/12 Awd 12/4/12	R
							Liquidate Funds	02/16/18	G		
					PE	10/11	Liquidate Funds	02/22/17	G		
16	ALA110029	Oakland	Oakland Foothill Blvd Streetscape		Con	11/12	Award Contract	Note 1	R	\$2,200 Obligated 4/4/12	R
							Submit First Invoice	04/04/13	Y		
							Liquidate Funds	04/04/18	G		

**Red Zone Projects (cont.)**

Index	TIP ID	Sponsor	Project Title			Required Activity	Date	Zone	Notes	Prev Zone	
			Source	Prog'd Amount (\$x 1,000)	Phase						FY
17	HSIP5-04-011	Oakland	<b>W. MacArthur Blvd. between Market &amp; Telegraph</b>								
			HSIP	\$125	PE	12/13	Submit Req for Auth	02/01/13	R	New Cycle 5 Project	NA
							Obligate Funds	04/30/13	Y		
			HSIP	\$574	CON	13/14	Submit Req for Auth	02/01/14	G		
					Obligate Funds	04/30/14	G				
18	HSIP5-04-012	Oakland	<b>98th Avenue Corridor</b>								
			HSIP	\$99	PE	12/13	Submit Req for Auth	02/01/13	R	New Cycle 5 Project	NA
							Obligate Funds	04/30/13	Y		
			HSIP	\$558	CON	13/14	Submit Req for Auth	02/01/14	G		
					Obligate Funds	04/30/14	G				
19	HSIP5-04-013	Oakland	<b>Market Street between 45th &amp; Arlington</b>								
			HSIP	\$103	PE	12/13	Submit Req for Auth	02/01/13	R	New Cycle 5 Project	NA
							Obligate Funds	04/30/13	Y		
			HSIP	\$541	CON	13/14	Submit Req for Auth	02/01/14	G		
					Obligate Funds	04/30/14	G				
20	ALA110010	Port	<b>Shore Power Initiative</b>								
			CMAQ	\$3,000	Con	11/12	Award Contract	Note 1	R	\$3,000 Obligated 2/16/12	R
							Submit First Invoice	02/16/13	R		
							Liquidate Funds	02/16/18	G		
21	ALA110027	San Leandro	<b>San Leandro Downtown-BART Pedestrian Interface</b>								
			CMAQ	\$4,298	Con	11/12	Award Contract	Note 1	R	\$4,298 Obligated 2/28/12	R
							Submit First Invoice	02/28/13	R	Advertised	
			CMAQ	\$312	PE	10/11	Liquidate Funds	12/21/16	G	\$312 Obligated 12/21/10	
22	HSIP5-04-019	San Leandro	<b>Bancroft Ave/ Sybil Ave</b>								
			HSIP	\$69	PE	12/13	Submit Req for Auth	02/01/13	R	New Cycle 5 Project	NA
							Obligate Funds	04/30/13	Y		
			HSIP	\$380	CON	13/14	Submit Req for Auth	02/01/14	G		
					Obligate Funds	04/30/14	G				
23	ALA110028	Union City	<b>Union City Blvd Corridor Bicycle Imp. Phase 1</b>								
			CMAQ	\$860	Con	11/12	Submit First Invoice	03/22/13	R	\$860 Obligated 3/22/12	G
							Liquidate Funds	03/22/18	G	Contract Awd 6/12/12	

**Red Zone Projects (cont.)**

Index	TIP ID	Sponsor		Project Title		Required Activity	Date Req'd By	Zone	Notes	Prev Zone
		Source	Prog'd Amount (\$x 1,000)	Phase	FY					
24	HSIP5-04-030	Union City		Alvarado Road between Decoto & Mann						
		HSIP	\$62	PE	12/13	Submit Req for Auth	02/01/13	R	New Cycle 5 Project	NA
						Obligate Funds	04/30/13	Y		
		HSIP	\$288	CON	13/14	Submit Req for Auth	02/01/14	G		
				Obligate Funds	04/30/14	G				

*End of Red Zone*

**Yellow Zone Projects**

Index	PP No.	Sponsor		Project Title		Required Activity	Date Req'd By	Zone	Notes	Prev Zone
		Source	Prog'd Amount (\$x 1,000)	Phase	FY					
25	ALA110030	Albany		Albany - Buchanan Bicycle and Pedestrian Path						
		CMAQ	\$1,702	Con	11/12	Submit First Invoice	06/01/13	Y	\$1,702 Obligated 6/1/12	R
						Liquidate Funds	06/01/18	G		
26	ALA110013	Livermore		Iron Horse Trail Extension in Downtown Livermore						
		CMAQ	\$1,566	Con	11/12	Submit First Invoice	04/04/13	Y	\$1,241 Obligated 4/4/12 Contract Awd 7/23/12	G
						Liquidate Funds	04/04/18	G		
27	ALA110031	Pleasanton		Pleasanton - Foothill/I-580/IC Bike/Ped Facilities						
		CMAQ	\$709	Con	12/13	Obligate Funds	04/30/13	Y	RFA dated 12/3/12	R

*End of Yellow Zone*

**Green Zone Projects**

Index	TIP ID	Sponsor		Project Title		Required Activity	Date Req'd By	Zone	Notes	Prev Zone
		Source	Prog'd Amount (\$x 1,000)	Phase	FY					
28	ALA110025	Alameda		Alameda - Otis Drive Rehabilitation						
		STP	\$837	Con	10/11	Accept Contract	05/17/14	G	\$837 Obligated 3/8/11	G
						Liquidate Funds	03/08/17	G		
29	HSIP4-04-002	Alameda		Shoreline Dr - Westline Dr - Broadway Improvements						
		HSIP	\$348	Con	11/12	Submit Req for Auth	10/11/13	G	See Note 2	G
						Complete Closeout	01/12/16	G		
		HSIP	\$68	PE	11/12	Liquidate Funds	07/12/15	G	\$68 Obligated 1/18/12	
30	HSIP4-04-010	Alameda		Park Street Operations Improvements						
		HSIP	\$607	Con	11/12	Submit Req for Auth	01/12/14	G	See Note 2	G
						Complete Closeout	04/12/16	G		
		HSIP	\$126	PE		Liquidate Funds	10/12/15	G	\$126 Obligated 1/18/12	

**Green Zone Projects (cont.)**

Index	TIP ID	Sponsor		Project Title		Required Activity	Date Req'd By	Zone	Notes	Prev Zone
		Source	Prog'd Amount (\$x 1,000)	Phase	FY					
31	ALA030002	Ala County		Vasco Road Safety Improvements Phase 1A						
		STP	\$230	PE	13/14	Submit Req for Auth	02/01/14	G	TIP Amend Pending	G
						Obligate Funds	04/30/14	G	PE & ROW \$ to 13/14	
		STP	\$235	ROW	13/14	Submit Req for Auth	02/01/14	G		
						Obligate Funds	04/30/14	G		
		STP	\$2,250	Con	07/08	Liquidate Funds	08/31/16	G	\$1,785 Obligated 8/31/10	
									Contract awarded 6/7/11	
32	SRTS1-04-001	Ala County		Fairview Elementary School Vicinity Improvements						
		SRTS	\$508	Con	10/11	Liquidate Funds	9/31/13	G	See Note 2	R
						Complete Closeout	03/31/14	G	Obligated 9/19/12	
		SRTS	\$77	PE	Prior				Obligated 1/29/09	
33	SRTS1-04-002	Ala County		Marshall Elementary School Vicinity Improvements						
		SRTS	\$450	Con	12/13	Liquidate Funds	11/01/14	G	See Note 2	G
						Complete Closeout	04/01/15	G	Obligated 9/19/12	
		SRTS	\$50	PE	Prior				Obligated 12/7/10	
34	H3R1-04-031	Ala County		Patterson Pass Road - PM6.4 Widen or Improve Shoulder						
		HRRR	\$717	Con	12/13	Submit Req for Auth	09/30/13	G	See Note 2	G
						Liquidate Funds	6/31/15	G		
						Complete Closeout	12/31/15	G		
		HRRR	\$101	PE	Prior	Liquidate Funds	06/30/15	G	\$101 Obligated 12/19/08	
35	HSIP2-04-024	Ala County		Castro Valley Blvd - Wisteria St Intersection and Frontage Improvements						
		HSIP	\$577	Con	11/12	Liquidate Funds	9/31/13	G	See Note 2	R
						Complete Closeout	03/31/14	G	Obligated 9/19/12	
		HSIP	\$59	PE	Prior				Obligated 8/14/09	
		HSIP	\$63	R/W	Prior				Obligated 2/15/11	
36	ALA110033	Alameda CTC		Alameda County Safe Routes to School						
		CMAQ	\$2,289	Con	10/11	Liquidate Funds	03/29/17	G	\$2,689 Obligated 3/29/11	G
		STP	\$400	Con	10/11	Liquidate Funds	03/29/17	G	Obligated w/ALA110009	
37	ALA110009	Alameda CTC		Bikemobile - Bike Repair and Encouragement Vehicle						
		CMAQ	\$500	Con	10/11	Liquidate Funds	03/29/17	G	\$500 Obligated 3/29/11	G
									Obligated w/ALA110033	
38	ALA110039	Albany		Albany - Pierce Street Pavement Rehabilitation						
		STP	\$117	Con	10/11	Liquidate Funds	05/02/17	G	Contract Awd 7/12/11	G
									\$117 Obligated 5/2/11	
39	ALA090068	BART		MacArthur BART Plaza Remodel						
		CMAQ	\$626	Con	10/11				\$626 Obligated 3/16/11	G
									Transferred to FTA Grant	

**Green Zone Projects (cont.)**

Index	TIP ID	Sponsor		Project Title		Date Req'd By	Zone	Notes	Prev Zone		
		Source	Prog'd Amount (\$x 1,000)	Phase	FY					Required Activity	
40	ALA110032	BART	<b>Downtown Berkeley BART Plaza/Transit Area Imps.</b>								
			CMAQ	\$706	PE	10/11			\$706 Obligated 3/16/11	G	
			CMAQ	\$1,099	Con	10/11			\$1,099 Obligated 3/16/11 Transferred to FTA Grant		
41	ALA110038	BART	<b>BART - West Dublin BART Station Ped Access Imps</b>								
			CMAQ	\$21	PE	10/11			\$21 Obligated 2/2/11	G	
			CMAQ	\$839	Con	10/11			\$839 Obligated 2/2/11 Transferred to FTA Grant		
42	ALA110034	Dublin	<b>West Dublin BART Golden Gate Drive Streetscape</b>								
			CMAQ	\$580	Con	11/12	Submit First Invoice	06/01/13	G	\$580 Obligated 6/1/12 Contract Awd 9/18/12	G
			CMAQ	\$67	PE	10/11	Liquidate Funds	03/18/17	G	\$67 Obligated 3/18/11	
43	SRTS3-04-007	Emeryville	<b>San Pablo Avenue 43rd to 47th Pedestrian Safety</b>								
			SRTS		Con	13/14	Submit Req for Auth	03/07/14	G	See Note 2	G
			SRTS	\$52	PE	11/12	Complete Closeout	06/07/16	G	\$52 Obligated 5/4/12	
44	HSIP2-04-018	Fremont	<b>Replace Concrete Poles with Aluminum in Median (Paseo Parkway)</b>								
			HSIP	\$299		Prior	Liquidate Funds	09/30/13	G	See Note 2	G
							Complete Closeout	03/31/14	G		
45	ALA110018	Fremont	<b>Fremont Various Streets Pavement Rehabilitation</b>								
			STP	\$2,707	Con	10/11	Final Invoice/Report dated 3/30/12			\$2,707 Obligated 2/22/11	R
46	HSIP3-04-005	Fremont	<b>Paseo Padre Parkway - Walnut to Washington - Replace Poles</b>								
			HSIP	\$120	Con	12/13	Complete Closeout	12/02/14	G	\$120 Obligated 2/16/12	
			HSIP	\$23	PE	Prior				Obligated 11/18/10	
47	HSIP4-04-020	Fremont	<b>Fremont Blvd / Eggers Dr</b>								
			HSIP	\$275	Con	13/14	Submit Req for Auth	10/11/13	G	See Note 2	G
							Liquidate Funds	07/12/15	G		
							Complete Closeout	01/12/16	G		
			\$41	PE	Prior				Obligated 11/8/11		
48	HSIP4-04-022	Fremont	<b>Fremont Blvd / Alder Ave</b>								
			HSIP	\$348	Con	13/14	Submit Req for Auth	10/11/13	G	See Note 2	G
							Liquidate Funds	07/12/15	G		
							Complete Closeout	01/12/16	G		
			\$43	PE	Prior				Obligated 11/8/11		

**Green Zone Projects (cont.)**

Index	TIP ID	Sponsor		Project Title		Phase	FY	Required Activity	Date	Zone	Notes	Prev Zone
		Source	Prog'd Amount (\$x 1,000)									
49	HSIP2-04-009	Hayward	HSIP	\$725	Prior			Liquidate Funds	09/30/13	G	See Note 2	G
									03/31/14	G	Obligated 6/18/10	
50	ALA110015	Livermore	CMAQ	\$176	Con	10/11		Liquidate Funds	04/04/17	G	\$176 Obligated 4/4/11 Billing 1 dated 2/22/12 Fed Aid (024)	G
51	ALA110023	Livermore	STP	\$1,028	Con	10/11		Liquidate Funds	03/21/17	G	\$1,028 Obligated 3/21/11 Billing 1 dated 2/22/12 Fed Aid (023)	G
52	ALA110014	Oakland	CMAQ	\$1,700	Con	10/11		Liquidate Funds	04/27/17	G	\$1.7M Obligated 4/27/11 Contract Dated 8/19/11	G
53	HSIP2-04-004	Oakland	HSIP	\$223	Con	11/12		Liquidate Funds	03/30/14	G	See Note 2	G
									09/30/14	G	Obligated 6/30/11	
54	HSIP2-04-005	Oakland	HSIP	\$81	Con	11/12		Liquidate Funds	03/30/14	G	See Note 2	G
									09/30/14	G	Obligated 7/8/11	
55	HSIP4-04-005	Oakland	HSIP	\$345	Con	13/14		Submit Req for Auth	12/13/13	G	See Note 2	G
				\$71	PE	Prior					Obligated 1/23/12	
56	HSIP4-04-011	Oakland	HSIP	\$398	Con	13/14		Submit Req for Auth	10/11/13	G	See Note 2	G
				\$87	PE	Prior					Obligated 1/23/12	
57	HSIP4-04-012	Oakland	HSIP	\$738	Con	13/14		Submit Req for Auth	10/11/13	G	See Note 2	G
				\$162	PE	Prior					Obligated 1/25/12	

**Green Zone Projects (cont.)**

Index	TIP ID	Sponsor	Project Title	Phase	FY	Required Activity	Date Req'd By	Zone	Notes	Prev Zone
	Source	Prog'd Amount (\$x 1,000)								
<b>58</b>	<b>SRTS1-04-014</b>	<b>Oakland</b>	<b>Intersection Improvements at Multiple School (5 Elem. + 1 Middle)</b>							
	SRTS	\$700		Prior		Liquidate Funds	09/30/13	G	See Note 2	G
						Complete Closeout	03/31/14	G	PE Obligated 3/2/08 Con Obligated 8/18/11	
<b>59</b>	<b>SRTS2-04-007</b>	<b>Oakland</b>	<b>Multiple School (5 Schools) Improvements Along Major Routes</b>							
	SRTS	\$802		Con	11/12	Liquidate Funds	09/30/13	G	See Note 2	G
						Complete Closeout	03/31/14	G	\$753 Obligated 2/3/12	
	SRTS	\$118		PE	Prior				\$118 Obligated 1/26/10	
<b>60</b>	<b>ALA110021</b>	<b>Pleasanton</b>	<b>Pleasanton Various Streets Pavement Rehab</b>							
	STP	\$876		Con	10/11	Project Complete		NA	\$876 Obligated 4/14/11 Contract Awd 6/21/11 Final Invoice 10/30/12	R
<b>61</b>	<b>ALA110020</b>	<b>San Leandro</b>	<b>San Leandro - Marina Blvd Rehabilitation</b>							
	STP	\$807		Con	10/11	Liquidate Funds	03/29/17	G	\$807 Obligated 3/29/11 Contract Awd 5/5/11	G
<b>62</b>	<b>HSIP4-04-015</b>	<b>San Leandro</b>	<b>Washington Ave / Monterey Blvd</b>							
	HSIP	\$307		Con	13/14	Submit Req for Auth	01/12/14	G	See Note 2	G
						Liquidate Funds	10/12/15	G		
						Complete Closeout	04/12/16	G		
		\$66		PE	Prior				Obligated 12/15/11	
<b>63</b>	<b>HSIP1-04-001</b>	<b>San Leandro</b>	<b>Washington Ave - Estabrook St Intersection</b>							
	HSIP	\$409		Prior		Liquidate Funds		NA	Revised FROE 10/25/10	G
<b>64</b>	<b>SRTS3-04-017</b>	<b>San Leandro</b>	<b>Multiple Schools Bicycle and Pedestrian Safety</b>							
	SRTS	\$410		Con	11/12	Liquidate Funds	03/06/16	G	See Note 2	G
						Complete Closeout	09/06/16	G	\$410 Obligated 3/22/12	
<b>65</b>	<b>ALA110017</b>	<b>Union City</b>	<b>Union City - Dyer Street Rehabilitation</b>							
	STP	\$861		Con	10/11	Liquidate Funds	04/13/17	G	\$861 Obligated 4/13/11 Contract Awd 6/14/11	G
<b>66</b>	<b>ALA110036</b>	<b>Union City</b>	<b>Union City BART East Plaza Enhancements</b>							
	CMAQ	\$4,450		Con	10/11	Liquidate Funds	02/02/17	G	\$4,450 Obligated 2/2/11 Contract Awd 6/28/11 FTA CA-95-X157	G

**End of Green Zone**

**Notes:**

- 1 MTC Reso 3606 deadline or the Safety Program Monitoring date is before the status date of this report. Sponsor is working with Caltrans, MTC and Alameda CTC to expedite/complete the required activity.
- 2 HSIP, SRTS and HRRR projects may have different timely use of funds provisions than the MTC Reso 3606 requirements. The values for "Date Req'd By" shown in this report are based on the Safety Program Delivery Status Reports - Complete Project Listing available from Caltrans Local Programs at [www.dot.ca.gov/hq/LocalPrograms/HSIP/delivery\\_status.htm](http://www.dot.ca.gov/hq/LocalPrograms/HSIP/delivery_status.htm). For the purposes of this monitoring report, the Submit Request for Authorization dates are set to three months prior to the date shown for authorization in the Safety Program Delivery Status Reports, and the Liquidate Funds dates are set to six months prior to the date shown for Complete Closeout shown by Caltrans.



**Appendix A**  
**Federal At Risk Report Zone Criteria**  
**Required Activities per Resolution 3606 (Revised July 23, 2008)**

Required Activities Monitored by CMA <sup>1</sup>	Criteria Timeframes for Required Activities		
	Red Zone	Yellow Zone	Green Zone
Request Project Field Review	Project in TIP for more than nine (9) months, or obligation deadline for Con funds within 15 months.	Project in TIP for less than nine (9) months, and obligation deadline for Con funds more than 15 months away.	All conditions other than Red or Yellow Zones
Submit Environmental Package	NA	NA	NA
Approved DBE Program and Methodology	NA	NA	NA
Submit Request for Authorization (PE)	within three (3) months	within three (3) to six (6) months	All conditions other than Red or Yellow Zones
Submit Request for Authorization (R/W)	within four (4) months	within four (4) to nine (9) months	All conditions other than Red or Yellow Zones
Submit Request for Authorization (Con)	within six (6) months	within six (6) to nine (9) months	All conditions other than Red or Yellow Zones
Obligation/ FTA Transfer	within two (2) months	within two (2) to four (4) months	All conditions other than Red or Yellow Zones
Advertise Construction	within four (4) months	within four (4) to six (6) months	All conditions other than Red or Yellow Zones
Award Contract	within six (6) months	within six (6) to nine (9) months	All conditions other than Red or Yellow Zones
Award into FTA Grant	within two (2) months	within two (2) to four (4) months	All conditions other than Red or Yellow Zones
Submit First Invoice	within two (2) months	within two (2) to four (4) months	All conditions other than Red or Yellow Zones
Liquidate Funds	within four (4) months	within four (4) to nine (9) months	All conditions other than Red or Yellow Zones Move to Appendix D
Project Closeout	within four (4) months	within four (4) to nine (9) months	All conditions other than Red or Yellow Zones

**Other Zone Criteria**

<b>Red Zone</b>	Projects with funds programmed in the same FY for both a project development phase (i.e. Env or PSE) and a capital phase (i.e. R/W or Con) without the project development phase(s) obligated.
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<b>Yellow Zone</b>	Projects with an Amendment to the TIP pending.
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**Notes:** <sup>1</sup> See Appendix B for more information about the Required Activities and Resolution 3606.

**Appendix B**  
**Definitions of the Required Activities per Resolution 3606 (As revised July 23, 2008)**

Index	Definition	Deadline
<b>1</b>	<b>Req Proj Field Rev</b>	
	Per MTC Resolution 3606-Revised, "Implementing agencies are required to request a field review from Caltrans Local Assistance within 12 months of approval of the project in the TIP <sup>1</sup> , but no less than 12 months prior to the obligation deadline of construction funds. This policy also applies to federal-aid projects in the STIP. The requirement does not apply to projects for which a field review would not be applicable, such as FTA transfers, regional operations projects and planning activities. Failure for an implementing agency to make a good-faith effort in requesting and scheduling a field review from Caltrans Local Assistance within twelve months of programming into the TIP could result in the funding being reprogrammed and restrictions on future programming and obligations. Completed field review forms must be submitted to Caltrans in accordance with Caltrans Local Assistance procedures."	12 months from approval in the TIP <sup>1</sup> , but no less than 12 months prior to the obligation deadline of construction funds.
<b>2</b>	<b>Sub ENV package</b>	
	Per MTC Resolution 3606-Revised, "Implementing agencies are required to submit a complete environmental package to Caltrans for all projects (except those determined Programmatic Categorical Exclusion as determined by Caltrans at the field review), twelve months prior to the obligation deadline for right of way or construction funds. This policy creates a more realistic time frame for projects to progress from the field review through the environmental and design process, to the right of way and construction phase. If the environmental process, as determined at the field review, will take longer than 12 months before obligation, the implementing agency is responsible for delivering the complete environmental submittal in a timely manner. Failure to comply with this provision could result in the funding being reprogrammed. The requirement does not apply to FTA transfers, regional operations projects or planning activities."	12 months prior to the obligation deadline for RW or Con funds. (No change)
<b>3</b>	<b>Approved DBE Prog</b>	
	Per MTC Resolution 3606-Revised, "Obligation of federal funds may not occur for contracted activities (any combination of environmental/ design/ construction/ procurement activities performed outside the agency) until and unless an agency has an approved DBE program and methodology for the current federal fiscal year. Therefore, agencies with federal funds programmed in the TIP must have a current approved DBE Program and annual methodology (if applicable) in place prior to the fiscal year the federal funds are programmed in the TIP. STP/CMAQ funding for agencies without approved DBE methodology for the current year are subject to redirection to other projects after March 1. Agencies should begin the DBE process no later than January 1 to meet the March 1 deadline. Projects advanced under the Expedited Project Selection Process (EPSP) must have an approved DBE program and annual methodology for the current year (if applicable) prior to the advancement of funds."	Approved program and methodology in place prior to the FFY the funds are programmed in the TIP.
<b>4</b>	<b>Sub Req for Auth</b>	
	Per MTC Resolution 3606-Revised, "In order to ensure funds are obligated or transferred to FTA in a timely manner, the implementing agency is required to deliver a complete funding obligation / FTA Transfer request package to Caltrans Local Assistance by February 1 of the year the funds are listed in the TIP. Projects with complete packages delivered by February 1 of the programmed year will have priority for available OA, after ACA conversions that are included in the Obligation Plan. If the project is delivered after February 1 of the programmed year, the funds will not be the highest priority for obligation in the event of OA limitations, and will compete for limited OA with projects advanced from future years. Funding for which an obligation/ FTA transfer request is submitted after the February 1 deadline will lose its priority for OA, and be viewed as subject to reprogramming."	February 1 of FY in which funds are programmed in the TIP.

**Appendix B**  
**Definitions of the Required Activities per Resolution 3606 (As revised July 23, 2008)**

Index	Definition	Deadline
<b>5</b>	<b>Obligate Funds/ Transfer to FTA</b>	
	Per MTC Resolution 3606-Revised, "STP and CMAQ funds are subject to an obligation/FTA transfer deadline of April 30 of the fiscal year the funds are programmed in the TIP. Implementing agencies are required to submit the completed request for obligation or FTA transfer to Caltrans Local Assistance by February 1 of the fiscal year the funds are programmed in the TIP, and receive an obligation/ FTA transfer of the funds by April 30 of the fiscal year programmed in the TIP. For example, projects programmed in FY 2007-08 of the TIP have an obligation/FTA transfer request submittal deadline (to Caltrans) of February 1, 2008 and an obligation/FTA transfer deadline of April 30, 2008. Projects programmed in FY 2008-09 have an obligation request submittal deadline (to Caltrans) of February 1, 2009 and an obligation/FTA transfer deadline of April 30, 2009. No extensions will be granted to the obligation deadline."	April 30 of FY in which funds are programmed in the TIP.
<b>6</b>	<b>Execute PSA</b>	
	Per MTC Resolution 3606, "The implementing agency must execute and return the Program Supplement Agreement (PSA) to Caltrans in accordance with Caltrans Local Assistance procedures. The agency must contact Caltrans if the PSA is not received from Caltrans within 60 days of the obligation. This requirement does not apply to FTA transfers. Agencies that do not execute and return the PSA to Caltrans within the required Caltrans deadline will be unable to obtain future approvals for any projects, including obligation and payments, until all PSAs for that agency, regardless of fund source, meet the PSA execution requirement. Funds for projects that do not have an executed PSA within the required Caltrans deadline are subject to de-obligation by Caltrans."	Within 60 days of receipt of the PSA from Caltrans, and within six months from the actual obligation date. <sup>2</sup>
<b>7</b>	<b>Advertise Contract /Award Contract/Award into FTA Grant</b>	
	Per MTC Resolution 3606-Revised, "For the Construction (CON) phase, the construction/equipment purchase contract must be advertised within 6 months of obligation and awarded within 9 months of obligation. However, regardless of the advertisement and award deadlines, agencies must still meet the invoicing deadline for construction funds. Failure to advertise and award a contract in a timely manner could result in missing the subsequent invoicing and reimbursement deadline, resulting in the loss of funding. Agencies must submit the notice of award to Caltrans in accordance with Caltrans Local Assistance procedures, with a copy also submitted to the applicable CMA. Agencies with projects that do not meet these award deadlines will have future programming and OA restricted until their projects are brought into compliance. For FTA projects, funds must be approved/ awarded in an FTA Grant within one federal fiscal year following the federal fiscal year in which the funds were transferred to FTA."	Advertised within 6 months of obligation and awarded within 9 months of obligation.  <b>FTA Grant Award:</b> Within 1 year of transfer to FTA.
<b>8</b>	<b>Submit First Invoice / Next Invoice Due</b>	
	Per MTC Resolution 3606-Revised, "Funds for each federally funded (Environmental (ENV/ PA&ED), Preliminary Engineering (PE), Final Design (PS&E) and Right of Way (R/W) phase and for each federal program code within these phases, must be invoiced against at least once every six months following obligation. Funds that are not invoiced at least once every 12 months are subject to de-obligation. There is no guarantee that funds will be available to the project once de-obligated. Funds for the Construction (CON) phase, and for each federal program code within the construction phase, must be invoiced and reimbursed against at least once within 12 months of the obligation, and then invoiced at least once every 6-months there after. Funds that are not invoiced and reimbursed at least once every 12 months are subject to de-obligation by FHWA.  There is no guarantee that funds will be available to the project once de-obligated. If a project does not have eligible expenses within a 6-month period, the agency must provide a written explanation to Caltrans Local Assistance for that six-month period and submit an invoice as soon as practicable to avoid missing the 12-month invoicing and reimbursement deadline. Agencies with projects that have not been invoiced against and reimbursed within a 12-month period, regardless of federal fund source, will have restrictions placed on future programming and OA until the project is properly invoiced. Funds that are not invoiced and reimbursed against at least once every 12 months are subject to de-obligation by FHWA."	<b>For Con phase:</b> Once within 12 months of Obligation and then once every 6 months thereafter, for each federal program code.  <b>For all other phases:</b> Once within 6 months following Obligation and then once every 6 months thereafter, for each phase and federal program code.

**Appendix B**  
**Definitions of the Required Activities per Resolution 3606 (As revised July 23, 2008)**

Index	Definition	Deadline
<b>8a</b>	<b>Inactive Projects</b>	
	Per MTC Resolution 3606-Revised, "Most projects can be completed well within the state's deadline for funding liquidation or FHWA's ten-year proceed-to-construction requirement. Yet it is viewed negatively by both FHWA and the California Department of Finance for projects to remain inactive for more than twelve months. It is expected that funds for completed phases will be invoiced immediately for the phase, and projects will be closed out within six months of the final project invoice. Funds that are not invoiced and reimbursed at least once every 12 months are subject to de-obligation by FHWA. There is no guarantee the funds will be available to the project once de-obligated."	Funds must be invoiced and reimbursed against once every 12 months to remain active.
<b>9</b>	<b>Liquidate Funds</b>	
	Per MTC Resolution 3606-Revised, "Funds must be liquidated (fully expended, invoiced and reimbursed) within six years of obligation. California Government Codes 16304.1 and 16304.3 places additional restrictions on the liquidation of federal funds. Generally, federal funds must be liquidated (fully expended, invoiced and reimbursed) within 6 state fiscal years following the fiscal year in which the funds were appropriated. Funds that miss the state's liquidation/ reimbursement deadline will lose State Budget Authority and will be de-obligated if not re-appropriated by the State Legislature, or extended (for one year) in a Cooperative Work Agreement (CWA) with the California Department of Finance. This requirement does not apply to FTA transfers."	Funds must be liquidated within six years of obligation.
<b>10</b>	<b>Estimated Completion Date/Project Closeout</b>	
	Per MTC Resolution 3606-Revised, "Implementing Agencies must fully expend federal funds on a phase one year prior to the estimated completion date provided to Caltrans. At the time of obligation, the implementing agency must provide Caltrans with an estimated completion date for that project phase. Any un-reimbursed federal funds remaining on the phase after the estimated completion date has passed, is subject to project funding adjustments by FHWA. Projects must be properly closed out within six months of final project invoice. Projects must proceed to construction within 10 years of federal authorization of the initial phase. Federal regulations require that federally funded projects proceed to construction within 10 years of initial federal authorization of any phase of the project.  Furthermore, if a project is canceled, or fails to proceed to construction in 10 years, FHWA will de-obligate any remaining funds, and the agency is required to repay any reimbursed funds. If a project is canceled as a result of the environmental process, the agency does not have to repay reimbursed costs for the environmental activities. However, if a project is canceled after the environmental process is complete, or a project does not proceed to construction within 10 years, the agency is required to repay all reimbursed federal funds. Agencies with projects that have not been closed out within 6 months of final invoice will have future programming and OA restricted until the project is closed out or brought back to good standing by providing written explanation to Caltrans Local Assistance, the applicable CMA and MTC."	<b>Est. Completion Date:</b> For each phase, fully expend federal funds 1 year prior to date provided to Caltrans.  <b>Project Close-out:</b> Within 6 months of final project invoice.

**Notes:**

- <sup>1</sup> Approval in the TIP: For administrative/ minor TIP Amendments it is the date of Caltrans approval. For formal TIP Amendments, it is the date of FHWA approval.
- <sup>2</sup> Per DOT letter from Caltrans Local Assistance to MPOs, regarding "Procedural Changes in Managing Obligations", dated 9/15/05.



## Memorandum

**DATE:** January 31, 2013

**TO:** Programs and Projects Committee

**FROM:** Matt Todd, Principal Transportation Engineer  
Jacki Taylor, Programming Analyst

**SUBJECT: Approval of Transportation Fund for Clean Air (TFCA) Program  
At Risk Report**

### Recommendation

It is recommended the Commission approve the TFCA Program At Risk Report, dated January 31, 2013. ACTAC is scheduled to consider this item on February 5<sup>th</sup>.

### Summary

The report includes currently active and recently completed projects programmed with Alameda County TFCA Program Manager funds. The report segregates the active projects into “Red”, “Yellow”, and “Green” zones based on the project delivery milestones tracked in the report.

### Discussion

The report includes currently active and recently completed projects programmed with Alameda County TFCA Program Manager funds. The report segregates the active projects into “Red”, “Yellow”, and “Green” zones based on the project delivery milestones tracked in the report. For this reporting cycle, there are a total of 27 active projects, 18 of which are listed under the report’s Green Zone and do not have required activities due for eight months or more. There are nine projects in the Red Zone, for upcoming final report, final invoice or agreement execution deadlines. Eight projects have been completed and will be removed from the next At Risk report.

### Attachment

Attachment A: TFCA Program Manager Fund At Risk Report

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**TFCA County Program Manager Fund  
At Risk Report**

Report Date: January 31, 2013

<u>Project No.</u>	<u>Sponsor</u>	<u>Project Title</u>	<u>Balances</u>	<u>Required Activity</u>	<u>Date Due</u>	<u>Activity Completed (Date or Y/N)</u>	<u>Notes</u>
<b>RED ZONE (Milestone deadline within 4 months)</b>							
07ALA06	BART	Multi-Jurisdiction Bike Locker Project	TFCFA Award	Agreement Executed	1/1/08	3/8/08	Expenditures complete Final Invoice received - approval pending FMR received
			\$ 275,405	Project Start	2/1/08	Feb-08	
			TFCFA Expended	Final Reimbursement	12/31/12		
			\$ 238,225	FMR	Mar-12	Mar-12	
			Expend Deadline Met?	12/22/11	Yes		
08ALA05	Alameda CTC	Oakland San Pablo Avenue TSP/Transit Improvement Project	TFCFA Award	Agreement Executed	NA	8/22/08	Expenditures complete Final Invoice paid FMR due Feb '13 (Required 2-year post-project reporting due Feb 2013 )
			\$ 174,493	Project Start	Apr-09	Jul-09	
			TFCFA Expended	Final Reimbursement	12/31/11	07/29/11	
			\$ 174,493	FMR	Feb-13		
			Expend Deadline Met?	12/22/10	Yes		
09ALA07	AC Transit	Easy Pass Transit Incentive Program	TFCFA Award	Agreement Executed	1/7/10	12/03/09	Expenditure deadline Jan '13 Expenditures not complete FMR due Mar '13 1st extension approved 10/27/11
			\$ 350,000	Project Start	Sep-09	Nov-09	
			TFCFA Expended	Final Reimbursement	12/31/13		
			\$ 236,535	FMR	Mar-13		
			Expend Deadline Met?	01/13/13			
10ALA02	Alameda CTC	I-80 Corridor Arterial Management	TFCFA Award	Agreement Executed	2/17/11	07/09/10	Expenditures complete Final invoice paid FMR due May '13 (Project completion scheduled spring 2013)
			\$ 100,000	Project Start	Mar-11	Jul-10	
			TFCFA Expended	Final Reimbursement	12/31/13	10/15/12	
			\$ 100,000	FMR	May-13		
			Expend Deadline Met?	10/28/12	Yes		
10ALA08	AC Transit	TravelChoice- New Residents (TCNR)	TFCFA Award	Agreement Executed	2/17/11	01/05/11	Expenditure deadline Oct '12 Expenditures complete \$36,854 to be relinquished FMR due Jan '13
			\$ 165,000	Project Start	Mar-11	Jul-11	
			TFCFA Expended	Final Reimbursement	12/31/13	01/07/13	
			\$ 128,146	FMR	Jan-13		
			Expend Deadline Met?	10/28/12	Yes		
11ALA01	Alameda	Park Street Corridor Operations Improvement	TFCFA Award	Agreement Executed	1/5/12	06/13/12	Project to start by Dec '12 Expenditure deadline Nov '13 FMR due Feb '14
			\$ 230,900	Project Start	Dec-12		
			TFCFA Expended	Final Reimbursement	12/31/14		
			\$ -	FMR	Feb-14		
			Expend Deadline Met?	11/14/13			
11ALA06	Fremont	North Fremont Arterial Management	TFCFA Award	Agreement Executed	1/5/12	01/04/12	Project to start by Dec '12 Expenditure deadline Nov '13 FMR due Feb '14
			\$ 256,000	Project Start	Dec-12		
			TFCFA Expended	Final Reimbursement	12/31/14		
			\$ -	FMR	Feb-14		
			Expend Deadline Met?	11/14/13			
12ALA02	Pleasanton	Pleasanton Trip Reduction Program (FY 12/13)	TFCFA Award	Agreement Executed	2/1/13		Agreement to be executed Project to start by Dec '13 Expenditures not complete FMR due Jan '15
			\$ 57,507	Project Start	Dec-13		
			TFCFA Expended	Final Reimbursement	12/31/15		
				FMR	Jan-15		
			Expend Deadline Met?	10/17/14			
12ALA03	Cal State - East Bay	CSUEB Second Shuttle - Increased Service Hours (FY 12/13)	TFCFA Award	Agreement Executed	2/1/13		Agreement to be executed Project to start by Dec '13 Expenditures not complete FMR due Jan '15
			\$ 56,350	Project Start	Dec-13		
			TFCFA Expended	Final Reimbursement	12/31/15		
				FMR	Jan-15		
			Expend Deadline Met?	10/17/14			

**TFCA County Program Manager Fund  
At Risk Report**

Report Date: January 31, 2013

<u>Project No.</u>	<u>Sponsor</u>	<u>Project Title</u>	<u>Balances</u>	<u>Required Activity</u>	<u>Date Due</u>	<u>Activity Completed (Date or Y/N)</u>	<u>Notes</u>
<b>GREEN ZONE (Milestone deadline beyond 7 months)</b>							
08ALA01	Alameda CTC	Webster Street Corridor Enhancements Project	TFCA Award	Agreement Executed	1/8/09	12/16/08	Expenditure deadline Dec '13 Expenditures not complete FMR due Mar '14 3rd 1-yr extension approved
			\$ 420,000	Project Start	Jan-09	Jun-09	
			TFCA Expended	Final Reimbursement	12/31/13		
			\$ 236,372	FMR	Mar-14		
			Expend Deadline Met?	12/22/13			
09ALA01	Alameda CTC	Webster St SMART Corridors	TFCA Award	Agreement Executed	1/7/10	7/7/09	Expenditure deadline Dec '13 Expenditures not complete FMR due Mar '14 2nd extension request approved 9/27/12
			\$ 400,000	Project Start	Oct-09	Jul-09	
			TFCA Expended	Final Reimbursement	12/31/14		
			\$ 327,145	FMR	Mar-14		
			Expend Deadline Met?	12/22/13			
10ALA03	Fremont	Signal Retiming: Paseo Padre parkway and Auto Mall Parkway	TFCA Award	Agreement Executed	2/17/11	02/24/11	Expenditures complete Final invoice received FMR received
			\$ 210,000	Project Start	Mar-11	Jul-11	
			TFCA Expended	Final Reimbursement	12/31/13		
			\$ 121,177	FMR	Jan-13	Jan-13	
			Expend Deadline Met?	10/28/12	Yes		
10ALA04	Hayward	Traffic Signal Controller Upgrade and Synchronization	TFCA Award	Agreement Executed	2/17/11	01/26/11	Expenditures complete FMR due date TBD (2 years post-project) 1st extension request approved 9/27/12
			\$ 614,000	Project Start	Mar-11	Dec-10	
			TFCA Expended	Final Reimbursement	12/31/14	01/07/13	
			\$ 614,000	FMR	Jan -15 (est.)		
			Expend Deadline Met?	10/28/13	Yes		
11ALA02	Alameda County	Mattox Road Bike Lanes	TFCA Award	Agreement Executed	1/5/12	01/24/12	Expenditure deadline Nov '13 FMR due Feb '14
			\$ 40,000	Project Start	Dec-12	Dec-12	
			TFCA Expended	Final Reimbursement	12/31/14		
			\$ -	FMR	Feb-14		
			Expend Deadline Met?	11/14/13			
11ALA03	Albany	Buchanan Bike Path	TFCA Award	Agreement Executed	1/5/12	06/01/12	Expenditure deadline Nov '13 FMR due Feb '14
			\$ 100,000	Project Start	Dec-12	Oct-12	
			TFCA Expended	Final Reimbursement	12/31/14		
			\$ -	FMR	Feb-14		
			Expend Deadline Met?	11/14/13			
11ALA04	Cal State - East Bay	CSUEB - 2nd Campus to BART Shuttle (FYs 11/12 & 12/13)	TFCA Award	Agreement Executed	1/5/12	11/08/11	Expenditure deadline Nov '13 FMR due Feb '14
			\$ 194,000	Project Start	Dec-12	Aug-11	
			TFCA Expended	Final Reimbursement	12/31/14		
			\$ 88,310	FMR	Feb-14		
			Expend Deadline Met?	11/14/13			
11ALA05	Cal State - East Bay	Transportation Demand Management Pilot Program (FY 11/12)	TFCA Award	Agreement Executed	1/5/12	11/08/11	Expenditure deadline Nov '13 Project completed Final Invoice to be received FMR received
			\$ 52,000	Project Start	Dec-12	Sep-11	
			TFCA Expended	Final Reimbursement	12/31/13		
			\$ 49,000	FMR	Dec-12	Dec '12	
			Expend Deadline Met?	11/14/13			
11ALA07	Hayward	Post-project Monitoring/Retiming activities for Arterial Mgmt project 10ALA04	TFCA Award	Agreement Executed	1/5/12	06/01/12	Expenditure deadline Nov '13 FMR due Jan '16 (FMR to be coordinated with 10ALA04)
			\$ 50,300.00	Project Start	Dec-12	Feb-12	
			TFCA Expended	Final Reimbursement	12/31/14		
			\$ -	FMR	Jan-16		
			Expend Deadline Met?	11/14/13			



## TFCA County Program Manager Fund

### At Risk Report

Report Date: January 31, 2013

<u>Project No.</u>	<u>Sponsor</u>	<u>Project Title</u>	<u>Balances</u>	<u>Required Activity</u>	<u>Date Due</u>	<u>Activity Completed (Date or Y/N)</u>	<u>Notes</u>
<b>GREEN ZONE (Milestone deadline beyond 7 months), continued</b>							
11ALA08	Hayward	Clawiter Road Arterial Management	TFCFA Award	Agreement Executed	1/5/12	02/27/12	Project to start by Dec '12 Expenditure deadline Nov '13 FMR due Feb '14
			\$ 190,000.00	Project Start	Dec-12	Feb-12	
			TFCFA Expended	Final Reimbursement	12/31/14		
			\$ -	FMR	Feb-14		
				Expend Deadline Met?	11/14/13		
11ALA09	Oakland	Traffic Signal Synchronization along Martin Luther King Jr. Way	TFCFA Award	Agreement Executed	1/5/12	03/08/12	Project to start by Dec '12 Expenditure deadline Nov '13 FMR due date Feb '14
			\$ 125,000	Project Start	Dec-12	Mar-11	
			TFCFA Expended	Final Reimbursement	12/31/14		
			\$ -	FMR	Feb-14		
				Expend Deadline Met?	11/14/13		
11ALA10	Oakland	Broadway Shuttle - 2012 Daytime Operations	TFCFA Award	Agreement Executed	1/5/12	05/07/12	Expenditures complete FMR due Mar '13
			\$ 52,154	Project Start	Dec-12	Jan-12	
			TFCFA Expended	Final Reimbursement	12/31/14		
			\$ 39,117	FMR	Mar-13		
				Expend Deadline Met?	11/14/13	Yes	
11ALA12	San Leandro	San Leandro LINKS Shuttle (FYs 11/12 & 12/13)	TFCFA Award	Agreement Executed	1/5/12	11/08/11	Expenditure deadline Nov '13 FMR due Feb '14
			\$ 59,500	Project Start	Dec-12	Jul-11	
			TFCFA Expended	Final Reimbursement	12/31/14		
			\$ 47,500	FMR	Feb-14		
				Expend Deadline Met?	11/14/13		
11ALA13	Alameda CTC	Alameda County Guaranteed Ride Home (GRH) Program (FYs 11/12 & 12/13)	TFCFA Award	Agreement Executed	1/5/12	07/05/11	Expenditure deadline Nov '13 FMR due Feb '14
			\$ 245,000	Project Start	Dec-12	Jan-12	
			TFCFA Expended	Final Reimbursement	12/31/14		
			\$ -	FMR	Feb-14		
				Expend Deadline Met?	11/14/13		
12ALA01	Oakland	Broadway Shuttle: Fri and Sat Evening Extended Service (FY 12/13)	TFCFA Award	Agreement Executed	2/1/13	12/14/12	Project to start by Dec '13 Expenditures not complete FMR due Jan '15
			\$ 35,300	Project Start	Dec-13		
			TFCFA Expended	Final Reimbursement	12/31/15		
				FMR	Jan-15		
				Expend Deadline Met?	10/17/14		
12ALA04	LAVTA	Route 10 - Dublin/Pleasanton BART to Livermore ACE Station and LLNL (FY 12/13 Operations)	TFCFA Award	Agreement Executed	2/1/13	1/9/13	Project to start by Dec '13 Expenditures not complete FMR due Jan '15
			\$ 144,346	Project Start	Dec-13		
			TFCFA Expended	Final Reimbursement	12/31/15		
				FMR	Jan-15		
				Expend Deadline Met?	10/17/14		
12ALA05	LAVTA	ACE Shuttle Service - Route 53 (FY 12/13 Operations)	TFCFA Award	Agreement Executed	2/1/13	1/9/13	Project to start by Dec '13 Expenditures not complete FMR due Jan '15
			\$ 34,180	Project Start	Dec-13		
			TFCFA Expended	Final Reimbursement	12/31/15		
				FMR	Jan-15		
				Expend Deadline Met?	10/17/14		
12ALA06	LAVTA	ACE/BART Shuttle Service - Route 54 (FY 12/13 Operations)	TFCFA Award	Agreement Executed	2/1/13	1/9/13	Project to start by Dec '13 Expenditures not complete FMR due Jan '15
			\$ 30,700	Project Start	Dec-13		
			TFCFA Expended	Final Reimbursement	12/31/15		
				FMR	Jan-15		
				Expend Deadline Met?	10/17/14		

**TFCA County Program Manager Fund  
At Risk Report**

Report Date: January 31, 2013

<u>Project No.</u>	<u>Sponsor</u>	<u>Project Title</u>	<u>Balances</u>	<u>Required Activity</u>	<u>Date Due</u>	<u>Activity Completed (Date or Y/N)</u>	<u>Notes</u>
<b>Completed Projects (will be removed from the next monitoring report)</b>							
08ALA11	LAVTA	Route 10 BRT TSP and Queue Jumper Improvements	TFCA Award	Agreement Executed	1/8/09	11/19/08	Expenditure deadline Dec '10 Expenditures complete Final Invoice received Jan'11 2-yr post-project report completed Jan '13
			\$ 444,722.00	Project Start	Jul-09	Jul-09	
			TFCA Expended	Final Reimbursement	12/31/11	Apr-11	
			\$ 444,722.00	FMR	Jan-13	Jan-13	
			Expended Deadline Met?	12/22/10	Yes		
10ALA05	Oakland	Broadway Shuttle - Extended Service	TFCA Award	Agreement Executed	2/17/11	01/21/11	Expenditures complete Final invoice paid \$22.90 relinquished FMR received
			\$ 166,880	Project Start	Mar-11	Feb-11	
			TFCA Expended	Final Reimbursement	12/31/13	Aug-12	
			\$ 166,857	FMR	Jan-13	Dec-12	
			Expended Deadline Met?	10/28/12	Yes		
10ALA06	Oakland	Webster/Franklin Bikeway Project	TFCA Award	Agreement Executed	2/17/11	01/20/11	Expenditures complete Final invoice paid \$33,350 relinquished FMR received
			\$ 90,000	Project Start	Mar-11	Jul-10	
			TFCA Expended	Final Reimbursement	12/31/13	Oct-12	
			\$ 56,650	FMR	Jan-13	Oct-12	
			Expended Deadline Met?	10/28/12	Yes		
10ALA11	LAVTA	ACE Shuttle Service - Route 53 (FYs 10/11 & 11/12)	TFCA Award	Agreement Executed	2/17/11	12/15/10	Expenditures complete Final invoice paid FMR received
			\$ 70,677	Project Start	Mar-11	Jul-10	
			TFCA Expended	Final Reimbursement	12/31/13	Aug-12	
			\$ 70,677	FMR	Jan-13	Oct-12	
			Expended Deadline Met?	10/28/12	Yes		
10ALA12	LAVTA	ACE/BART Shuttle Service - Route 54 (FYs 10/11 & 11/12)	TFCA Award	Agreement Executed	2/17/11	12/15/10	Expenditures complete Final invoice paid FMR received
			\$ 72,299	Project Start	Mar-11	Jul-10	
			TFCA Expended	Final Reimbursement	12/31/13	Jul-12	
			\$ 72,299	FMR	Jan-13	Oct-12	
			Expended Deadline Met?	10/28/12	Yes		
11ALA11	Pleasanton	Pleasanton Trip Reduction Program (FY 11/12)	TFCA Award	Agreement Executed	1/5/12	10/24/11	Expenditures complete Final invoice paid FMR received
			\$ 52,816	Project Start	Dec-12	Sep-11	
			TFCA Expended	Final Reimbursement	12/31/14	Nov-12	
			\$ 52,816	FMR	Feb-14	Dec-12	
			Expended Deadline Met?	11/14/13	Yes		
11ALA14	LAVTA	Route 9 Shuttle BART/Hacienda Business Park (FY 11/12)	TFCA Award	Agreement Executed	1/5/12	10/24/11	Expenditures complete Final invoice paid FMR received
			\$ 42,947	Project Start	Dec-12	Jul-11	
			TFCA Expended	Final Reimbursement	12/31/14	Jul-12	
			\$ 42,947	FMR	Jan-13	Jan-13	
			Expended Deadline Met?	11/14/13	Yes		
11ALA15	LAVTA	Route 10 - Dublin/ Pleasanton BART to Livermore ACE Station (FY 11/12)	TFCA Award	Agreement Executed	1/5/12	10/24/11	Expenditures complete \$17,586 relinquished Jan '13 FMR rec'd Jan'13
			\$ 141,542	Project Start	Dec-12	Jul-11	
			TFCA Expended	Final Reimbursement	12/31/14	Aug-12	
			\$ 123,956	FMR	Jan-13	Jan-13	
			Expended Deadline Met?	11/14/13	Yes		

**Report Milestone Notes**

- Agmt Executed = Date TFCA Agreement executed
- Project Start = Date of project initiation
- FMR = Date Final Monitoring Report (Final Project Report) received by Alameda CTC
- Exp. Deadline Met? = Expenditures completed by deadline (Yes/No)



## Memorandum

**DATE:** January 31, 2013

**TO:** Programs and Projects Committee

**FROM:** Matt Todd, Principal Transportation Engineer  
Jacki Taylor, Programming Analyst

**SUBJECT:** **Approval of Alameda CTC Transportation Fund for Clean Air (TFCA) Program Guidelines, Consistent with the Air District's FY 2013/14 TFCA Policies**

### Recommendation

It is recommended the Commission approve the Alameda CTC TFCA Program Guidelines for FY 2013/14, consistent with the Bay Area Air Quality Management District (Air District) FY 2013/14 TFCA Policies. ACTAC is scheduled to consider this item on February 5<sup>th</sup>.

### Summary

It is recommended the Commission approve the Alameda CTC TFCA Program Guidelines for FY 2013/14. TFCA County Program Managers are required to review their TFCA Guidelines annually and the Alameda CTC's Guidelines were last approved by the Commission in March 2012. The proposed edits to the Alameda CTC TFCA Program Guidelines are shown in Attachment A and are consistent with the Air District Board-adopted TFCA Policies, included as Attachment B.

### Discussion

TFCA funding is generated by a \$4.00 vehicle registration fee collected by the Air District. Projects that result in the reduction of motor vehicle emissions are eligible for TFCA. Eligible projects are to achieve surplus emission reductions beyond what is currently required through regulations, ordinances, contracts, or other legally binding obligations. Projects typically funded with TFCA include shuttles, bicycle lanes and lockers, signal timing and trip reduction programs. As the TFCA Program Manager for Alameda County, the Alameda CTC is responsible for programming 40 percent of the four dollar vehicle registration fee that is collected in Alameda County for this program. Five percent of new revenue is set aside for the Alameda CTC's administration of the TFCA program. Per the Alameda CTC TFCA Guidelines, 70 percent of the available funds are to be allocated to the cities/county based on population, with a minimum of \$10,000 to each jurisdiction. The remaining 30 percent of the funds are to be allocated to transit-related projects on a discretionary basis.

The total amount of available TFCA is required to be completely programmed on an annual basis. A jurisdiction may borrow against its projected future share in order to receive more funds in the current year, which can help facilitate the programming of all available funds. Projects proposed for TFCA funding are required to meet the eligibility and cost-effectiveness requirements of the TFCA program.

Statute requires Program Managers to annually review their programming guidelines for the TFCA Program. As specified in Section 44241 of the Health and Safety Code, the Alameda CTC, as the entity designated to receive the TFCA Program Manager funds, is required to hold a public meeting at least once a year for the purpose of adopting criteria for the expenditure of the funds and to review the expenditure of revenues. This review period will allow staff to incorporate updates to the TFCA legislation into the Alameda CTC's TFCA program, as well as consider additional comments to the program.

The Alameda CTC's Guidelines are consistent with Air District guidance and the Air District Board-adopted FY 2013/14 TFCA Policies (included for reference as Attachment B). The Air District has not proposed any substantive changes to TFCA program for FY 2013/14, but clarifications are proposed to the Alameda CTC's Guidelines based on staff's experience with administering the TFCA program.

Key proposed edits and clarifications to the Alameda CTC TFCA Program Guidelines for FY 2013/14:

- Based on Air District requirements:
  - Clarification added, regarding timely implementation of projects, that projects approved for FY 2013/14 funding must commence by the end of calendar year 2014 (i.e., by the end of the calendar year following the program approval). This milestone deadline will be tracked in the TFCA At Risk report.
- To help ensure program compliance and timely project delivery:
  - Staff recommends delegating the approval for the first and second extension requests for the expenditure deadline to staff and retaining the requirement for Board approval for the third extension. Currently, all TFCA expenditure deadline extension requests are brought to the Board for consideration.
  - Section XI has been expanded to include examples of reimbursable costs.

Additional proposed edits are clarifications to the current Alameda CTC TFCA Program Guidelines.

**Attachment**

Attachment A: Draft FY 2013/14 Alameda CTC TFCA County Program Manager Fund Guidelines

Attachment B: Air District FY 2013/14 TFCA County Program Manager Policies

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**ALAMEDA COUNTY TRANSPORTATION COMMISSION  
TRANSPORTATION FUND FOR CLEAN AIR  
(TFCA) PROGRAM GUIDELINES**

**I. BACKGROUND**

Pursuant to the 1998 California Clean Air Act, the Bay Area Air Quality Management District (Air District) is required to adopt a Clean Air Plan (CAP), which describes how the region will work toward compliance with State and Federal ambient air quality standards and make progress on climate protection. To reduce emissions from motor vehicles, the 2010 CAP includes transportation control measures (TCMs) and mobile source measures (MSMs). A TCM is defined as any strategy to reduce vehicle trips, vehicle use, vehicle miles traveled, vehicle idling, or traffic congestion for the purpose of reducing motor vehicle emissions. MSMs encourage the retirement of older, more polluting vehicles and the introduction of newer, less polluting motor vehicle technologies.

To fund the implementation of TCMs and MSMs, the State Legislature, through AB 434 (Sher; Statutes of 1991) and AB 414 (Sher, Statutes of 1995), authorized the Air District to collect a fee of up to \$4 per vehicle per year for reducing air pollution from motor vehicles and for related planning and programs. This legislation requires the Air District to allocate 40% of the revenue to an overall program manager in each county. The overall program manager must be designated by resolutions adopted by the county board of supervisors and the city councils of a majority of the cities representing a majority of the population.

AB 414 references the trip reduction requirements in the Congestion Management Program (CMP) legislation and states that Congestion Management Agencies (CMAs) in the Bay Area that are designated as AB 434 program managers “shall ensure that those funds are expended as part of an overall program for improving air quality and for the purposes of this chapter (the CMP Statute).” The Air District has interpreted this language to allow a wide variety of transportation control measures as now eligible for funding by program managers, including an expansion of eligible transit, rail and ferry projects.

AB 414 adds a requirement that County Program Managers adopt criteria for the expenditure of the county subventions and to review the expenditure of the funds. The content of the criteria and the review were not specified in the bill. However, the Air District has specified that any criteria used by a Program Manager must allocate funding to projects that are: 1) eligible under the law, 2) reduce motor vehicle emissions, 3) implement the relevant Transportation Control Measures and/or Mobile Source Measures in the Air District’s most recently approved strategy(ies) for state and national ozone standards (2010 Clean Air Plan, or CAP), and 4) are not planning or technical studies.

**II. ELIGIBLE PROJECTS**

Only projects that result in the reduction of motor vehicle emissions are eligible for TFCA funding. Projects must achieve surplus emission reductions beyond what is currently required through regulations, ordinances, contracts, or other legally binding obligations at the time of the execution of a funding agreement between the program manager (Alameda CTC) and the project sponsor.

Projects and programs eligible for funding from revenues generated by this fee include (consistent with the project types authorized under the California Health and Safety Code (HSC) Section 44241):

1. Implementation of rideshare programs;
2. Purchase or lease of clean fuel buses for school districts and transit operators;
3. Provision of local feeder bus or shuttle service to rail and ferry stations and to airports;
4. Implementation and maintenance of local arterial traffic management, including, but not limited to, signal timing, transit signal preemption, bus stop relocation and “smart streets”;
5. Implementation of rail-bus integration and regional transit information systems;
6. Implementation of demonstration projects in telecommuting and in congestion pricing of highways, bridges and public transit-;
7. Implementation of vehicle-based projects to reduce mobile source emissions, including, but not limited to light duty vehicles with a gross vehicle weight (GVW) of 10,000 pounds or lighter, engine repowers (subject to Air District approval on a case-by-case basis), engine retrofits, fleet modernization, alternative fuels, and advanced technology demonstrations-;
8. Implementation of smoking vehicles program;
9. Implementation of bicycle facility improvement projects that are included in an adopted countywide bicycle plan or congestion management program; and
10. Design and construction by local public agencies of physical improvements that support development projects that achieve motor vehicle emission reductions. The projects and the physical improvements shall be identified in an approved area-specific plan, redevelopment plan, general plan, or other similar plan.

Projects that are authorized by the HSC section 44241 and achieve TFCA cost-effectiveness, but do not fully meet the Air District’s current TFCA Policies are subject to Air District approval on a case-by-case basis.

TFCA funds may not be used for:

- Planning activities that are not directly related to the implementation of a specific project; or
- The purchase of personal computing equipment for an individual's home use.

### **III. COST EFFECTIVENESS**

The Air District requires the evaluation of all proposed and completed projects for TFCA cost-effectiveness. The Alameda CTC will measure the effectiveness level of TFCA-funded projects using the TFCA cost of the project divided by an estimate of the total tons of emissions reduced (reactive organic gases (ROG), oxides of nitrogen (NOx), and weighted particulate matter ten microns in diameter and smaller (PM<sub>10</sub>)) due to the project. These are used to calculate a cost effectiveness number of \$/ton. The Alameda CTC will only approve projects with a TFCA cost effectiveness, on an individual project basis-, equal to or less than \$90,000 of TFCA funds per ton of total ROG, NOx and weighted PM<sub>10</sub> emissions reduced -(\$/ton). Project sponsors are required to provide the data necessary to evaluate projects for TFCA cost-effectiveness. This may include but is not limited to transit ridership, verifiable survey data, bicycle counts, and results from comparable projects.

#### **IV. GENERAL PROGRAM STRUCTURE**

As the overall program manager in Alameda County, the Alameda CTC is allocated 40% of the funds collected in Alameda County. The Air District will advance these funds to the Alameda CTC in biannual installments each fiscal year. The Alameda CTC must program the TFCA revenue received each year within the Air District's allowable time period. Any unallocated funds may be reallocated by the Air District.

The TFCA funds programmed by the Alameda CTC will be distributed as follows:

- A maximum of 5% of the annual revenue to the Alameda CTC for program implementation and administration.
- 70% of the remaining funds to be allocated to the cities/county based on population as follows:
  - A minimum of \$10,000 to each jurisdiction.
  - City population will be updated annually based on State Department of Finance (DOF) estimates.
  - The 70% funds will be programmed annually in its own call for projects or in a coordinated call for projects with like funding sources.
  - A city or the county, with approval from the Alameda CTC, may choose to roll its annual 70% allocation into a future program year.
  - A jurisdiction may borrow against its projected future year share in order to use rolled over funds from other jurisdictions available in the current year.
  - Relinquished funds from a city's or the county's completed projects are made available to the same jurisdiction through its 70% allocation for reprogramming to future projects.
  - The Board may also program against future TFCA revenue for projects that are larger than the annual funds available.
- 30% of the funds allocated to transit related projects on a discretionary basis, as follows:
  - 30% funds will be programmed annually in its own call for projects or in a coordinated call for projects with like funding sources.
  - Projects competing for the 30% discretionary funds will be evaluated based on the total emissions reductions projected as a result of the project. Projects will be prioritized based on the TFCA cost-effectiveness evaluation. When this calculation is not sufficient to prioritize candidate projects, the Alameda CTC Board may also consider the emissions reductions per total project dollar invested for the project and the matching funds provided by the project sponsor.
  - Relinquished funds from completed discretionary projects are returned to the 30% revenue for reprogramming in future funding cycles.
  - The Board may also program against future TFCA revenue for projects that are larger than the annual funds available.

The minimum TFCA funding request is \$50,000, unless the project sponsor can show special and unusual circumstances to set this limit aside.

## **V. PROGRAM SCHEDULE**

Below is the 2013 schedule for the FY 2013/14 program:

February \_\_\_ Annual review of Alameda County TFCA Program Guidelines. A call for projects will be issued by the Alameda CTC. Alameda CTC adopts resolution endorsing the programming of TFCA funds consistent with the Expenditure Plan Application.

March Expenditure Plan Application due to Air District. Project applications due to Alameda CTC.

April Semi-annual project status reports due to Alameda CTC.

May - June Review of draft program by Alameda CTC Board. Alameda CTC submits Semi-annual Report to Air District by May 31<sup>st</sup>.

June - July Final program approval by Alameda CTC Board.

September For on-going projects, annual status reports from project sponsors due to the Alameda CTC.

October Alameda CTC submits Annual Report to Air District by October 31st.

Schedule subject to modification based on schedule changes imposed by the Air District and previous programming actions by the Alameda CTC.

## **VI. APPLICATION PROCESS**

Project sponsors shall complete the Alameda CTC TFCA funding application. The application is updated annually and may be included in a coordinated call for projects process that consolidates like fund sources. The type of information required for the application includes the following:

- 1. Partner agencies/organizations:** If the project is sponsored by more than one agency, the applicant shall list the partner agencies, including the point of contact(s).
- 2. TFCA Funding Category:** The applicant shall indicate whether the funds applied for are from the 70% city/county funds or the 30% transit discretionary funds. Project sponsors may choose to rollover their 70% funds to into a future fiscal year 70% allocation. Project sponsors may also request to reprogram any remaining TFCA funds from previous projects or allocations in their jurisdiction, to the proposed project.
- 3. Funding Sources/Budget:** Applicants shall include a funding plan listing all funding sources and amounts (including regional 60% TFCA funds and unsecured funds). Applicants shall include a project budget listing the total project cost by phase and cost type.
- 4. Schedule and Project Milestones:** Applicants shall include project schedule and milestones.
- 5. Project Data:** Applicants shall submit the requested project-related data necessary to determine eligibility and calculate the estimated emissions reductions and cost-effectiveness.



**6. Transportation Control Measures (TCM) and Mobile Source Measures (MSM):** Applicants shall list the TCMs and/or MSMs from the Air District's most recently approved strategies for state and national ozone standards that are applicable to the project.

## **VII. MONITORING REQUIREMENTS**

The Air District requires a pre- and post-project evaluation of emissions reductions. The first is an estimate of the projected emissions reduction. Sponsors must provide data for this calculation in the project application.

Sponsors must also conduct post-project monitoring and/or surveys (known as the monitoring requirements) as specified in the fund transfer agreement for the project. This information is required for the post-project evaluation of emissions reductions.

Project sponsors requesting TFCA reimbursement for monitoring costs shall provide the estimated cost in the TFCA application. The cost of collecting data to fulfill the TFCA monitoring requirements is considered an administrative project cost. Administrative project costs reimbursed by TFCA are limited to a total of 5% of the TFCA funds received. ~~The cost of the monitoring requirements data collection efforts should not exceed 5% of the total project budget (including both TFCA and non-TFCA funds).~~

## **VIII. INSURANCE REQUIREMENTS**

Each Project Sponsor must maintain general liability insurance, workers compensation insurance and additional insurance as appropriate for specific projects, with coverage amounts specified in the project funding agreement, throughout the life of the project.

This section provides guidance on the insurance coverage and documentation typically required for TFCA Program Manager Fund projects. Note that the Air District reserves the right to specify different types or levels of insurance in the funding agreement. The typical funding agreement requires that each project sponsor provide documentation showing that the project sponsor meets the following requirements for each of its projects.

- 1. Liability Insurance** with a limit of not less than \$1,000,000 per occurrence, of the type usual and customary to the business of the Project Sponsor, and to the operation of the vehicles, vessels, engines or equipment operated by the Project Sponsor.
- 2. Property Insurance** in an amount of not less than the insurable value of Project Sponsor's vehicles, vessels, engines or equipment funded under the Agreement, and covering all risks of loss, damage or destruction of such vehicles, vessels, engines or equipment.
- 3. Worker's Compensation Insurance** for construction projects including but not limited to bike/pedestrian paths, bike lanes, smart growth and vehicle infrastructure, as required by California law and employers insurance with a limit not less than \$1 million.

**Acceptability of Insurers:** Insurance is to be placed with insurers with a current A.M. Best's rating of no less than A, VII. The Air District may, at its sole discretion, waive or alter this requirement or accept self-insurance in lieu of any required policy of insurance.

The following table lists the types of insurance coverage generally required for each project type. The requirements may differ in specific cases.

<b>County Program Manager Fund Contract Activity:</b>	<b>Insurance Required:</b>
Vehicle Purchase and lease / Engine retrofits	Automobile Liability and Automobile Physical Damage
Operation of shuttle to/from transit hubs	Commercial General Liability, Automobile Liability and Automobile Physical Damage
Construction projects including: bicycle/pedestrian overpass; bicycle facilities including bike paths, lanes, and routes; smart growth and traffic calming; and vehicle infrastructure.	Commercial General Liability, Automobile Liability and Worker's Compensation
Bicycle lockers and racks, Arterial Management, and Signal Timing	Commercial General Liability
Guaranteed Ride Home programs, transit marketing programs, and transit pass subsidy or commute incentives.	None

**IX. FUNDING AGREEMENT, REPORTS AND AUDIT REQUIREMENTS**

Prior to receiving any reimbursement of funds, project sponsors must execute a fund transfer agreement with the Alameda CTC. The fund transfer agreement includes a description of the project/program to be funded and specifies the terms and conditions for the expenditure of funds, including audit requirements.

An executed funding agreement between the Air District and the Alameda CTC constitutes final approval and obligation for the Air District to fund a project. Costs incurred prior to the execution of the funding agreement between the Air District and Alameda CTC will not be reimbursed. An executed funding agreement between the Alameda CTC and project sponsor is required before any reimbursements will be made. The funding agreement between the Alameda CTC and project sponsor is to be executed within three months from the date the funding agreement is provided to the project sponsor. After the three month deadline has passed, any funding associated with an unexecuted funding agreement may be considered unallocated and may be reprogrammed.

Project sponsors will be required to submit semi-annual progress reports to the Alameda CTC which provide project status and itemize the expenditure of funds for each project. Project sponsors are also required to submit a final project report upon completion of the project, which includes monitoring requirements.

All projects will be subject to a performance audit including project monitoring requirements established by the Air District. Project sponsors will, for the duration of the project/program, and for three (3) years following completion, make available to the Air District or to an independent auditor, all records relating to expenses incurred in implementing the projects.

## **X. TIMELY IMPLEMENTATION OF PROJECTS AND USE OF FUNDS**

The enabling legislation requires project sponsors to encumber and expend funds within two years, unless a time extension has been granted. To ensure the timely implementation of projects and use of funds, the following timelines will be imposed for each program year:

1. Within two months of receipt of funds from the Air District, the Alameda CTC will send out fund transfer agreements to each project sponsor.
2. Project sponsors must execute a fund transfer agreement with the Alameda CTC within three months of receipt of an agreement from the Alameda CTC ~~to ensure that the agreement is executed within six months from the execution of the funding agreement between the Air District and the Alameda CTC~~. The executed fund transfer agreement must contain an expenditure plan for implementation of the project. After the deadline has passed, any funding associated with an unexecuted funding agreement may be considered unallocated and may be reprogrammed ~~by the Air District~~.
3. Project sponsors must initiate implementation of a project within three months of the date of receipt of the executed fund transfer agreement from the Alameda CTC, unless an extended schedule has been approved in advance by the Alameda CTC. The Alameda CTC will not approve an extended schedule with a project start date beyond calendar year 2014.
4. Funds must be expended within two years from the date of the first receipt of funds by the Alameda CTC from the Air District. The Alameda CTC ~~Board~~ may, if it finds that significant progress has been made on a project, approve no more than two one-year schedule extensions for a project. Additional schedule extension requests can only be granted with approval from the Alameda CTC Board and Air District.
5. Sponsors must submit requests for reimbursement at least once per fiscal year. Requests must be submitted within six (6) months after the end of the fiscal year, defined as the period from July 1 to June 30. All final requests for reimbursement must be submitted no later than the submittal date of the Final Project Report.
6. Sponsors must submit semi-annual progress reports within the period established by the Air District.
7. Sponsors must submit required Final Project Reports (project monitoring reports) within three months of project completion or, as applicable, within three months after the post-project evaluation period as established in the funding agreement.
8. An at risk report will be presented to Alameda CTC Committees periodically to advise sponsors of upcoming critical dates and deadlines.

Any sponsor that does not comply with any of the above requirements within the established time frames will be given written notice from the Alameda CTC that they have 60 days in which to comply. Failure to comply within 60 days will result in the reprogramming of the funds allocated to that project, and the project sponsor will not be permitted to apply for new projects until the sponsor has demonstrated to the Alameda CTC that steps have been taken to avoid future violations of this policy.

## **XI. REIMBURSABLE COSTS AND REIMBURSEMENT OF FUNDS**

TFCA funds can be used for project implementation costs as follows:

- Project implementation costs are charges associated with implementing a specific TFCA-funded project, including:
  - Documented hourly labor charges (salaries, wages, and benefits) directly and solely related to implementation of the TFCA project,
  - Capital costs,
  - Capital equipment and installation costs,
  - Shuttle driver labor and equipment maintenance costs,
  - Shuttle driver labor costs,
  - Labor costs related to capital purchases,
  - Operator or personnel training directly related to project implementation,
  - Contractor labor charges related to the TFCA project,
  - Travel, and training and associated personnel costs that only if these costs are directly related to the implementation of the TFCA-funded project (e.g., the cost of training mechanics to service TFCA-funded natural gas clean air vehicles),
  - Indirect costs associated with implementing the project, including reasonable overhead costs incurred to provide a physical place of work (e.g., rent, utilities, office supplies), general support services (e.g., payroll, reproduction) and managerial oversight, and
  - Sponsor may choose not to charge any indirect costs to a TFCA project.

Upon execution of a fund transfer agreement, project sponsors may request reimbursement for documented project expenses. All project costs must be identified in the budget from the approved grant application and conform to the project scope included in attachment A of the TFCA funding agreement. For each reimbursement request, project sponsors must complete the TFCA "Request for Reimbursement of Funds" form attached to the fund transfer agreement. The form must have an original signature by an authorized person, and should be sent to the attention of Alameda CTC's Financial Officer.

The form must be accompanied by the following documentation:

1. **Direct Costs:** Direct project costs are directly and solely related to the implementation of the project. Documentation includes copies of paid invoices and evidence of payment.
2. **Labor Charges:** Hourly labor charges are the sum of the salary paid to an employee plus the cost of fringe benefits provided, expressed on the basis of hours worked. Documentation of hourly charges includes payroll records indicating job title, hourly pay rate, and time sheets indicating time worked on project (other accounting methods to allocate and document staff time will be considered on a case by case basis).
3. **Indirect Costs:** Indirect costs may be considered eligible for reimbursement with TFCA funds on a case-by-case basis provided the project sponsor requests and justifies the reimbursement in the approved grant application. Sponsor will be required to submit an Indirect Cost Rate proposal for approval in advance. by the Air . The Air District relies on OMB Circular A-87, Cost Principles for State, Local and Indian Tribal Governments for determining appropriate

~~Indirect Costs for TFCA projects. The required documentation for indirect project costs would be similar to what is required for direct costs and hourly labor charges.~~

- 4. Administrative Costs:** Administrative costs that are reimbursable to a project sponsor are limited to a maximum of 5% of the total TFCA funds received. ~~Administrative project costs may be considered eligible for reimbursement with TFCA funds on a case-by-case basis provided the project sponsor requests and justifies the reimbursement in the approved grant application. The required documentation for administrative project costs would be similar to what is required for direct costs and hourly labor charges. Administrative project costs include cost associated with entering into a TFCA funding agreement and fulfilling monitoring, reporting and record-keeping requirements, including accounting, annual reporting, invoices and final reports. Administrative costs proposed for reimbursement by TFCA are to be identified in the approved grant application. Sponsor may choose not to charge any administrative costs to a TFCA project.~~

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## *Appendix D: Board-Adopted TFCA County Program Manager Fund Policies for FYE 2014*

**Adopted November 7, 2012**

The following Policies apply only to the Transportation Fund for Clean Air (TFCA) County Program Manager Fund.

### **BASIC ELIGIBILITY**

1. **Reduction of Emissions:** Only projects that result in the reduction of motor vehicle emissions within the Air District's jurisdiction are eligible.

Projects must conform to the provisions of the California Health and Safety Code (HSC) sections 44220 et seq. and these Air District Board of Directors adopted TFCA County Program Manager Fund Policies for FYE 2014.

Projects must achieve surplus emission reductions, i.e., reductions that are beyond what is required through regulations, ordinances, contracts, and other legally binding obligations at the time of the execution of a grant agreement between the County Program Manager and the grantee. Projects must also achieve surplus emission reductions at the time of an amendment to a grant agreement if the amendment modifies the project scope or extends the project completion deadline.

2. **TFCA Cost-Effectiveness:** Projects must achieve TFCA cost-effectiveness, on an individual project basis, equal to or less than \$90,000 of TFCA funds per ton of total of emissions reduced, unless a different value is specified in the policy for that project type. (See "Eligible Project Categories" below.) Cost-effectiveness is based on the ratio of TFCA funds divided by the sum total tons of reactive organic gases (ROG), oxides of nitrogen (NO<sub>x</sub>), and weighted particulate matter 10 microns in diameter and smaller (PM<sub>10</sub>) reduced (\$/ton). All TFCA-generated funds (e.g., TFCA Regional Funds, reprogrammed TFCA funds) that are awarded or applied to a project must be included in the evaluation. For projects that involve more than one independent component (e.g., more than one vehicle purchased, more than one shuttle route, etc.), each component must achieve this cost-effectiveness requirement.

County Program Manager administrative costs are excluded from the calculation of a project's TFCA cost-effectiveness.

3. **Eligible Projects, and Case-by-Case Approval:** Eligible projects are those that conform to the provisions of the HSC section 44241, Air District Board adopted policies and Air District guidance. On a case-by-case basis, County Program Managers must receive approval by the Air District for projects that are authorized by the HSC section 44241 and achieve Board-adopted TFCA cost-effectiveness but do not fully meet other Board-adopted Policies.
4. **Consistent with Existing Plans and Programs:** All projects must comply with the transportation control measures and mobile source measures included in the Air District's most recently approved plan for achieving and maintaining State and national ambient air quality standards,

which are adopted pursuant to HSC sections 40233, 40717 and 40919, and, when applicable, with other adopted State, regional, and local plans and programs.

5. **Eligible Recipients:** Grant recipients must be responsible for the implementation of the project, have the authority and capability to complete the project, and be an applicant in good standing with the Air District.
  - A. Public agencies are eligible to apply for all project categories.
  - B. Non-public entities are only eligible to apply for new alternative-fuel (light, medium, and heavy-duty) vehicle and infrastructure projects, and advanced technology demonstrations that are permitted pursuant to HSC section 44241(b)(7).
6. **Readiness:** Projects must commence in calendar year 2014 or sooner. “Commence” includes any preparatory actions in connection with the project’s operation or implementation. For purposes of this policy, “commence” can mean the issuance of a purchase order to secure project vehicles and equipment, commencement of shuttle and ridesharing service, or the delivery of the award letter for a construction contract.
7. **Maximum Two Years Operating Costs:** Projects that provide a service, such as ridesharing programs and shuttle and feeder bus projects, are eligible to apply for a period of up to two (2) years. Grant applicants that seek TFCA funds for additional years must reapply for funding in the subsequent funding cycles.

#### APPLICANT IN GOOD STANDING

8. **Independent Air District Audit Findings and Determinations:** Grantees who have failed either the fiscal audit or the performance audit for a prior TFCA-funded project awarded by either County Program Managers or the Air District are excluded from receiving an award of any TFCA funds for five (5) years from the date of the Air District’s final audit determination in accordance with HSC section 44242, or duration determined by the Air District Air Pollution Control Officer (APCO). Existing TFCA funds already awarded to the project sponsor will not be released until all audit recommendations and remedies have been satisfactorily implemented. A failed fiscal audit means a final audit report that includes an uncorrected audit finding that confirms an ineligible expenditure of TFCA funds. A failed performance audit means that the program or project was not implemented in accordance with the applicable Funding Agreement or grant agreement.

A failed fiscal or performance audit of the County Program Manager or its grantee may subject the County Program Manager to a reduction of future revenue in an amount equal to the amount which was inappropriately expended pursuant to the provisions of HSC section 44242(c)(3).
9. **Authorization for County Program Manager to Proceed:** Only a fully executed Funding Agreement (i.e., signed by both the Air District and the County Program Manager) constitutes the Air District’s award of County Program Manager Funds. County Program Managers may only incur costs (i.e., contractually obligate itself to allocate County Program Manager Funds) after the Funding Agreement with the Air District has been executed.
10. **Insurance:** Both the County Program Manager and each grantee must maintain general liability insurance, workers compensation insurance, and additional insurance as appropriate for specific projects, with required coverage amounts provided in Air District guidance and final amounts specified in the respective grant agreements.



## INELIGIBLE PROJECTS

11. **Duplication:** Grant applications for projects that provide additional TFCA funding for existing TFCA-funded projects (e.g., Bicycle Facility Program projects) that do not achieve additional emission reductions are ineligible. Combining TFCA County Program Manager Funds with other TFCA-generated funds that broaden the scope of the existing project to achieve greater emission reductions is not considered project duplication.
12. **Planning Activities:** A grantee may not use any TFCA funds for planning related activities unless they are directly related to the implementation of a project or program that results in emission reductions.
13. **Employee Subsidies:** Projects that provide a direct or indirect financial transit or rideshare subsidy or shuttle/feeder bus service exclusively to the grantee's employees are not eligible.

## USE OF TFCA FUNDS

14. **Cost of Developing Proposals:** Grantees may not use TFCA funds to cover the costs of developing grant applications for TFCA funds.
15. **Combined Funds:** TFCA fund may be combined with other grants (e.g., with TFCA Regional Funds or State funds) to fund a project that is eligible and meets the criteria for all funding sources.
16. **Administrative Costs:** The County Program Manager may not expend more than five percent (5%) of its County Program Manager Funds for its administrative costs. The County Program Manager's costs to prepare and execute its Funding Agreement with the Air District are eligible administrative costs. Interest earned on County Program Manager Funds shall not be included in the calculation of the administrative costs. To be eligible for reimbursement, administrative costs must be clearly identified in the expenditure plan application and in the Funding Agreement, and must be reported to the Air District.
17. **Expend Funds within Two Years:** County Program Manager Funds must be expended within two (2) years of receipt of the first transfer of funds from the Air District to the County Program Manager in the applicable fiscal year, unless a County Program Manager has made the determination based on an application for funding that the eligible project will take longer than two years to implement. Additionally, a County Program Manager may, if it finds that significant progress has been made on a project, approve no more than two one-year schedule extensions for a project. Any subsequent schedule extensions for projects can only be given on a case-by-case basis, if the Air District finds that significant progress has been made on a project, and the Funding Agreement is amended to reflect the revised schedule.
18. **Unallocated Funds:** Pursuant to HSC 44241(f), any County Program Manager Funds that are not allocated to a project within six months of the Air District Board of Directors approval of the County Program Manager's Expenditure Plan may be allocated to eligible projects by the Air District. The Air District shall make reasonable effort to award these funds to eligible projects in the Air District within the same county from which the funds originated.
19. **Incremental Cost (for the purchase or lease of new vehicles):** For new vehicles, TFCA funds awarded may not exceed the incremental cost of a vehicle after all rebates, credits,

and other incentives are applied. Such financial incentives include manufacturer and local/state/federal rebates, tax credits, and cash equivalent incentives. Incremental cost is the difference in cost between the purchase or lease price of the new vehicle, and its new conventional vehicle counterpart that meets the most current emissions standards at the time that the project is evaluated.

20. **Reserved.**

21. **Reserved.**

## **ELIGIBLE PROJECT CATEGORIES**

### **22. Alternative Fuel Light-Duty Vehicles:**

**Eligibility:** For TFCA purposes, light-duty vehicles are those with a gross vehicle weight rating (GVWR) of 8,500 lbs. or lighter. Eligible alternative light-duty vehicle types and equipment eligible for funding are:

- A. Purchase or lease of new hybrid-electric, electric, fuel cell, and CNG/LNG vehicles certified by the CARB as meeting established super ultra low emission vehicle (SULEV), partial zero emission vehicle (PZEV), advanced technology-partial zero emission vehicle (AT-PZEV), or zero emission vehicle (ZEV) standards.
- B. Purchase or lease of new electric neighborhood vehicles (NEV) as defined in the California Vehicle Code.
- C. CARB emissions-compliant vehicle system retrofits that result in reduced petroleum use (e.g., plug-in hybrid systems).

Gasoline and diesel (non-hybrid) vehicles are not eligible for TFCA funds. Funds are not available for non-fuel system upgrades, such as transmission and exhaust systems, and should not be included in the incremental cost of the project.

### **23. Alternative Fuel Medium Heavy-Duty and Heavy Heavy-Duty Service Replacement Vehicles (low-mileage utility trucks in idling service):**

**Eligibility:** For TFCA purposes, medium and heavy-duty service vehicles are on-road motor vehicles with a GVWR of 14,001 lbs. or heavier. Eligible alternative fuel service vehicles are only those vehicles in which engine idling is required to perform the vehicles' primary service function (for example, trucks with engines to operate cranes or aerial buckets). In order to qualify for this incentive, each new vehicle must be placed into a service route that has a minimum idling time of 520 hours/year, and a minimum mileage of 500 miles/year. Eligible MHDV and HHDV vehicle types for purchase or lease are:

- A. New hybrid-electric, electric, and CNG/LNG vehicles certified by the CARB or that are listed by the IRS as eligible for a federal tax credit pursuant to the Energy Policy Act of 2005.

**Scrapping Requirements:** Grantees with a fleet that includes model year 1998 or older heavy-duty diesel vehicles must scrap one model year 1998 or older heavy-duty diesel vehicle for each new vehicle purchased or leased under this grant. Costs related to the scrapping of heavy-duty vehicles are not eligible for reimbursement with TFCA funds.

### **24. Alternative Fuel Heavy-Duty Replacement Vehicles (high mileage):**

**Eligibility:** For TFCA purposes, Alternative Fuel Heavy-Duty Vehicles are defined as follows: Light-heavy-duty vehicles (LHDV) are those with a GVWR between 8,501 lbs. and 14,000 lbs., medium-heavy-duty vehicles (MHDV) are those with a GVWR between 14,001 lbs. and 33,000 lbs., and heavy-heavy-duty vehicles (HHDV) are those with a GVWR equal to or greater than 33,001 lbs. Eligible LHDV, MHDV and HHDV vehicle types for purchase or lease are:

- A. New hybrid-electric, electric, and CNG/LNG vehicles certified by the CARB or that are listed by the IRS as eligible for a federal tax credit pursuant to the Energy Policy Act of 2005.

TFCA funds may not be used to pay for non-fuel system upgrades such as transmission and exhaust systems.

Scrapping requirements are the same as those in Policy #23.

#### 25. **Alternative Fuel Bus Replacement:**

**Eligibility:** For purposes of transit and school bus replacement projects, a bus is any vehicle designed, used, or maintained for carrying more than 15 persons, including the driver. A vehicle designed, used, or maintained for carrying more than 10 persons, including the driver, which is used to transport persons for compensation or profit, or is used by any nonprofit organization or group, is also a bus. A vanpool vehicle is not considered a bus. Buses are subject to the same eligibility requirements listed in Policy #24 and the same scrapping requirements listed in Policy #23.

#### 26. **Alternative Fuel Infrastructure:**

**Eligibility:** Eligible refueling infrastructure projects include new dispensing and charging facilities, or additional equipment or upgrades and improvements that expand access to existing alternative fuel fueling/charging sites (e.g., electric vehicle, CNG). This includes upgrading or modifying private fueling/charging sites or stations to allow public and/or shared fleet access. TFCA funds may be used to cover the cost of equipment and installation. TFCA funds may also be used to upgrade infrastructure projects previously funded with TFCA-generated funds as long as the equipment was maintained and has exceeded the duration of its years of effectiveness after being placed into service.

TFCA-funded infrastructure projects must be available to and accessible by the public. Equipment and infrastructure must be designed, installed and maintained as required by the existing recognized codes and standards and approved by the local/state authority.

TFCA funds may not be used to pay for fuel, electricity, operation, and maintenance costs.

- 27. **Ridesharing Projects:** Eligible ridesharing projects provide carpool, vanpool or other rideshare services. Projects that provide a direct or indirect financial transit or rideshare subsidy are also eligible under this category.

#### 28. **Shuttle/Feeder Bus Service:**

These projects link a mass transit hub (i.e., rail or Bus Rapid Transit (BRT) station, ferry or bus terminal, airport) to or from a final destination. These projects are intended to reduce single-occupancy, commonly-made vehicle trips (e.g., commuting or shopping center trips) by enabling riders to travel the remaining, relatively short, distance between a mass transit hub and the nearby

final destination. The final destination must be a distinct commercial, employment or residential area. The project's route must operate to or from a mass transit hub and must coordinate with the transit schedules of the connecting mass transit's services. Project routes cannot replace or duplicate an existing local transit service. These services are intended to support and complement the use of existing major mass transit services.

Shuttle/feeder bus service applicants must be either:

- 1) a public transit agency or transit district that directly operates the shuttle/feeder bus service; or
- 2) a city, county, or any other public agency.

The project applicant must submit documentation from the General Manager of the transit district or transit agency that provides service in the area of the proposed shuttle route, which demonstrates that the proposed shuttle service does not duplicate or conflict with existing transit agency service.

The following is a listing of eligible vehicle types that may be used for service:

- A. a zero-emission vehicle (e.g., electric, hydrogen)
- B. an alternative fuel vehicle (CNG, liquefied natural gas, propane);
- C. a hybrid-electric vehicle;
- D. a post-1998 diesel vehicle with a CARB Verified Diesel Emission Control Strategy (e.g., retrofit); or
- E. a post-1990 gasoline-fueled vehicle.

Pilot shuttle/feeder bus service projects are required to meet a cost-effectiveness of \$125,000/ton during the first two years of operation (see Policy #2). A pilot project is a defined route that is at least 70% unique and has not previously been funded through TFCA. Applicants must provide data supporting the demand for the service, letters of support from potential users and providers, and plans for financing the service in the future.

## 29. **Bicycle Projects:**

New bicycle facility projects that are included in an adopted countywide bicycle plan or Congestion Management Program (CMP) are eligible to receive TFCA funds. Eligible projects are limited to the following types of bicycle facilities for public use that result in motor vehicle emission reductions:

- A. New Class-1 bicycle paths;
- B. New Class-2 bicycle lanes;
- C. New Class-3 bicycle routes;
- D. New bicycle boulevards;
- E. Bicycle racks, including bicycle racks on transit buses, trains, shuttle vehicles, and ferry vessels;
- F. Bicycle lockers;
- G. Capital costs for attended bicycle storage facilities;
- H. Purchase of two-wheeled or three-wheeled vehicles (self-propelled or electric), plus mounted equipment required for the intended service and helmets; and
- I. Development of a region-wide web-based bicycle trip planning system.

All bicycle facility projects must, where applicable, be consistent with design standards published in the California Highway Design Manual.

**30. Arterial Management:**

Arterial management grant applications must identify a specific arterial segment and define what improvement(s) will be made to affect traffic flow on the identified arterial segment. Projects that provide routine maintenance (e.g., responding to citizen complaints about malfunctioning signal equipment) are not eligible to receive TFCA funds. Incident management projects on arterials are eligible to receive TFCA funds. Transit improvement projects include, but are not limited to, bus rapid transit and transit priority projects. For signal timing projects, TFCA funds may only be used for local arterial management projects where the affected arterial has an average daily traffic volume of 20,000 motor vehicles or more, or an average peak hour traffic volume of 2,000 motor vehicles or more (counting volume in both directions). Each arterial segment must meet the cost-effectiveness requirement in Policy #2.

**31. Smart Growth/Traffic Calming:**

Physical improvements that support development projects and/or calm traffic, resulting in motor vehicle emission reductions, are eligible for TFCA funds, subject to the following conditions:

- A. The development project and the physical improvements must be identified in an approved area-specific plan, redevelopment plan, general plan, bicycle plan, pedestrian plan, traffic-calming plan, or other similar plan; and
- B. The project must implement one or more transportation control measures (TCMs) in the most recently adopted Air District plan for State and national ambient air quality standards. Pedestrian projects are eligible to receive TFCA funds.
- C. The project must have a completed and approved environmental plan.

Traffic calming projects are limited to physical improvements that reduce vehicular speed by design and improve safety conditions for pedestrians, bicyclists or transit riders in residential retail, and employment areas.

## *Appendix E: Glossary of Terms*

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The following is a glossary of terms found in the TFCA County Program Policies:

***Final audit determination*** - The determination by the Air District of a County Program Manager or grantee's TFCA program or project, following completion of all procedural steps set forth in HSC section 44242(a) – (c).

***Funding Agreement*** - The agreement executed by and between the Air District and the County Program Manager for the allocation of County Program Manager Funds for the respective fiscal year.

***Grant Agreement*** - The agreement executed by and between the County Program Manager and a grantee.

***Grantee*** - Recipient of an award of TFCA Funds from the County Program Manager to carry out a TFCA project and who executes a grant agreement with the County Program Manager to implement that project. A grantee is also known as a project sponsor.

***TFCA funds*** - Grantee's allocation of funds, or grant, pursuant to an executed grant agreement awarded pursuant to the County Program Manager Fund Funding Agreement.

***TFCA-generated funds*** - The Transportation Fund for Clean Air (TFCA) program funds generated by the \$4 surcharge on motor vehicle registration fees that are allocated through the Regional Fund and the County Program Manager Fund.



## Memorandum

**DATE:** January 31, 2013

**TO:** Programs and Projects Committee

**FROM:** Matt Todd, Principal Transportation Engineer  
Jacki Taylor, Programming Analyst

**SUBJECT: Approval of Transportation for Clean Air (TFCA) FY 2013/14 Expenditure Plan Application**

### Recommendation

It is recommended the Commission approve Resolution 13-006, regarding the submittal of the FY 2013/14 TFCA County Program Manager Fund Expenditure Plan Application to the Bay Area Air Quality Management District (Air District). ACTAC is scheduled to consider this item on February 5<sup>th</sup>.

### Summary

The attached Alameda CTC Resolution and TFCA Expenditure Plan Application are due to the Air District by March 4, 2013, prior to a detailed program of projects. For FY 2013/14, the Expenditure Plan Application includes approximately \$1.885 million of TFCA funds for projects.

### Background

TFCA funding is generated by a \$4.00 vehicle registration fee collected by the Bay Area Air Quality Management District (Air District). Projects that result in the reduction of motor vehicle emissions are eligible for TFCA. Eligible projects are to achieve surplus emission reductions beyond what is currently required through regulations, ordinances, contracts, or other legally binding obligations. Projects typically funded with TFCA include shuttles, bicycle lanes and lockers, signal timing and trip reduction programs. As the TFCA Program Manager for Alameda County, the Alameda CTC is responsible for programming 40 percent of the four dollar vehicle registration fee that is collected in Alameda County for this program. Five percent of new revenue is set aside for the Alameda CTC's administration of the TFCA program. Per the Alameda CTC TFCA Guidelines, 70 percent of the available funds are to be allocated to the cities/county based on population, with a minimum of \$10,000 to each jurisdiction. The remaining 30 percent of the funds are to be allocated to transit-related projects on a discretionary basis.

A jurisdiction may borrow against its projected future share in order to receive more funds in the current year, which can help facilitate the programming of all available funds. Projects proposed

for TFCA funding are required to meet the eligibility and cost-effectiveness requirements of the TFCA program.

The revenue in the attached FY 2013/14 Expenditure Plan Application includes:

- New projected revenue for FY 2013/14: \$1,896,911
- Earned interest for calendar year 2012: \$11,091
- Relinquished revenue through 12/31/12: \$71,615

Five percent of the new projected revenue is reserved for the Alameda CTC's administration of the TFCA program. The amount available to program to projects is \$1,884,772. This amount includes relinquished funds from completed projects and earned interest.

The Expenditure Plan Application is due to the Air District by March 4, 2013. Following the Air District's approval, the Alameda CTC will enter into a funding agreement with the Air District and will have six months to submit a Board-approved program of eligible projects. A TFCA call for projects is scheduled for late February 2013 with applications due to the Alameda CTC in late March. A draft FY 2013/14 TFCA program is scheduled for the Commission's consideration in June 2013.

**Financial Impact:**

This programming action has no financial impact to the Alameda CTC. The revenue included in this TFCA program is made available by the Air District. Costs associated with the Alameda CTC's administration of the TFCA program are included in the current Alameda CTC's budget.

**Attachments:**

- Attachment A: Alameda CTC Resolution 13-006
- Attachment B: FY 2013/14 TFCA Expenditure Plan Application





**ALAMEDA COUNTY TRANSPORTATION COMMISSION  
RESOLUTION 13-006**

**Commission Chair**  
Scott Haggerty, Supervisor– District 1

**Commission Vice Chair**  
Rebecca Kaplan, Councilmember

**AC Transit**  
Greg Harper, Director

**Alameda County**  
Supervisors  
Richard Valle – District 2  
Wilma Chan – District 3  
Nate Miley – District 4  
Keith Carson – District 5

**BART**  
Thomas Blalock, Director

**City of Alameda**  
Marilyn Ezzy-Ashcraft

**City of Albany**  
Peggy Thomsen, Mayor

**City of Berkeley**  
Laurie Capitelli, Councilmember

**City of Dublin**  
Tim Sbranti, Mayor

**City of Emeryville**  
Ruth Atkin, Councilmember

**City of Fremont**  
Suzanne Chan, Councilmember

**City of Hayward**  
Marvin Peixoto, Councilmember

**City of Livermore**  
John Marchand, Mayor

**City of Newark**  
Luis Freitas, Councilmember

**City of Oakland**  
Larry Reid, Councilmember

**City of Piedmont**  
John Chiang, Mayor

**City of Pleasanton**  
Jerry Thorne, Mayor

**City of San Leandro**  
Michael Gregory, Vice Mayor

**City of Union City**  
Carol Dutra-Vernaci, Mayor

**Executive Director**  
Arthur L. Dao

**WHEREAS**, as of July 2010, the Alameda County Transportation Commission (“Alameda CTC”) was designated as the overall Program Manager for the Transportation Fund for Clean Air (“TFCA”) County Program Manager Fund for Alameda County;

**WHEREAS**, the TFCA Program requires that the Program Manager submit an Expenditure Plan Application to the Bay Area Air Quality Management District (“BAAQMD”) by March 4, 2013.

**NOW, THEREFORE BE IT RESOLVED**, that the Alameda CTC Commission approves the programming of \$1,884,772 to projects, consistent with the attached FY 2013/14 TFCA County Program Manager Fund Expenditure Plan Application; and

**BE IT FURTHER RESOLVED**, that the Alameda CTC Commission authorizes the Executive Director to execute any necessary fund transfer agreements related to this programming with the BAAQMD and project sponsors.

**DULY PASSED AND ADOPTED** by the Alameda CTC at the regular Commission meeting held on Thursday, February 28, 2013 in Oakland, California, by the following vote:

<b>AYES:</b>	<b>NOES:</b>	<b>ABSTAIN:</b>	<b>ABSENT:</b>
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<b>SIGNED:</b>	<b>ATTEST:</b>
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\_\_\_\_\_  
Scott Haggerty, Chairperson

\_\_\_\_\_  
Vanessa Lee, Clerk of the Commission

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## SUMMARY INFORMATION

County Program Manager Agency Name: Alameda County Transportation Commission

Address: 1333 Broadway, Suite 220, Oakland, CA 94612

### PART A: NEW TFCA FUNDS

- |   |                |                            |
|---|----------------|----------------------------|
| 1. Estimated FYE 2014 DMV revenues (based on projected CY2012 revenues):                  | Line 1:        | <u>\$1,824,148.00</u>      |
| 2. Difference between prior-year estimate and actual revenue:                             | Line 2:        | <u>\$72,763.40</u>         |
| a. Actual FYE 2012 DMV revenues (based on CY2011):  |                | <u>\$1,827,674.40</u>      |
| b. Estimated FYE 2012 DMV revenues (based on CY2011):                                     |                | <u>\$1,754,911.00</u>      |
| <i>(‘a’ minus ‘b’ equals Line 2.)</i>   |                |                            |
| 3. Estimated New Allocation (Sum of Lines 1 and 2):                                       | Line 3:        | <u>\$1,896,911.40</u>      |
| 4. Interest income. List interest earned on TFCA funds in calendar year 2012.             | Line 4:        | <u>\$11,091.39</u>         |
| 5. Estimated TFCA funds budgeted for administration: <sup>1</sup>                         | Line 5:        | <u>\$94,845.57</u>         |
| <i>(Note: This amount may not exceed 5% of Line 3.)</i>                                   |                |                            |
| <b>6. Total new TFCA funds available in FYE 2014 for projects and administration</b>      | <b>Line 6:</b> | <u><b>1,908,002.79</b></u> |
| <i>(Add Lines 3 and 4. These funds are subject to the six-month allocation deadline.)</i> |                |                            |

### PART B: TFCA FUNDS AVAILABLE FOR REPROGRAMMING

- |  |         |                    |
|--|---------|--------------------|
| 7. Total amount from previously funded projects available for reprogramming to other projects. (Enter zero (0) if none.)   | Line 7: | <u>\$71,615.04</u> |
| <i>(Note: Reprogrammed funds originating from pre-2006 projects are not subject to the six-month allocation deadline.)</i> |         |                    |

### PART C: TOTAL AVAILABLE TFCA FUNDS

- |  |         |                     |
|--|---------|---------------------|
| 8. Total Available TFCA Funds (Sum of Lines 6 and 7)                       | Line 8: | <u>1,979,617.83</u> |
| 9. Estimated Total TFCA funds available for projects (Line 8 minus Line 5) | Line 9: | <u>1,884,772.26</u> |

I certify that, to the best of my knowledge, the information contained in this application is complete and accurate.

Executive Director Signature: \_\_\_\_\_

Date: \_\_\_\_\_

<sup>1</sup> The “Estimated TFCA funds budgeted for administration” amount is listed for informational purposes only. Per California Health and Safety Code Section 44233, County Program Managers must limit their administrative costs to no more than 5% of the actual total revenue received from the Air District.

## SUMMARY INFORMATION - ADDENDUM

Complete if there are TFCA Funds available for reprogramming.

Project #	Project Sponsor/Grantee	Project Name	\$ TFCA Funds Allocated	\$ TFCA Funds Expended	\$ TFCA Funds Available	Code*
07ALA06	BART	Bike lockers at Ala Co BART Stations	275,405	253,520.13	21,884.87	UB
08ALA02	BART	Bike lockers at Castro Valley BART	66,500	60,409.59	6,090.41	UB
08ALA03	Berkeley	9th Street Bicycle Boulevard	247,316	245,271.56	2,044.44	UB
09ALA04	Berkeley	Citywide Bicycle Parking Program	46,887	45,416.58	1,470.42	UB
09ALA08	Alameda CTC	Guaranteed Ride Home	280,000	279,847.10	153.00	UB
10ALA05	Oakland	Broadway Shuttle	166,880	166,857.10	22.90	UB
10ALA06	Oakland	Webster/Franklin Bikeway	90,000	56,650.00	33,350.00	UB
12ALA06	LAVTA	Rt 54 ACE Shuttle	37,299	See note below	6,599.00	NA

**TOTAL TFCA FUNDS AVAILABLE FOR REPROGRAMMING** **\$ 71,615.04**  
*(Enter this amount in Part B, Line 7 of Summary Information form)*

\* Enter UB (for projects that were completed under budget) and CP (for cancelled project).

**Note:** Programming for 12ALA06 was revised from \$37,299 to \$30,700 after the Alameda CTC's approval of the final FYE 13 program. The \$6,599 difference is shown as relinquished and included in the FYE 14 Expenditure Plan.



## Memorandum

**DATE:** January 13, 2013

**TO:** Programs and Projects Committee

**FROM:** Matt Todd, Manager of Programming  
Vivek Bhat, Senior Transportation Engineer

**SUBJECT:** California Transportation Commission (CTC) January 2013 Meeting Summary

### Recommendation

This item is for information only. No action is requested.

### Discussion

The California Transportation Commission is responsible for programming and allocating funds for the construction of highway, passenger rail, and transit improvements throughout California. The CTC consists of eleven voting members and two non-voting ex-officio members. The San Francisco Bay Area has three (3) CTC members residing in its geographic area: Bob Alvarado, Jim Ghielmetti, and Carl Guardino.

The January 2013 CTC meeting was held at Sacramento, CA. Detailed below is a summary of the two (2) agenda items of significance pertaining to Projects / Programs within Alameda County that were considered at the January 2013 CTC meeting (Attachment A).

#### **1. 2014 State Transportation Improvement Program (STIP) Fund Estimate Overview**

CTC staff presented an overview of the 2014 STIP Fund Estimate. Over the next several months, the Department of Transportation (Caltrans) will work closely with CTC staff to identify key issues and assumptions, and prepare the 2014 STIP Fund Estimate for adoption on August 6, 2013. The key milestones for the development of the 2014 STIP Fund Estimate are:

- January 2013 – Overview
- March 2013 – Present Draft Assumption and Key Issues
- May 2013 – Approve Assumptions (pending changes to the May Revision of the 2013-14 Governor’s Budget)
- June 2013 – Present Draft Fund Estimate
- August 2013 – Adopt Fund Estimate

2. **Proposition 1B Trade Corridor Improvement Fund (TCIF)/ I-880 Reconstruction, 29th-23rd Avenue project**

The CTC approved an amendment of the TCIF base line agreement for the I-880 Reconstruction, 29th-23rd Avenue project to update the funding plan and delivery schedule.

**Outcome:** The project delivery has been delayed by two months. Construction phase is scheduled to begin in mid-summer 2013.

**Attachment(s)**

Attachment A: January 2013 CTC Meeting Summary for Alameda County Projects /Programs

January 2013 CTC Summary for Alameda County Projects/ Programs

Sponsor	Program / Project	Item Description	CTC Action / Discussion
Caltrans	2014 State Transportation Improvement Program (STIP)	CTC staff presented an overview of the 2014 STIP Fund Estimate.	Information Item
Alameda CTC	Trade Corridor Improvement Fund (TCIF)/ I-880 Reconstruction, 29th-23rd Avenue project	Amend baseline agreement for the I-880 Reconstruction, 29th-23rd Avenue project to update the funding plan and delivery schedule	Approved

[http://www.dot.ca.gov/hq/transprog/ctcbooks/2013/0113/00\\_timed.pdf](http://www.dot.ca.gov/hq/transprog/ctcbooks/2013/0113/00_timed.pdf)

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**Memorandum**

**DATE:** January 31, 2013

**TO:** Programs and Projects Committee

**FROM:** Stewart D. Ng, Deputy Director of Programming and Projects  
Connie Fremier, Project Controls Team

**SUBJECT: East Bay Greenway Project – Segment 7A (ACTIA 28)  
Approval of Amendment No. 2 to the Professional Services Agreement  
with HQE Incorporated (Agreement No. A10-0026)**

**Recommendation**

It is recommended that the Commission approve Amendment No. 2 to the professional services agreement with HQE Incorporated (Agreement No. A10-0026) to provide design services during construction for an additional contract amount of \$35,000 and to extend the contract time to March 31, 2014.

**Summary**

The Alameda CTC is the sponsor of the East Bay Greenway Project – Segment 7A. The project is expected to be advertised in February 2013 with bids to open and the contract awarded to the lowest responsible bidder in March 2013, and construction to start in April 2013. This project is funded with a combination of TIGER funds (\$1,078,400) with an East Bay Regional Park District Measure WW bond match (\$269,400).

The Alameda CTC retained a consultant team led by HQE Incorporated to secure environmental approval for the project. On September 1, 2010, Agreement No. A10-0026 was entered into with HQE Incorporated for an amount not to exceed \$500,000.

Amendment No. 1 dated September 22, 2011 was issued to expand the scope of services to include design for an additional not to exceed amount of \$477,659.00. The total not to exceed amount for environmental and design is \$977,659.00.

Amendment No. 2 to Agreement No. A10-0026 is needed to provide design services during construction for a not to exceed amount of \$35,000 and to extend contract time to March 31, 2014.

Table 1 below summarizes the contract actions related to Agreement No. CMA A10-0026.

<b>Table 1: Summary of Agreement No. CMA A10-0026 with HQE Incorporated</b>		
<b>Description</b>	<b>Amendment Amount</b>	<b>Total Contract Not to Exceed Amount</b>
Professional Services Agreement (PSA) with HQE Incorporated (A10-0026) to prepare the Project Approval and Environmental Clearance Documents (PA&ED) dated September 1, 2010	NA	\$ 500,000
Amendment No. 1 to A10-0026 to prepare design documents dated September 22, 2011.	\$ 477,659	\$ 977,659
Recommended Amendment No. 2 to A10-0026 for DSDC (\$35,000) and extend contract time to March 31, 2014	\$ 35,000 <sup>(1)</sup>	\$ 1,012,659 <sup>(1)</sup>
<b>Total Amended Contract Not to Exceed Amount</b>		<b>\$ 1,012,659 <sup>(1)</sup></b>

<sup>(1)</sup>Funding for this amendment will be provided from ACTIA Measure B Grant funds approved for the project.

### **Discussion**

The Alameda CTC is the sponsor of the East Bay Greenway Project. The East Bay Greenway is a planned 12-mile bicycle and pedestrian facility that will travel through Oakland, San Leandro, Hayward and unincorporated Alameda County. The alignment generally runs under the BART tracks and the Greenway will ultimately connect five BART stations. A federal stimulus TIGER II grant has been obtained to build a one half-mile segment of the project (Segment 7A, between Coliseum BART and 85th Avenue in Oakland). Caltrans issued a NEPA Categorical Exclusion for that segment in February 2012, and Alameda CTC filed a CEQA Categorical Exemption for that segment in March 2012. FHWA has authorized the project and Caltrans issued an E-76 Authorization to Proceed with Construction on September 17, 2012. Construction of this segment is planned to begin in April 2013.

In addition, in order to position the East Bay Greenway (beyond Segment 7A) for outside funding, Alameda CTC has used discretionary bicycle/pedestrian Measure B funds for preliminary engineering and CEQA analysis of the full 12-mile project which the Commission adopted at the October 25, 2012 Commission meeting. The 138-page final CEQA analysis has been posted on the Alameda CTC website at [www.alamedactc.org/news\\_items/view/7903](http://www.alamedactc.org/news_items/view/7903), and is also available to members of the public at the Alameda CTC's offices.

The construction phase of the project will be funded with a combination of federal Tiger II funds (\$1,078,400) with a WW bond match (\$269,400). The project is subject to federal contracting requirements.

The Alameda CTC is also responsible for the Advertise, Award and Administration (AAA) component of the project. The project is expected to be advertised in February, 2013 with opening of bids and contract award to the lowest responsible bidder in March 2013, and construction to start in April 2013.

Staff recommends that the Alameda CTC Commission authorize the execution of Amendment No. 2 to the professional services agreement with HQE Incorporated (Agreement No. A10-0026) to provide design services during construction for an additional contract amount of \$35,000 and to extend the contract time to March 31, 2014.

**Fiscal Impact**

The recommended action will authorize the encumbrance of additional project funding (Measure B Grant funds). The required additional project funding is included in the current project funding plan.

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**Memorandum**

**DATE:** January 31, 2013

**TO:** Programs and Projects Committee

**FROM:** Stewart Ng, Deputy Director of Programming and Projects  
Raj Murthy, Projects Control Team

**SUBJECT:** **I-580 San Leandro Soundwall & Landscape Project (ACTC 774.0) – Approval of Amendment No. 4 to the Professional Services Agreement with Mark Thomas & Company (Agreement No. A06-003)**

**Recommendation**

It is recommended that the Commission authorize the Executive Director, or his designee, to amend the contract A06-003 with Mark Thomas & Company for additional design services, and to provide design services during construction for the I-580 San Leandro Soundwall & Landscape Project.

**Summary**

Alameda CTC sponsored a project to build soundwalls in the City of San Leandro. The San Leandro segment of soundwall and landscaping was originally contemplated to be delivered as a single construction contract. However, the San Leandro segment was delivered in two construction packages:

1. The San Leandro soundwall segment of the project was constructed in 2010 as a standalone construction contract.
2. The irrigation and landscape portion of the project was delivered as a separate construction contract, now in construction. The irrigation and landscape portion was separated because of a three-year plant establishment period required after the planting is complete.

As a result, additional engineering effort was required to prepare a new construction package for the irrigation and landscaping portion.

Design services during construction are required to review contractor submittals, respond to requests for information, prepare design changes, and other services during construction phase of the irrigation and landscape portion.

**Discussion**

Alameda CTC is the sponsor of the I-580 San Leandro Soundwall and Landscape Project. The soundwall portion of the project was constructed in 2010 as a separate construction contract. The irrigation and landscape portion was separated from the project since it requires a three-year plant establishment period to ensure survival of vegetation. The irrigation and planting portion was recently delivered as a separate contract to repair the existing irrigation system, plant new plants and add an additional irrigation system around the sound walls.

The separation of the irrigation and landscape portion of the project required preparation of a new construction package and which was not originally anticipated. An amendment to the Mark Thomas contract is required to perform additional engineering efforts to prepare a separate construction package.

Alameda CTC is the administering agency for the irrigation and landscaping project. The design engineer, Mark Thomas and Company will be retained to provide design support during the construction phase. These services include submittal review; provide responses to requests for information (RFI), design changes and as-built drawings.

**Fiscal Impact**

Approval of the recommended actions will authorize the encumbrance of \$80,000 for the project which will be funded by local funding sources. Funds necessary to implement this amendment are included in the Alameda CTC FY 2012-13 Operating and Capital Program Budget.