



Programs and Projects Committee  
Meeting Minutes  
Monday, May 8, 2017, 12:15 p.m.

4.1

1111 Broadway, Suite 800, Oakland, CA 94607 • PH: (510) 208-7400 • www.AlamedaCTC.org

**1. Pledge of Allegiance**

**2. Roll Call**

A roll call was conducted. All members were present with the exception of Commissioner Bauters and Commissioner Kalb.

**Subsequent to the roll call**

Commissioner Kalb arrived during Item 5.1. Commissioner Valle left during item 5.1.

**3. Public Comment**

There were no public comments.

**4. Consent Calendar**

**4.1. Approval of the April 10, 2017 Meeting Minutes**

*Commissioner Haggerty moved to approve the Consent Calendar. Commissioner Cutter seconded the motion. The motion passed with the following vote:*

Yes: Dutra-Vernaci, Cutter, Freitas, Haggerty, Maass, Miley  
No: None  
Abstain: None  
Absent: Bauters, Kalb

**5. Programs and Projects**

**5.1. Receive an update on the South County Named Capital Projects and Programs delivery and Programming strategy.**

Trinity Nguyen and Vivek Bhat provided an update on the South County Named Capital Projects and Programs delivery and programming strategy. Trinity presented an overview of the South County projects and programs and identified those projects with funding shortfalls. A more detailed assessment was given for the I-880 to Mission Blvd. East-West Connector project that included funding associated with each segment, project risks, and the basis of cost increases. Vivek provided details about the \$120 million Dumbarton Corridor Area Improvements Program. He further provided details of the initiation and timing for a South County Leadership Forum to (1) determine a list of priorities for the program and (2) to address the funding shortfalls for the named capital projects.

Commissioner Cutter wanted information on whether any of the segments in the East-west connector project are owned by Caltrans and more details on any right of way acquisition. Trinity stated that there are segments owned by Caltrans, the City of Union City, and Fremont and that coordination will be required. Art stated that the right away acquisitions costs are based on fair market value.

Commissioner Valle asked if there will be surplus land available in the Caltrans parcel once the East-West connector project is completed. Art stated that Caltrans owns 35-acres in the project area and the Commission sponsored AB 1462, which requires disposal of the land on a pre-described list, where revenue will remain in the local jurisdictions.

Commissioner Haggerty asked whether Alameda CTC owned any property in the corridor. Art stated that Alameda CTC owned a small portion of segment A, which was sold to the Fremont School district. Funds from the sale is part of the East-West Connector project funding.

Commissioner Maass asked for details on the bikes lanes. Art stated that the bike lanes are both Class 1 and Class 2.

Commissioner Maass wanted information on utility costs anticipated in segment. Trinity stated that it is hard to gauge utility relocation costs since they are controlled by the utility company (namely PG&E). Significant overruns have been experienced across many Alameda CTC projects and similar situations have arisen in other Counties as well.

Commissioner Maass asked if there have been previous leadership forums to address issues within projects. Art stated that there have been leadership forums done for other projects in the past and the objective is to get the elected leadership of each jurisdiction and city managers together to discuss the projects and deal with funding shortfalls.

Commissioner Maass asked how BART parking is addressed when developing projects. Art stated that Alameda CTC funds and programs the projects and the cities are responsible for the local vetting process.

Commissioner Kaplan asked if BART and AC Transit will be included in the leadership forum. Art stated that it is at the discretion of the leadership in the jurisdictions.

Commissioner Dutra-Vernaci stated that the leadership forum is a discussion for the Cities and is needed due to the history and complexity of the East-West Connector project. BART and AC Transit would be kept in the loop and could be brought in at a later date.

*This item was for information only.*

**5.2. Authorize the Executive Director to execute the Amended Memorandum of Understanding with other members of the California Toll Operators Committee.**

Liz Rutman recommended that the Commission Authorize the Executive Director to execute the Amended Memorandum of Understanding with other members of the California Toll Operators Committee.

*Commissioner Cutter moved to approve this item. Commissioner Freitas seconded the motion. Commissioner Dutra-Vernaci opposed the motion. The motion passed with the following vote:*

Yes: Dutra-Vernaci, Cutter, Freitas, Haggerty, Maass, Miley  
No: None  
Abstain: None  
Absent: Bauters, Valle

**6. Staff Reports**

There were no staff reports.

**7. Committee Reports**

Commissioner Cutter asked if the agency is considering tolling roads in the I-880 corridor. Trinity stated that there is a conversion project in the I-880 corridor which has funding in the measure. Art stated that there will be an express lane from highway 237 operated by the Santa Clara Valley Transportation Authority (VTA), which will be picked up by Metropolitan Transportation Commission and carried out through Hayward. That project is scheduled to start in the 2019 timeframe.

Commissioner Cutter asked if discussions on toll lanes economic equity will come to the commission. Liz stated that social equity studies were done prior to the start of all express lanes in Alameda County, which weighed the economic benefits of the lanes for all income types.

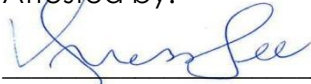
**8. Adjournment/ Next Meeting**

The next meeting is:

Date/Time: Monday, June 12, 2017 at 12:15 p.m.

Location: Alameda CTC Offices, 1111 Broadway, Suite 800, Oakland, CA 94607

Attested by:



Vanessa Lee,  
Clerk of the Commission

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# Memorandum

5.1

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**DATE:** June 5, 2017

**SUBJECT:** FY 2015-2016 Measure B, Measure BB and Vehicle Registration Fee Program Compliance Summary Reports

**RECOMMENDATION:** Receive an update on the FY 2015-2016 Measure B, Measure BB and Vehicle Registration Fee Program Compliance Reports

## Summary

This is an informational item on the program compliance status and activities of Direct Local Distribution fund recipients of the Measure B, Measure BB, and Vehicle Registration Fee (VRF) funds for the Fiscal Year 2015-16 (FY15-16) reporting period.

Each year, Alameda CTC requires recipients of Measure B, Measure BB, and VRF Direct Local Distribution (DLD) funds to submit audited financial statements and program compliance reports to document the receipt and use of DLD funds. Alameda CTC, in conjunction with the Independent Watchdog Committee, reviews these reports to verify DLD funds are expended in compliance with the voter approved transportation expenditure plans and Alameda CTC's expenditure requirements. Alameda CTC prepares Program Compliance Summary Reports which includes a review of the fiscal year's DLD investments, fund balances, and a compliance determination.

Alameda CTC finds the DLD recipients in compliance with the DLD financial reporting and program compliance requirements for the FY15-16 reporting period.

## Background

Alameda CTC is responsible for administering the Measure B, Measure BB, and the VRF Programs. Annually, Alameda CTC distributes over half of all revenues generated by these programs to twenty eligible recipients as Direct Local Distributions (DLD) for local transportation improvement programs. From the inception of each program to the end of FY15-16, Alameda CTC has distributed approximately \$967M in combined DLD funds to eligible recipients (\$848M in Measure B, \$83M in Measure BB, and \$36M in VRF) for local transportation (streets and road), bicycle/pedestrian, transit, and paratransit programs. The eligible recipients include twenty jurisdictions consisting of the fourteen cities, the County, and five transit agencies providing transportation improvements and services in Alameda County.

For FY15-16, Alameda CTC distributed approximately \$149.3 million in total DLD funds for the respective programs identified in the table below.

**Total FY15-16 Fund Distributions By Program** (\$ in Millions)

<b>DLD Program</b>	<b>Measure B</b>	<b>Measure BB</b>	<b>VRF</b>	<b>Total</b>
Local Transportation (Local Streets)	\$ 28.6	\$ 26.1	\$7.4	\$ 62.1
Transit	\$ 27.1	\$ 28.1	\$ -	\$ 55.2
Paratransit	\$ 11.5	\$ 11.8	\$ -	\$ 23.3
Bicycle and Pedestrian	\$ 4.8	\$ 3.9	\$ -	\$ 8.7
<b>Total DLD Funds</b>	<b>\$ 72.0</b>	<b>\$ 69.9</b>	<b>\$7.4</b>	<b>\$149.3</b>

The Master Programs Funding Agreements (MPFAs) between Alameda CTC and the recipients authorizes the distribution of formula funds to the recipients and specifies expenditure requirements. Each year, recipients are required to submit audited financial statements and program compliance reports to confirm DLD annual receipts, expenditures and the completion of reporting obligations. This year's compliance reporting period is for FY15-16, which goes from July 1, 2015 to June 30, 2016.

The reports capture DLD recipients' annual reporting deliverables including:

- Annual revenues, interest, expenditures, and fund balances
- Publication of a newsletter article, website coverage, and signage
- Current Pavement Condition Index for the agency's roadways
- Documentation of current Bicycle and Pedestrian Master Plans
- Documentation of Measure BB Local Streets and Roads expenditures on bicycle/pedestrian improvements
- Adherence to Timely Use of Funds Policy

For the FY15-16 reporting year, DLD recipients submitted the required compliance reports and audited financial statements by the December 31, 2016 deadline. Alameda CTC staff, in collaboration with the Independent Watchdog Committee, reviewed the recipients' expenditures to determine eligibility and program compliance.

The Program Compliance Reports for the Measure B, Measure BB and VRF programs consolidates the recipients' FY15-16 DLD investments, expenditure performances, and financial data into a summary report for the DLD programs. The complete FY15-16 Program Compliance Summary Reports can be found on Alameda CTC's website: [http://www.alamedactc.org/app\\_pages/view/4440](http://www.alamedactc.org/app_pages/view/4440). Through the compliance reporting process, Alameda CTC reviews the reporting data submitted by the recipients to verify expenditures are actively invested into eligible transportation improvements annually. Alameda CTC finds all DLD recipients in compliance with the DLD financial reporting and program compliance requirements. It should be noted that although the City of Albany's reports are still under review, tentative findings have determined the city to be compliant based on the initial data received.

## FY15-16 Fund Balances and Monitoring

The collective FY15-16 ending fund balance by funding program totals \$86M (\$42M in Measure B, \$34M in Measure BB, and \$10M in VRF). The individual recipient's fund balances by program are included in the Program Compliance Summary Report and attached herein for reference (Attachment A). To encourage the expeditious use of DLD funds, Alameda CTC's Timely Use of Funds Policy on DLD funds requires recipients to actively use their fund balances funds. This policy states that DLD recipients shall not carry an ending fund balance greater than 40 percent of their DLD funds received for that year, for four consecutive years, starting with fiscal year 2016-17. Through the Annual Program Compliance Reporting process, Alameda CTC will monitor the fund balance to revenue ratio to verify DLD recipients are in compliance with the policy. The Timely Use of Funds Policy is not yet applicable to the current FY15-16 reporting contained in these summary reports but will be applicable and monitored starting with next year's compliance reporting process.

Additionally, Alameda CTC monitors the recipient's adherence to the 2014 Measure BB Transportation Expenditure Plan requirement which states that 15 percent of Local Streets and Roads (LSR) DLD funds are to be spent on improvements benefiting bicyclists and pedestrians. Based on the collective Measure BB LSR expenditures to date, the DLD recipients are meeting the requirement with approximately 16 percent of total Measure BB LSR expenditures going towards bicycle/pedestrian related improvements. Some recipients have yet to expend Measure BB LSR funds and have indicated commitments of future expenditures dedicated towards meeting the requirement for their agency. The recipient's LSR expenditures on bicycle/pedestrian improvements is included in the Program Compliance Summary Report and attached for reference (Attachment B).

Alameda CTC will continue to monitor the recipient's compliance with all DLD requirements in future reporting starting next in the fall 2017.

**Fiscal Impact:** There is no fiscal impact.

### **Attachments**

- A. DLD Program Summary of Fund balances
- B. Summary of Measure BB LSR Expenditures on Bicycle/Pedestrian improvements

### **Staff Contact**

[Vivek Bhat](#), Director of Programming and Project Controls

[John Nguyen](#), Senior Transportation Planner

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**Measure B/Measure BB/Vehicle Registration Fee  
Direct Local Distribution Fund Balances**

*(As of the end of Fiscal Year 2015-16)*

<b>Jurisdiction:</b>	<b>Measure B</b>	<b>Measure BB</b>	<b>Vehicle Registration Fee</b>	<b>Total</b>
AC Transit	\$4,307,532	\$4,686,801		<b>\$8,994,333</b>
BART	\$0	\$0		<b>\$0</b>
LAVTA	\$0	\$0		<b>\$0</b>
WETA	\$1,777,126	\$100,576		<b>\$1,877,702</b>
ACE	\$2,777,950	\$1,452		<b>\$2,779,402</b>
Alameda County	\$2,025,682	\$3,111,405	\$795,013	<b>\$5,932,100</b>
City of Alameda	\$4,220,309	\$2,007,504	\$620,460	<b>\$6,848,273</b>
City of Albany	\$275,120	\$350,879	\$127,231	<b>\$780,726</b>
City of Berkeley	\$2,289,359	\$3,521,419	\$825,140	<b>\$6,635,919</b>
City of Dublin	\$826,958	\$626,195	\$215,224	<b>\$1,668,377</b>
City of Emeryville	\$962,237	\$320,052	\$131,081	<b>\$1,413,370</b>
City of Fremont	\$2,488,555	\$2,416,806	\$949,487	<b>\$5,854,848</b>
City of Hayward	\$3,815,761	\$3,191,771	\$1,046,299	<b>\$8,053,830</b>
City of Livermore	\$2,112,181	\$993,560	\$750,278	<b>\$3,856,019</b>
City of Newark	\$789,539	\$612,076	\$256,004	<b>\$1,657,619</b>
City of Oakland	\$10,214,483	\$9,276,907	\$2,389,868	<b>\$21,881,258</b>
City of Piedmont	\$82,292	\$23,752	\$3,185	<b>\$109,229</b>
City of Pleasanton	\$696,163	\$1,100,578	\$395,672	<b>\$2,192,413</b>
City of San Leandro	\$2,340,457	\$1,706,819	\$636,938	<b>\$4,684,214</b>
City of Union City	\$306,691	\$257,566	\$424,964	<b>\$989,221</b>
<b>Total</b>	<b>\$42,308,395</b>	<b>\$34,306,118</b>	<b>\$9,566,844</b>	<b>\$86,181,357</b>

Notes:

1. The table above reflects total fund balances from the Measure B/BB/VRF Direct Local Distribution Recipients' FY 2015-16 Audited Financial Statements. Thus, the FY 2015-16 Ending Fund Balance contained in these reports is the starting fund balance for FY 2016-17.

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### Measure BB Local Streets and Roads Requirement

15% of Total LSR Expenditures must be towards benefiting bicylists/pedestrians.

Jurisdiction:	Total LSR Expenditures on Bike/Ped to Date	Total LSR Expenditures to Date	Percentage of LSR Expenditures on Bike/Ped over Total LSR Expenditures	15% minimum LSR achieved?
ACPWA	\$20,203	\$20,236	100%	Yes
City of Alameda	\$50,000	\$276,592	18%	Yes
City of Albany <sup>2</sup>	\$150,000	\$159,200	94%	Yes
City of Berkeley	\$0	\$235,526	0%	No
City of Dublin	\$0	\$0	0%	No
City of Emeryville	\$130	\$11,187	1%	No
City of Fremont	\$452,414	\$1,012,615	45%	Yes
City of Hayward	\$3,735	\$24,899	15%	Yes
City of Livermore	\$62,200	\$312,774	20%	Yes
City of Newark	\$25,728	\$161,157	16%	Yes
City of Oakland	\$232,278	\$4,531,188	5%	No
City of Piedmont	\$106,624	\$459,704	23%	Yes
City of Pleasanton	\$40,000	\$140,820	28%	Yes
City of San Leandro	\$0	\$262,118	0%	No
City of Union City	\$220,600	\$731,780	30%	Yes
<b>Total</b>	<b>\$1,363,911</b>	<b>\$8,339,796</b>	<b>16%</b>	<b>Yes</b>

Notes:

1. The table above reflects total Measure BB funds reported by jurisdictions.
2. Estimates for City of Albany are based on most current Audited Financial Statements submitted to Alameda CTC for the FY 2015-16.
3. Revenue and expenditure figures may vary due to number rounding.

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**DATE:** June 5, 2017

**SUBJECT:** Closeout of the construction phase of the I-580 Express Lanes Corridor Project

**RECOMMENDATION:** Approve and authorize the Executive Director to amend project agreements with BKF Engineers and Alameda County Public works; and other project agreements as may be required, within the total project budget for the close-out of the construction phase of the I-580 Express Lanes Corridor Project.

### Summary

The I-580 Express Lanes Corridor Project, located in the Tri-Valley corridor through the cities of Dublin, Pleasanton, and Livermore, was opened to the public in February 2016. With the completion of the one-year system warranty period on February 22, 2017, the project has now fully entered the Operations and Maintenance (O&M) phase, signaling the end of construction and the need to closeout all construction project elements.

The construction of the I-580 Express Lanes Corridor Project is composed of several subprojects, including the original eastbound and westbound HOV lane projects, auxiliary lane and ramp metering projects, and the final eastbound and westbound HOV/HOT conversion projects. Multiple construction contracts and related professional service, utility, and other support contracts were required to implement these improvements.

Closeout of the various project agreements has been ongoing as the construction components are accepted. Staff anticipates completion of closeout tasks by the end of September and has identified a need to amend project agreements with BKF Engineers (Design Engineer of Record) and Alameda County Public Works (Right-of-Way Acquisitions Support) to complete project closeout. The proposed amendments will balance the contract budget between the remaining active agreements to allow for the completion of final deliverables, processing of final payments, and completion of financial closeout for the construction phase, all while maintaining the total authorized project budget (i.e. a "net zero" or less set of changes).

Staff recommends that the Commission approve and authorize the Executive Director to approve amendments to the project agreements with BKF Engineers and Alameda County

Public works; and other project agreements as may be required, to allow for the efficient administrative closeout of the I-580 Express Lanes Corridor Project within existing allocated project budget.

## **Background**

The I-580 Express Lane Corridor Project, located in the Tri-Valley corridor through the cities of Dublin, Pleasanton, and Livermore, operates high occupancy toll lanes in the Livermore Valley east of the I-580 / I-680 interchange, and is composed of several subprojects, including the original eastbound and westbound HOV lane projects, auxiliary lane and ramp metering projects, and the final eastbound and westbound HOV/HOT conversion projects. The I-580 Express Lanes Corridor Project was opened to the public in February 2016, and after an initial one-year warranty period, Alameda CTC accepted the electronic toll system/system integration as complete on February 22, 2017, signaling the beginning of the Operations and Maintenance (O&M) phase of the project and the need to close out all construction project elements.

The construction of the I-580 Express Lanes Corridor Project required multiple construction contracts and related professional services, utilities, and other support contracts to implement. Additionally, given the nature of the phased implementation of the project during construction and the overlapping completion dates, it will be necessary to adjust the budgets across the various components of the I-580 Express Lanes Corridor Project during closeout and confirmation of final actual costs. Subsequently, amendments to the existing agreements will be required to: 1) release encumbered contract funds for other corridor closeout needs; 2) add funds from other corridor agreements with surplus funds to cover actual cost overruns; 3) extend contract time to cover extended closeout and scope coverage during the first year of revenue service.

Staff anticipates completion of the closeout process by the end of September and a need to amend project agreements with BKF Engineers (Design Engineer of Record) and Alameda County Public Works (Right-of-Way) to complete project closeout. The proposed amendments will balance the contract budget between remaining active agreements to allow for completion of final deliverables, processing of final payments, and completion of financial closeout for the construction phase, all while maintaining the total authorized project budget (i.e. a "net zero" or less set of changes). A summary of anticipated amendments and values are shown in Table A.

Staff recommends that the Commission approve and authorize the Executive Director to approve amendments to the project agreements with BKF Engineers and Alameda County Public works; and other project agreements as may be required, to allow for the efficient administrative closeout of the I-580 Express Lanes Corridor Project within existing allocated project budget.

<b>Table A: Summary of Project Agreements</b>			
<b>Contract Status</b>	<b>Work Description</b>	<b>Current Total Contract Not-to-Exceed Value</b>	<b>Estimated Closeout Needs*</b>
BKF Engineers	Design Engineer of Record	\$15,350,780	\$ 125,000
Alameda County Public Works	Right of Way mapping and closeout	\$ 215,000	\$ 30,000
<i>Others</i>	Various	Various	(\$ 155,000)
<b>Net Change</b>			<b>\$0</b>
*Final amounts may vary from contract to contract. Net change will be equal to or less than zero.			

**Levine Act Statement:** BKF Engineers did not report a conflict in accordance with the Levine Act.

**Fiscal Impact:** No additional funding is requested with this action. All proposed amendments will be made within existing project funds available in component corridor projects. There is no fiscal impact as a result of this action.

**Attachment**

- A. 580 Express Lane Corridor Location Map

**Staff Contacts**

[Trinity Nguyen](#), Director of Project Delivery

[Stefan Garcia](#), Project Manager (Consultant)

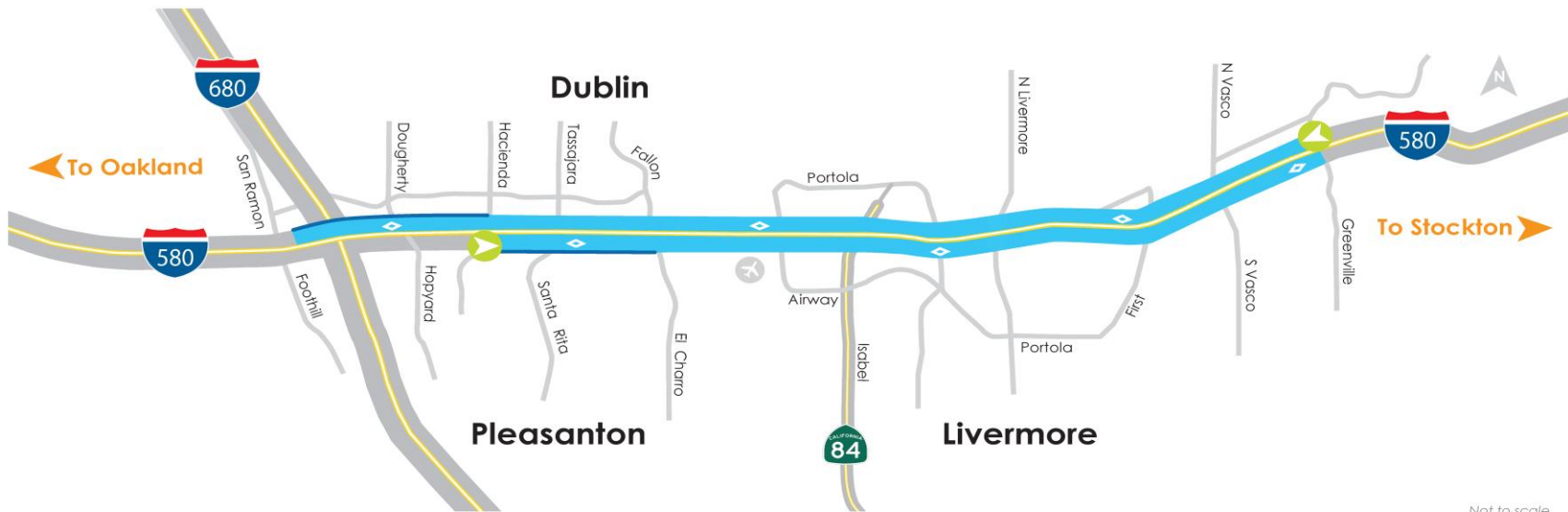
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# I-580 Express Lanes Project Location Map

5.2A



Not to scale



### Two Eastbound Express Lanes

#### Lanes begin at Hacienda

No entry/exit from eastbound express lanes from Hacienda to Fallon / El Charro.

**Please note:** For access to Santa Rita Road, do not enter express lanes.



### One Westbound Express Lane

#### Lane begins at Greenville

No entry/exit from westbound express lane from Hacienda to end.

**Please note:** For access to I-680 or Dougherty, exit express lane before Hacienda.

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