



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

PROGRAMS AND PROJECTS COMMITTEE

MEETING NOTICE

Monday, January 9, 2012, 12:15 P.M.

1333 Broadway, Suite 300, Oakland, California 94612

(see map on last page of agenda)

Commission Chair

Mark Green, Mayor – Union City

Commission Vice Chair

Scott Haggerty, Supervisor – District 1

AC Transit

Greg Harper, Director

Alameda County

Supervisors

Nadia Lockyer – District 2

Wilma Chan – District 3

Nate Miley – District 4

Keith Carson – District 5

BART

Thomas Blalock, Director

City of Alameda

Rob Bonta, Vice Mayor

City of Albany

Farid Javandel, Mayor

City of Berkeley

Laurie Capitelli, Councilmember

City of Dublin

Tim Sbranti, Mayor

City of Emeryville

Ruth Atkin, Councilmember

City of Fremont

Suzanne Chan, Vice Mayor

City of Hayward

Olden Henson, Councilmember

City of Livermore

John Marchand, Mayor

City of Newark

Luis Freitas, Vice Mayor

City of Oakland

Councilmembers

Larry Reid

Rebecca Kaplan

City of Piedmont

John Chiang, Vice Mayor

City of Pleasanton

Jennifer Hosterman, Mayor

City of San Leandro

Joyce R. Starosciak, Councilmember

Executive Director

Arthur L. Dao

Chair:

Mark Green

Vice Chair:

Scott Haggerty

Members:

Nate Miley

Farid Javandel

Larry Reid

Ruth Atkin

Luis Freitas

Suzanne Chan

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 handing 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 CONSENT CALENDAR

2A. Minutes of November 7, 2011– **Page 1**

A

3 PROGRAMS

3A. Approval of Third Cycle Lifeline Program Structure
– **Page 7**

A

3B. Approval of Advance Programming of \$45,000 of Lifeline
Cycle 3 funding to the Neighborhood Bike Centers Program
– **Page 35**

A

- 3C. Approval of the Reallocation of \$400,000 of Measure B Bicycle and Pedestrian Countywide Discretionary Fund (CDF) from Grant Agreement A09-0018, Alamo Canal Regional Trail I-580 Undercrossing Project, to the East Bay Greenway project and the Bicycle Safety Education program A09-0025– **Page 49** **A**
- 3D. Approval of City of Fremont’s Request to Modify Scope Elements for Measure B Bicycle and Pedestrian Countywide Discretionary Fund Grant Agreement No. A09-0020, Irvington Area Pedestrian Improvement Project – **Page 67** **A**
- 3E. Approval of Transportation Fund for Clean Air Program Manager Funding for a Goods Movement Emission Reduction Program (Engine MY 2004 Port Truck Replacement Program) – **Page 75** **A**
- 3F. Approval of STIP Award Deadline Time Extension Request for the Union City Intermodal Station Project, Phase II – **Page 99** **A**
- 3G. Review of OneBayAreaGrant Program* **I**

4 PROJECTS

- 4A. Southbound I-680 Express Lane Project - Approval of Amendments to Professional Services Agreements with Solem & Associates and Wilbur Smith Associates – **Page 109** **A**
- 4B. Congestion Relief Emergency Funds Project (ACTIA No. 27) - Approval to Reallocate Measure B Funds Between Sub-Projects and to Amend the Project Title and Description of Sub-Project Along I-880 – **Page 113** **A**
- 4C. I-880 Southbound HOV Lane Project (APN 730.0) Approval of Amendment No. 3 to Professional Services Agreement with WMH Corporation for Final Design Services – **Page 117** **A**
- 4D. East 14th Street/Hesperian Blvd./150th Avenue Intersection Improvements Project (ACTIA No. 19) – Approval of Amendments to the Right of Way and PS&E Project Specific Funding Agreements to Extend Termination Dates – **Page 121** **A**
- 4E. Telegraph Avenue Corridor Transit Project (ACTIA No. 7A) - Approval of Allocation of Measure B Funding for the Preliminary Engineering/Environmental Studies Phase – **Page 123** **A**
- 4F. Approval of Alameda County Transportation Commission Eminent Domain Process – **Page 135** **A**
- 4G. I-80 Integrated Corridor Mobility (ICM) Project – Authorization to Select and Negotiate a Contract with the Top-Ranked Firm for System Integrator Services and Approval of an Amendment to a Professional Services Agreement with Kimley-Horn & Associates for System Manager Services– **Page 143** **A**

5 COMMITTEE MEMBERS REPORTS (VERBAL)

6 STAFF REPORTS (VERBAL)

7 ADJOURNMENT AND NEXT MEETING: February 13, 2012

Key: A- Action Item; I – Information Item; *Material 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*

*Alameda County Transportation Commission
1333 Broadway, Suites 220 & 300, Oakland, CA 94612
(510) 208-7400 (New Phone Number)
(510) 836-2185 Fax (Suite 220)
(510) 893-6489 Fax (Suite 300)
www.alamedactc.org*

Glossary of Acronyms

ABAG	Association of Bay Area Governments	MTC	Metropolitan Transportation Commission
ACCMA	Alameda County Congestion Management Agency	MTS	Metropolitan Transportation System
ACE	Altamont Commuter Express	NEPA	National Environmental Policy Act
ACTA	Alameda County Transportation Authority (1986 Measure B authority)	NOP	Notice of Preparation
ACTAC	Alameda County Technical Advisory Committee	PCI	Pavement Condition Index
ACTC	Alameda County Transportation Commission	PSR	Project Study Report
ACTIA	Alameda County Transportation Improvement Authority (2000 Measure B authority)	RM 2	Regional Measure 2 (Bridge toll)
ADA	Americans with Disabilities Act	RTIP	Regional Transportation Improvement Program
BAAQMD	Bay Area Air Quality Management District	RTP	Regional Transportation Plan (MTC's Transportation 2035)
BART	Bay Area Rapid Transit District	SAFETEA-LU	Safe, Accountable, Flexible, Efficient Transportation Equity Act
BRT	Bus Rapid Transit	SCS	Sustainable Community Strategy
Caltrans	California Department of Transportation	SR	State Route
CEQA	California Environmental Quality Act	SRS	Safe Routes to Schools
CIP	Capital Investment Program	STA	State Transit Assistance
CMAQ	Federal Congestion Mitigation and Air Quality	STIP	State Transportation Improvement Program
CMP	Congestion Management Program	STP	Federal Surface Transportation Program
CTC	California Transportation Commission	TCM	Transportation Control Measures
CWTP	Countywide Transportation Plan	TCRP	Transportation Congestion Relief Program
EIR	Environmental Impact Report	TDA	Transportation Development Act
FHWA	Federal Highway Administration	TDM	Travel-Demand Management
FTA	Federal Transit Administration	TEP	Transportation Expenditure Plan
GHG	Greenhouse Gas	TFCA	Transportation Fund for Clean Air
HOT	High occupancy toll	TIP	Federal Transportation Improvement Program
HOV	High occupancy vehicle	TLC	Transportation for Livable Communities
ITIP	State Interregional Transportation Improvement Program	TMP	Traffic Management Plan
LATIP	Local Area Transportation Improvement Program	TMS	Transportation Management System
LAVTA	Livermore-Amador Valley Transportation Authority	TOD	Transit-Oriented Development
LOS	Level of service	TOS	Transportation Operations Systems
		TVTC	Tri Valley Transportation Committee
		VHD	Vehicle Hours of Delay
		VMT	Vehicle miles traveled



1333 Broadway, Suites 220 & 300

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Directions to the Offices of the Alameda County Transportation Commission:

**1333 Broadway, Suite 220
Oakland, CA 94612**

Public Transportation Access:

BART: City Center / 12th Street Station

AC Transit:

Lines 1,1R, 11, 12, 13, 14, 15, 18, 40, 51, 63, 72, 72M, 72R, 314, 800, 801, 802, 805, 840

Auto Access:

- Traveling South: Take 11th Street exit from I-980 to 11th Street
- Traveling North: Take 11th Street/Convention Center Exit from I-980 to 11th Street
- Parking:
City Center Garage –
Underground Parking,
(Parking entrances located on 11th or 14th Street)



**Alameda County
Transportation Commission
1333 Broadway, Suite 220
Oakland, CA 94612**

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**PROGRAMS AND PROJECTS COMMITTEE
MINUTES OF NOVEMBER 07, 2011
OAKLAND, CALIFORNIA**

The meeting was convened by the Chair, Mayor Green, at 12:19 p.m.

1. Public Comment

There was no public comment.

2 Consent Calendar

2A. Minutes of October 10, 2011

Vice Mayor Freitas moved for the approval of the consent calendar; Mayor Javandel made a second. The motion passed 5-0.

3 Programs

**3A. Coordination and Mobility Management Program (CMMP) –
Approval of Contract Amendment with Nelson Nygaard to include
scope to implement CMMP Pilot projects**

John Hemiup recommended that the Commission authorize the Executive Director to negotiate and execute an amendment to an existing contract with Nelson/Nygaard Consulting Associates to include scope and cost to implement CMMP Pilot Projects. He stated that the amendment would include adding the scope to design the programs, to perform background and impacts analysis, provide technical assistance, incorporate comments and adjust parameters, prepare meeting materials, and facilitate discussion at meetings. The additional scope to implement the CMMP Pilot Projects is estimated to cost \$50,000.

Supervisor Haggerty motioned to approve this Item. Vice Mayor Freitas seconded the motion. The motion passed 6-0.

**3B. Approval of State Transportation Improvement Program At Risk
Report**

Matt Todd recommended the Commission approve the attached STIP At Risk report. The report is based on information made available to the project monitoring team from the project sponsors in addition to other funding agencies such as Caltrans, MTC and the CTC. The report covers the 34 STIP projects being monitored for compliance with the STIP Timely Use of Funds provisions.

Vice Mayor Chan motioned to approve this Item. Mayor Javandel seconded the motion. The motion passed 6-0.

3C. Approval of Federal Surface Transportation/Congestion Mitigation and Air Quality (STP/CMAQ) Program At Risk Report

Matt Todd recommended the Commission approve the Federal STP/CMAQ Program At Risk Report. He informed the Commission that the report is based on information given to the project monitoring team from the project sponsors in addition to other funding agencies such as MTC and Caltrans Local Assistance. The report includes 58 locally-sponsored federally-funded projects that are being monitored for compliance with the Regional STP/CMAQ Project Delivery Policy.

Supervisor Haggerty motioned to approve this Item. Councilmember Atkin seconded the motion. The motion passed 6-0.

3D. Approval of CMA Exchange Program Quarterly Status Monitoring Report

Matt Todd recommended that the Commission approve the CMA Exchange Program Quarterly Status Report. He informed the Committee that the report contains a listing and status of all of the projects in the CMA Exchange Program and he stated that no additional revenue has been received since the previous status report.

Mayor Javandel motioned to approve this Item. Vice Mayor Freitas seconded the request. The motion passed 5-0.

3E. Approval of Transportation Fund for Clean Air (TFCA) Program At Risk Report

Jacki Taylor recommended the Commission approve the TFCA At Risk Report which includes currently active and completed projects programmed with TFCA Program Manager funds. She informed the Board that this reporting cycle included 39 active projects, 15 do not have required activities due for eight months, 14 projects have FY 11/12 funding agreements due by January 2012 and 10 have funding expiration dates in late December 2011 or early January 2012.

Vice Mayor Freitas motioned to approve this Item. Mayor Javandel seconded the motion. This motion passed 6-0.

3F. Acceptance of Semi-Annual Alameda CTC Program Status Update on Pass-through Fund Program and Grant Programs–

John Hemiup presented a PowerPoint Presentation on the Semi-Annual Alameda CTC Program Status Update on Pass-Through Fund Program and Grant Programs. The presentation covered Measure B-Funded Programs, Pass-through Funds and Grants Distribution, Pass-through Fund Distributions by Program, Fund Compliance Reporting Requirements and Transit Oriented Development Grant Programs.

Vice Mayor Freitas motioned to approve this Item. Mayor Javandel seconded the motion. This motion passed 6-0.

4 Projects

4A. I-80 Gilman Interchange Improvements Project – Approval to Execute Agreement with the Department of Transportation to Provide Independent Quality Assurance for the Project Study Report

John Hemiup recommended that the Commission authorize the Executive Director to negotiate and execute an agreement with Caltrans to provide independent quality assurance services. The project will provide operational and safety improvements at this interchange by replacing the existing stop sign ramp controls with a double-roundabout. He informed the Committee that the project requires an executed PID review agreement with Caltrans.

Supervisor Haggerty requested a graphic of the schematics for the project so that the Commission can have a conceptual idea of what the project included.

Mayor Javandel motioned to approve this Item. Councilmember Atkin seconded the motion. The motion passed 6-0.

4B. Dumbarton Rail Corridor Project (ACTIA No. 25) - Approval to Issue a Request for Proposals for Preliminary Right of Way Services and to Negotiate and Execute a Professional Services Agreement

Arthur Dao recommended that the Commission authorize two actions; one action authorizing issuance of a RFP for right of way and project implementation services and another action to execute a professional services agreement in accordance with procurement procedures. He highlighted that the project is playing a significant role in the ongoing discussions related to the Countywide Transportation Plan update and the development of a Transportation Expenditure Plan. A project phasing plan has been identified which involves establishing interim bus service to build ridership in the corridor, and developing a right of way acquisition plan for the corridor. Approval of the recommended actions will result in the encumbrance and project expenditures of up to \$300,000 of Measure B funding with fifty percent (50%) of the eligible project expenditures to be reimbursed by Regional Measure 2 (RM2).

Vice Mayor Freitas motioned to approve this Item. Mayor Green seconded the motion. This motion passed 6-0.

5 Staff and Committee Member Reports

There were no Committee Member Reports. Matt Todd informed the Committee that the New Freedom Grant had gained final approval. Art Dao informed the Committee that CTC approved the final MTC application for the Hot Lane Network.

6 Adjournment/Next Meeting: October 10, 2011

Chair Green adjourned the meeting at 1:08 p.m. The next meeting is on January 09, 2012.

Attest by:



Vanessa Lee
Clerk of the Commission

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PROGRAMS AND PROJECTS COMMITTEE MEETING

ROSTER OF MEETING ATTENDANCE

November 07, 2011

12:15 p.m.

1333 Broadway, Suite 300, Oakland, CA 94612

BOARD MEMBERS	Initials	ALTERNATES	Initials
Chair : Mark Green – City of Union City		Emily Duncan – City of Union City	
Vice Chair: Scott Haggerty – Alameda County, District 1		Bill Harrison – City of Fremont	
Members:			
Nate Miley – Alameda County, District 2		Rob Bonta- City of Alameda	
Farid Javandel – City of Albany		Peggy Thomsen – City of Albany	
Ruth Atkin – City of Emeryville		Kurt Brinkman – City of Emeryville	
Suzanne Chan – City of Fremont		Bill Harrison – City of Fremont	
Luis Freitas – City of Newark		Alberto Huezo – City of Newark	
Larry Reid – City of Oakland		Patricia Kernighan – City of Oakland	

LEGAL COUNSEL

Zack Wasserman – WRBD

Neal Parish – WRBD

Geoffrey Gibbs - GLG

STAFF

Arthur L. Dao – Executive Director

Vanessa – Clerk of the Commission









Stewart Ng, Deputy Director of Programming and Project Management

Matt Todd - Manager of Programming

Ray Akkawi – Manager of Project Delivery

Claudia Leyra – Admin. Asst.

Kanda Raj – Project Controls Team
Tamara Halbritter (Consultant for Programs)

STAFF	Initials	STAFF	Initials
Tess Lengyel – Deputy Director of Policy, Public Affairs and Legislation		Yvonne Chan – Accounting Manager	
Beth Walukas – Deputy Director of Planning		Arun Goel – Project Controls Engineer	
Patricia Reavey – Director of Finance		Linda Adams – Executive Assistant	
Gladys Parmelee – Office Supervisor		Lei Lam – Senior Accountant	
		Sammy Ng – Senior Accountant	
Steve Haas – Senior Transportation Engineer		Patty Seu - Accountant	
John Hemiup – Senior Transportation Engineer		Jacki Taylor – Programming Analyst	
Saravana Suthanthira - Senior Transportation Planner		Laurel Poeton – Assistant Transportation Planner	
Diane Stark - Senior Transportation Planner		Frank R. Furger – Executive Director, I-680 JPA	
Vivek Bhat - Senior Transportation Engineer		James O'Brien	
Liz Brazil – Contract Compliance & Outreach Analyst		Stefan Garcia	

NAME	JURISDICTION/ ORGANIZATION	PHONE #	E-MAIL
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Memorandum

DATE: December 27, 2011

TO: Programs and Projects Committee

FROM: Jacki Taylor, Program Analyst

SUBJECT: Approval of Third Cycle Lifeline Program Structure

Recommendation

It is recommended the Commission:

1. Approve the project evaluation criteria and weighting to be used for the project selection process of the Third Cycle Lifeline Transportation Program (Cycle 3), and
2. Approve the programming of Cycle 3 funding for updating Community-Based Transportation Plans (CBTPs).

ACTAC is scheduled to consider this item on January 3rd.

Summary

MTC released the Third Cycle Lifeline Transportation Program Guidelines on December 21st. As with the Cycle 2 Lifeline program the Alameda CTC, as the Congestion Management Agency, has been designated as the county-level Lifeline Program Administrator. The MTC Guidelines allow for additional evaluation criteria and weighting to be added to MTC's standard evaluation criteria. Changes from the Cycle 2 program are proposed and include the addition of STP funds which allow for CBTP updates. A proposed schedule for Cycle 3 programming is attached (Attachment B). The call for projects is scheduled to be released in late January and adopted county programs are due to MTC in May 2012.

Background

MTC established the Lifeline Transportation Program in 2006 to address the mobility needs of low-income residents of the San Francisco Bay Area. The Lifeline Program is intended to support community-based transportation projects that:

- Are developed through a collaborative and inclusive planning process that includes broad partnerships among a variety of stakeholders.
- Address transportation gaps and/or barriers identified through a Community-Based Transportation Plan (CBTP) or are otherwise based on a documented assessment of needs within the designated communities of concern.
- Expand the range of transportation choices by adding a variety of new or expanded services.

Two Lifeline funding cycles have been completed to date, providing \$74 million for 125 projects regionwide. Projects are selected at the county level and are tailored to meet a broad range of locally

identified needs, including fixed-route transit, transit stop improvements, pedestrian and bicycle access improvements, senior and children's transportation, community shuttles, auto loan programs, and mobility management activities.

Third Cycle Program

MTC's Third Cycle Lifeline Transportation Program Guidelines are attached (Attachment A). Cycle 3 proposes \$87 million in funding for the region from the following mix of state and federal funds:

- Proposition 1B Transit,
- State Transportation Assistance (STA),
- Job Access and Reverse Commute (JARC), and
- Surface Transportation Program (STP).

Of this amount, \$9.5 million is estimated for Alameda County from the STA, JARC, and STP sources, with the Proposition 1B funds programmed directly to transit operators in the county (See MTC Guidelines, Tables B and C). Appendix 1 of the MTC Guidelines provides detailed information by fund source, including sponsor and project eligibility, local match, timing of funds, and reporting requirements. Changes from the Cycle 2 Lifeline program include the following:

- Proposition 1B Transit funds to be distributed directly to transit operators, approximately \$46 million, (with Alameda CTC concurrence required). This revised process streamlines program administration by recognizing Proposition 1B funding eligibility limitations.
- Low-income population factors to be updated with 2010 Census Data.
- Three year funding cycle (note the amount of funds anticipated for the 3rd year, FY 12/13, is uncertain).
- Expands the list of acceptable plans from which Lifeline projects must be derived. CBTPs or "other substantive local planning efforts" are accepted.
- Includes a mobility management solicitation. MTC will solicit 1 or 2 mobility management projects toward development of Consolidated Transportation Agencies (CTSAs) using approximately \$0.7 million in available JARC funds.
- Applicants with multi-county projects will apply to all affected counties. Lifeline Program Administrators will work together to score and if selected, determine appropriate funding.
- \$1 million of program to be set aside for the development /implementation of a regional means-based fare discount program.
- For MTC grant administration, transit operators will be required to apply for and maintain their own FTA grants. MTC will apply for and maintain FTA grants for non-transit operators.
- Added project delivery requirements. MTC may reprogram funds if project sponsors fail to obligate funds within 12 months of program approval. Sponsors have three years to complete their projects.

An estimated \$2.1 million of STP funds is included in the overall \$9.5 million available, and should provide a flexible funding mix for the program including allowing for Community-Based Transportation Plan (CBTP) updates. Staff proposes to use a portion of the available STP to update the previously completed CBTPs in Alameda County. MTC requires a county-led process involving multiple stakeholders to establish a way to prioritize the updates (e.g., oldest first, largest populations,

highest percentage of implemented projects). Staff proposes use up to 5% of the total Cycle 3 Lifeline Program funds (about \$475,000 of STP) to update CBTPs. Staff proposes to prioritize CBTPs completed prior to 2008. Additional information on the status and requirements to update these plans will be available at the meeting. Because MTC has limited the expenditure period for Cycle3 funds to three years, the number of CBTP updates proposed for Cycle 3 may be limited. ACTAC is scheduled to consider this at its January 3rd meeting.

Project Selection Process

Attachment B is the Alameda CTC's proposed programming schedule for the Lifeline Cycle 3 program. The Call for Projects is scheduled for release by the end of January. Proposition 1B applications will be due mid-February with applications for all other fund sources due at the end of February. In light of the complex mix of funding sources and eligibility requirements, the Alameda CTC plans to hold an application workshop in February 2012. Received applications will be evaluated by a review panel as per the MTC Guidelines.

MTC has established standard evaluation criteria to be used to assess and select projects. The six criteria include (1) project need/goals and objectives, (2) community-identified priority, (3) implementation plan and project management capacity, (4) coordination and program outreach, (5) cost-effectiveness and performance indicators, and (6) project budget/sustainability. Lifeline Program Administrators may establish the weight to be assigned for each criterion in the assessment process. Additional criteria may be added to a county program but should not replace or supplant the regional criteria. MTC staff will review the proposed county program criteria to ensure consistency and to facilitate coordination among county programs.

Attachment C is the evaluation criteria and weighting used for the Cycle 2 Lifeline Program and the proposed criteria for Cycle 3. At its January 3rd meeting ACTAC will be requested to recommend approval of the project evaluation criteria and weighting to be used for the project selection process of the Cycle 3 Lifeline Transportation Program.

Attachments

Attachment A: MTC Third Cycle Lifeline Transportation Program Guidelines

Attachment B: Alameda CTC Proposed Programming Schedule for Lifeline Cycle 3 Program

Attachment C: Lifeline Cycle 2 Evaluation Criteria and Weighting

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Date: December 21, 2011
W.I.: 1311
Referred by: PAC

ABSTRACT

Resolution No. 4033

This Resolution adopts the Third Cycle Lifeline Transportation Program Guidelines and Fund Estimate.

The following attachment is provided with this Resolution:

Attachment A — Third Cycle Lifeline Transportation Program Guidelines and Funding
FY2010-11 through FY2012-13

Further discussion of the Lifeline Program Guidelines is provided in the Programming and Allocations Committee Summary dated December 14, 2011.

Date: December 21, 2011
W.I.: 1311
Referred by: PAC

RE: Third Cycle Lifeline Transportation Program Guidelines and Fund Estimate

METROPOLITAN TRANSPORTATION COMMISSION
RESOLUTION NO. 4033

WHEREAS, the Metropolitan Transportation Commission (MTC) is the regional transportation agency for the San Francisco Bay Area pursuant to Government Code Section 66500 *et seq.*; and

WHEREAS, MTC adopted Resolution 3814, which directed Proposition 1B funds to the Lifeline Transportation Program; and

WHEREAS, MTC adopted Resolution 3837, which established a consolidated policy for State Transit Assistance (STA) – population-based funds, including a set percentage to the Lifeline Transportation Program; and

WHEREAS, MTC is the designated recipient for federal Job Access Reverse Commute (JARC) funds and has incorporated these funds into the Lifeline Transportation Program; and

WHEREAS, MTC is the designated recipient for regional Surface Transportation Program (STP) and Congestion Mitigation and Air Quality Improvement (CMAQ) funds for the San Francisco Bay Area and has incorporated or will incorporate certain STP and/or CMAQ funds into the Lifeline Transportation Program; and

WHEREAS, MTC has conducted a program evaluation of the Lifeline Transportation Program and has made revisions to the program based on evaluation results; and

WHEREAS, MTC will use the process and criteria set forth in Attachment A of this Resolution to fund a program of projects for the third-cycle of the Lifeline Transportation Program; now, therefore be it

RESOLVED, that MTC approves the program guidelines to be used in the administration and selection of the Third Cycle of Lifeline Transportation projects, as set forth in Attachment A of this Resolution; and be it further

RESOLVED, that the Executive Director of MTC is authorized and directed to modify the programming targets in Attachment A if the final Lifeline funding apportionments differ from the estimated amounts; and be it further

RESOLVED, that the Executive Director of MTC shall forward a copy of this Resolution, and such other information as may be required, to such other agencies as may be appropriate.

METROPOLITAN TRANSPORTATION COMMISSION

Adrienne J. Tissier, Chair

The above Resolution was entered into by the Metropolitan Transportation Commission at a regular meeting of the Commission held in Oakland, California on December 21, 2011.

Date: December 21, 2011
W.I.: 1311
Referred by: PAC

Attachment A
MTC Resolution No. 4033
Page 1 of 16

Third Cycle Lifeline Transportation Program Guidelines and Funding FY 2011 through FY 2013

Program Goals: The Lifeline Transportation Program is intended to fund projects that result in improved mobility for low-income residents of the nine San Francisco Bay Area counties, and are expected to carry out the following regional Lifeline Program goals:

The Lifeline Program supports community-based transportation projects that:

- Are developed through a collaborative and inclusive planning process that includes broad partnerships among a variety of stakeholders such as public agencies, transit operators, community-based organizations and other community stakeholders, and outreach to underrepresented stakeholders.
- Improve a range of transportation choices by adding a variety of new or expanded services including but not limited to: enhanced fixed route transit services, shuttles, children's programs, taxi voucher programs, improved access to autos, and capital improvement projects.
- Address transportation gaps and/or barriers identified in Community-Based Transportation Plans (CBTP) or other substantive local planning efforts involving focused outreach to low-income populations. While preference will be given to community-based plan priorities, strategies emerging from countywide or regional welfare-to-work transportation plans, the Coordinated Public Transit-Human Services Transportation Plan or other documented assessment of need within the designated communities of concern will also be considered. Findings emerging from one or more CBTPs or other relevant planning efforts may also be applied to other low-income areas, or otherwise be directed to serve low-income constituencies within the county, as applicable.
- Transportation needs specific to elderly and disabled residents of low-income communities may also be considered when funding projects. Existing transportation services may also be eligible for funding.

Program Administration: The Lifeline Program will be administered by county congestion management agencies (CMAs) or other designated county-wide agencies as follows:

County	Lifeline Program Administrator
Alameda	Alameda County Transportation Commission
Contra Costa	Contra Costa Transportation Authority
Marin	Transportation Authority of Marin
Napa	Napa County Transportation Planning Agency
San Francisco	San Francisco County Transportation Authority
San Mateo	City/County Association of Governments
Santa Clara	Santa Clara Valley Transportation Authority and Santa Clara County
Solano	Solano Transportation Authority
Sonoma	Sonoma County Transportation Authority

Lifeline Program Administrators are responsible for soliciting applications for the Lifeline Program. This requires a full commitment to a broad, inclusive public involvement process and using multiple methods of public outreach. Methods of public outreach include, but are not limited to highlighting the program and application solicitation on the CMA website; sending targeted postcards and e-mails to local community-based organizations, city departments, and non-profit organizations (particularly those that have previously participated in local planning processes); and contacting local elected officials and their staffs. Further guidance for public involvement is contained in MTC's Public Participation Plan.

For the selection of projects involving federal funds, Lifeline Program Administrators must also consider fair and equitable solicitation and selection of project candidates in accordance with federal Title VI requirements, i.e. funds must be distributed without regard to race, color, and national origin.

Fund Availability: Fund sources for the Third Cycle Lifeline Program (FY2010-2011 to FY2012-2013) include State Transit Assistance (STA), Proposition 1B - Transit funds, Job Access and Reverse Commute (JARC), and Surface Transportation Program (STP), as shown in Table A. Note that MTC may apply Congestion Mitigation and Air Quality Improvement (CMAQ) funds instead of STP to CMAQ-eligible projects, and references throughout these guidelines to "STP" should be considered as "STP or CMAQ". Funding for STA, JARC¹, and STP will be assigned to counties by each fund source, based on the county's share of the regional poverty population consistent with the estimated distribution outlined in Table B. Note that the county shares were updated using 2010 census data which resulted in some shifts compared to previous Lifeline cycles. Lifeline Program Administrators will assign funds to eligible projects in their counties based on a competitive process to be conducted by the Lifeline Program Administrators in each county. Proposition 1B funding will be assigned by MTC directly to transit operators and counties based on a formula that distributes half of the funds according to the transit operators' share of the regional low-income ridership and half of the funds according to the transit operators' share of the regional low-income population. The formula distribution is shown in Table C. All funded projects must meet the eligibility requirements of the respective funding source. See Appendix 1 for detailed eligibility requirements by fund source.

¹ Consistent with federal JARC guidance, MTC may set aside up to five percent of the region's FY11, FY12 and FY13 JARC apportionments to fund administration, planning and technical assistance.

MTC will set aside up to \$1 million in STA funds toward the development and implementation of a regional means-based discount. In Phase 1 of the means-based discount project, MTC will develop the regional concept, including identifying who is eligible, costs, funding, relationship to other discounts, etc. MTC will convene a regional Technical Advisory Committee to assist with scope development and project oversight. Depending on the results of Phase 1, any remaining funds from the \$1 million set-aside will be used for implementation activities.

Multi-Year Programming: The Third Cycle Lifeline Transportation Program will cover a three-year programming cycle, FY2010-2011 to FY2012-2013.

Competitive Process: Projects must be selected through an open, competitive process with the following exceptions:

(1) In an effort to address the sustainability of fixed-route transit operations, Lifeline Program Administrators may elect to allocate some or all of their STA funds directly to transit operators for Lifeline transit operations within the county. Projects must be identified as Lifeline projects before transit operators can claim funds, and will be subject to Lifeline Program reporting requirements.

(2) In most cases, Proposition 1B Transit funds will be allocated directly to transit operators by MTC, due to the limited eligibility and uses of this fund source. Upon concurrence from the applicable governing board of the CMA, transit operators may program funds to any capital project that is consistent with the Lifeline Program and goals, and is eligible for this fund source. Transit operators are encouraged to consider needs throughout their service area. Projects must be identified as Lifeline projects before transit operators can claim funds, and, at the discretion of the Lifeline Program Administrators, may be subject to Lifeline Program reporting requirements. For Solano and Sonoma counties, Proposition 1B funds are being directed to the CMA, who should include these funds in the overall Lifeline programming effort (keeping in mind the limited sponsor and project eligibility of Proposition 1B funds).

Other exceptions may be considered by MTC on a case-by-case basis but must meet the guidelines/restrictions of the applicable fund sources. LPAs should contact MTC staff as early as possible for any exception requests.

Grant Application: To ensure a streamlined application process for project sponsors, a universal application form (or standard format and content for project proposals) will be used, but, with review and approval from MTC, may be modified as appropriate by the Lifeline Program Administrator for inclusion of county-specific grant requirements.

Applicants with multi-county projects must notify the relevant Lifeline Program Administrators and MTC about their intent to submit a multi-county project, and submit copies of their application to all of the relevant counties. If the counties have different application forms, the applicant can submit the same form to all counties, but should contact the Lifeline Program Administrators to determine the appropriate form. If the counties have different application deadlines, the applicant should adhere to the earliest deadline. The Lifeline Program Administrators will work together to score and rank the multi-county projects, and, if selected, to

determine appropriate funding. (Note: Multi-county operators with projects that are located in a single county need only apply to the county where the project is located.)

Program Match: The Lifeline Program requires a minimum local match of 20% of the total project cost; new Lifeline Transportation Program funds may cover a maximum of 80% of the total project cost.

There are two exceptions to the 20% match requirement:

(1) JARC operating projects require a 50% match. However, consistent with MTC's approach in previous funding cycles, Lifeline Program Administrators may use STA funds to cover the 30% difference for projects that are eligible for **both** JARC and STA funds.

(2) All auto-related projects require a 50% match.

Project sponsors may use certain federal or local funding sources (Transportation Development Act, operator controlled State Transit Assistance, local sales tax revenue, etc.) to meet the match requirement. The match may include a non-cash component such as donations, volunteer services, or in-kind contributions as long as the value of each is documented and supported, represents a cost that would otherwise be eligible under the program, and is included in the net project costs in the project budget.

For JARC projects, the local match can be *non*-Department of Transportation (DOT) federal funds. Eligible sources of non-DOT federal funds include: Temporary Assistance to Needy Families (TANF), Community Services Block Grants (CSBG) and Social Services Block Grants (SSBG) administered by the US Department of Health and Human Services or Community Development Block grants (CDBG) and HOPE VI grants administered by the US Department of Housing and Urban Development (HUD). Grant funds from private foundations may also be used to meet the match requirement.

Eligible Projects: Per the requirements set forth in the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), projects selected for funding under the JARC program must be "derived from a locally developed, coordinated public transit-human services transportation plan", and the plan must be "developed through a process that includes representatives of public, private, and non-profit transportation and human services providers and participation by members of the public." A locally developed, coordinated, public transit-human services transportation plan ("coordinated plan") identified the transportation needs of individuals with disabilities, older adults, and people with low incomes, and provides strategies for meeting those local needs. The Bay Area's Coordinated Plan was adopted in December 2007 and is available at <http://www.mtc.ca.gov/planning/pths/>. The plan includes a low-income component and an elderly and disabled component.

Eligible operating projects, consistent with requirements of funding sources, may include (but are not limited to) new or enhanced fixed route transit services, restoration of lifeline-related transit services eliminated due to budget shortfalls, shuttles, children's transportation programs,

taxi voucher programs, improved access to autos, etc. See Appendix 1 for additional details about eligibility by funding source.

Eligible capital projects, consistent with requirements of funding sources, include (but are not limited to) purchase of vehicles; bus stop enhancements, including the provision of bus shelters, benches, lighting or sidewalk improvements at or near transit stops; rehabilitation, safety or modernization improvements; or other enhancements to improve transportation access for residents of low-income communities. See Appendix 1 for additional details about eligibility by funding source.

Eligible planning projects, consistent with requirements of funding sources, include (but are not limited to) planning assistance for updating Community-Based Transportation Plans (CBTP), consolidated transportation services planning, and bicycle and pedestrian planning projects. CBTP updates are eligible for STP funding provided the following conditions are met: 1) All of the previously identified CBTPs in the county have been completed²; 2) The county has identified a lead agency to update the status of existing plans, needs, and projects, and to track implementation of projects over time; 3) A county-led process involving multiple stakeholders has established a way to set priorities for plan updates within the county (e.g., oldest first, largest populations, highest percentage of implemented projects); 4) Communities getting plan updates must be identified as Communities of Concern (CoCs) as part of the Plan Bay Area process to have priority, but countywide updates will be considered in counties with either no CoCs or with more than two-thirds of the county low-income population residing outside designated CoCs. Counties may decide whether and/or how to prioritize CBTP updates over other eligible uses such as bicycle and pedestrian projects. See Appendix 1 for additional details about eligibility by funding source.

Transportation needs specific to elderly and disabled residents of low-income communities may also be considered when funding Lifeline projects.

Project Selection/Draft Program of Projects: MTC is the designated recipient for the Bay Area's large Urbanized Area (UA) funding apportionment of JARC funds. Caltrans is the designated recipient for California's small and non-UA funding apportionment of JARC funds. As the designated recipient, MTC is responsible for ensuring a competitive selection process to determine which projects should receive funding. For the large UA apportionment, the competitive selection is conducted on a county-wide basis. For the small and non-UA apportionment, the competitive selection is conducted by Caltrans.

For the MTC process, standard evaluation criteria will be used to assess and select projects. The six criteria include (1) project need/goals and objectives, (2) community-identified priority, (3) implementation plan and project management capacity, (4) coordination and program outreach, (5) cost-effectiveness and performance indicators, and (6) project budget/sustainability.³ Lifeline

² Because funding has been available for completing the region's remaining CBTPs since 2008, counties who have not completed all of their existing plans will not be eligible for any plan update funds. MTC's expectation is that all CBTPs will be complete by the end of this cycle.

³ For future cycles of the Lifeline Transportation Program, transit operations projects will need to be consistent with recommendations stemming from MTC's Transit Sustainability Project. See <http://www.mtc.ca.gov/planning/tsp/>

Program Administrators may establish the weight to be assigned for each criterion in the assessment process.

Additional criteria may be added to a county program but should not replace or supplant the regional criteria. MTC staff will review the proposed county program criteria to ensure consistency and to facilitate coordination among county programs.

Each county will appoint a local review team of CMA staff, the local low-income or minority representative from MTC's Policy Advisory Council, and representatives of local stakeholders, such as, transit operators, other transportation providers, community-based organizations, social service agencies, and local jurisdictions, to score and select projects. Counties are strongly encouraged to appoint a diverse group of stakeholders for their local review team. Each county will assign local priorities for project selection.

In funding projects, preference will be given to strategies emerging from local CBTP processes or other substantive local planning efforts involving focused outreach to low-income populations. Projects included in countywide regional welfare-to-work transportation plans, the Coordinated Public Transit-Human Services Transportation Plan or other documented assessment of need within the designated communities of concern will also be considered. Findings emerging from one or more CBTPs or other relevant planning efforts may also be applied to other low-income areas, or otherwise be directed to serve low-income constituencies within the county, as applicable. Regional Lifeline funds should not supplant or replace existing sources of funds.

A full program of projects is due to MTC from each Lifeline Program Administrator on May 15, 2012. However, with state and federal funding uncertainties, sponsors with projects selected for FY2013 JARC funds should plan to defer the start of those projects until the funding is appropriated and secured. Lifeline Program Administrators, at their discretion, may opt to prioritize high scoring projects with FY2011 and FY2012 funds. MTC staff will work with Lifeline Program Administrators on this sequencing; more will be known about the FY2013 funds near the end of calendar year 2012.

Project Delivery: All projects funded under the county programs are subject to MTC obligation deadlines and project delivery requirements. STP funds are subject to all of the delivery requirements in MTC Res. 3606. All projects will be subject to a "use it or lose it" policy. Beginning this cycle, MTC is adding a project delivery requirement that project sponsors must expend the Lifeline Transportation funds within three years of the grant award or execution of subrecipient agreement with MTC, whichever is applicable.

Policy Board Adoption: Prior to the programming of funds to any project, MTC requires that the project sponsor adopt and submit a resolution of local support. Projects recommended for STA, JARC and STP funding must be submitted to and approved by the respective governing board of the Lifeline Program Administrator. Projects funded with Proposition 1B Transit funds must have concurrence from the applicable CMA; furthermore, Caltrans requires that Proposition 1B - Transit projects either be consistent with the project sponsor's most recent short-range transit plan (SRTP), as evidenced by attaching the relevant SRTP page to the allocation request, or be accompanied by a certified Board Resolution from the project sponsor's governing board. For all

funds, the appropriate governing board shall resolve that approved projects not only exemplify Lifeline Program goals, but that the local project sponsors understand and agree to meeting all project delivery, funding match and eligibility requirements, and obligation and reporting deadlines and requirements.

Project Oversight: For Lifeline projects funded by STA, JARC, and STP, Lifeline Program Administrators are responsible for programmatic and fiscal oversight, and for ensuring projects meet MTC obligation deadlines and project delivery requirements. In addition, Lifeline Program Administrators will ensure that projects substantially carry out the scope described in the grant applications for the period of performance, and are responsible for approving reimbursement requests, budget changes, and scope of work changes, prior to MTC's authorization. All scope changes must be fully explained and must demonstrate consistency with Lifeline Program goals. Any changes to JARC or STP funded projects must be reported to MTC and reconciled with FTA (or FHWA, as applicable for STP funds).

For projects funded by Proposition 1B, the Lifeline Program Administrators are encouraged to continue coordination efforts with the project sponsors if they feel that it would be beneficial toward meeting the Lifeline goals; however, this may not be necessary or beneficial for all Proposition 1B projects.

See appendix 1 for detailed accountability and reporting requirements by funding source.

As part of the Call for Projects, applicants will be asked to establish project goals, and to identify basic performance indicators to be collected in order to measure the effectiveness of the Lifeline projects. At a minimum, performance measures for service-related projects would include: documentation of new "units" of service provided with the funding (e.g., number of trips, service hours, workshops held, car loans provided), cost per unit of service, and a qualitative summary of service delivery procedures employed for the project. For capital projects, project sponsors are responsible for establishing milestones and reporting on the status of project delivery. For planning projects, project sponsors are responsible for establishing a schedule of deliverables related to the project. Project sponsors are responsible for satisfying all reporting requirements, as referenced in Appendix 1. Lifeline Program Administrators will forward all reports containing performance measures to MTC for review and overall monitoring of the Lifeline Transportation Program.

Fund Administration:

For projects receiving JARC Funds: MTC will enter all projects into the Transportation Improvement Program (TIP). For projects sponsored by non-Federal Transit Administration (FTA) grantees, e.g., nonprofits or other local government entities, MTC will enter projects into MTC's FTA grant planned to be submitted in fall 2012. Following FTA approval of the grant, MTC will enter into funding agreements with subrecipients. Transit operators who are FTA grantees will act as direct recipients, and will submit grant applications to FTA directly. MTC reserves the right to reprogram funds if direct recipients fail to obligate the funds through grant submittal and FTA approval within 12 months of program approval. See Appendix 2 for federal compliance requirements.

For projects receiving STA funds: For transit operators receiving STA funds, MTC will allocate funds directly through the annual STA claims process. For other STA eligible projects administered by sponsors who are not STA eligible recipients, the project sponsor is responsible for identifying a local transit operator who will act as a pass-through for the STA funds, and will likely seek to enter into a funding agreement directly with the project sponsor.

For projects receiving Proposition 1B Transit Funds: Project sponsors receiving Proposition 1B funds must submit a Proposition 1B application to MTC for submittal to Caltrans with prior review by MTC. The estimated due date to Caltrans is June 1, 2012. The state will distribute funds directly to the project sponsor. Note that although the Proposition 1B Transit Program is intended to be an advance-payment program, actual disbursement of funds is dependent on the State budget and State bond sales.

For projects receiving STP funds: Projects must comply with the provisions of the Cycle 2 STP/CMAQ programming guidelines and program adoption, and project sponsors must submit a Local Resolution of Support (template located on MTC's Website at: <http://www.mtc.ca.gov/funding/STPCMAQ/>) meet all of the delivery requirements in MTC Resolution 3606 (located on MTC's Website at: <http://www.mtc.ca.gov/funding/delivery/>) and STP funds must be obligated by the Federal Highway Administration (FHWA) or transferred to FTA by April 30, 2014. Furthermore, the following provisions apply accordingly:

- Transit operators who are FTA grantees will act as direct recipients, and will enter projects into the TIP, request FHWA transfers through Caltrans and submit grant applications to FTA directly. MTC reserves the right to reprogram funds if direct recipients fail to obligate the funds through grant submittal and FTA approval within 18 months of MTC approval of the project.
- For non-FTA grantees with transit projects, the CMA (or appropriate agency) will enter projects into the TIP, request a transfer of funds from FHWA to FTA, and include the projects into an FTA grant for submittal in spring 2013. Following FTA approval of the grant, the CMA or appropriate agency will execute funding agreements with the implementing entity.
- Local non-transit agencies with non-transit projects (e.g., planning, bicycle, and pedestrian projects) will receive the funding directly, and will enter projects into the TIP and submit obligation/authorization requests through Caltrans to FHWA. (See Appendix 2 for federal compliance requirements.)

Timeline Summary

Program	Action	Date
JARC/STA/STP	MTC issues guidelines to counties	December 21, 2011
Prop 1B	Transit operators submit draft project lists to CMAs	February 15, 2012
Prop 1B	Allocation requests due to MTC (concurrence from the CMA is required)	April 11, 2012
Prop 1B	MTC & transit operators submit TIP amendments	End of April – Deadline TBD
Prop 1B	Commission approval of Prop 1B projects	May 23, 2012
Prop 1B	MTC submits FY11 request to Caltrans	June 1, 2012
JARC/STA/STP	Board-approved programs due to MTC from CMAs	May 15, 2012
JARC/STA/STP	MTC and transit operators submit TIP Amendments	June/July 2012 – Deadline TBD
JARC/STA/STP	Commission approval of Program of Projects	June 27, 2012
STA	Operators can file claims for FY12 and FY13	After Commission Approval
JARC	MTC and transit operators submit FTA grants with FY11 and FY12 JARC projects	November/December 2012 (following TIP approval)
JARC	FY11 and FY12 JARC-funded project sponsors enter into funding agreements	January/February 2013 (following FTA grant approval)
JARC/STP	MTC confirms availability of FY13 funds; MTC and transit operators submit TIP Amendments for FY13 projects	Winter/Spring 2013 (est.)
JARC/STP	MTC and transit operators submit FTA grant or FHWA obligation request with FY13 projects	Spring/Summer 2013 (following TIP approval)
JARC/STP	FY13 project sponsors enter into funding agreements (if applicable)	Summer/Fall 2013 (following FTA grant approval)
STP	Deadline for STP funds to be obligated or transferred to FTA	April 30, 2014

**Table A – Lifeline Transportation Program
Third Cycle Funding
FY2010-11 through FY2012-13**

Fund Source	FY2011 Actual	FY2012 Estimate	FY2013 Estimate	Total
STA ¹	(Programmed in Cycle 2)	\$ 11,673,561	\$ 11,907,032	\$ 23,580,593
Prop 1B ²	\$ 46,519,967	-	-	\$ 46,519,967
JARC ³	\$ 2,562,648	\$ 2,562,648	\$ 2,562,648	\$ 7,687,944
STP ⁴	\$ -	\$ -	\$ 8,971,587	\$ 8,971,587
Total	\$ 49,082,615	\$ 14,236,209	\$ 23,441,267	\$ 86,760,091

Notes:

- (1) FY2011 STA Funds were programmed in Cycle 2. The FY2011-12 STA Estimates reflect the \$413.2 million in the FY2011-12 State Budget. The FY2012-13 STA estimates assume 2% growth.
- (2) FY2011 Prop 1B appropriations represent three years of funding.
- (3) Consistent with federal JARC guidance, MTC may set aside five percent of the region's FY11, FY12 and FY13 apportionment to fund administration, planning and technical assistance. Amounts shown here are prior to any MTC set-aside.
- (4) STP funds are available to the Lifeline Program starting in FY13, as part of MTC's "Resolution 3814 payback" being implemented in the 2nd cycle STP/CMAQ program (proposed One Bay Area Grants). Note that MTC may apply Congestion Mitigation and Air Quality Improvement (CMAQ) funds instead of STP to CMAQ-eligible projects, and references to "STP" should be considered as "STP or CMAQ."

Table B – Estimated Funding Target by Fund Source per County

County & Share of Regional Low Income Population	FY2011		FY2012		FY2013		Total
	STA ¹	JARC ²	STA	JARC ²	STA	STP ³	
Alameda	23.7%	685,806	2,653,456	685,806	2,708,899	2,130,539	9,550,312
Contra Costa	13.4%	387,331	1,498,625	387,331	1,529,939	1,203,291	5,393,849
Marin	2.6%	75,235	291,094	75,235	297,176	233,728	1,047,704
Napa	2.2%	-	245,095	-	250,216	196,794	692,105
San Francisco	13.1%	378,258	1,463,520	378,258	1,494,100	1,175,104	5,267,499
San Mateo	7.6%	218,838	846,709	218,838	864,401	679,848	3,047,472
Santa Clara	23.7%	561,175	2,650,265	561,175	2,705,643	2,127,977	9,167,409
Solano	5.8%	-	649,332	-	662,900	521,368	1,833,601
Sonoma	7.8%	127,873	875,465	127,873	893,757	702,937	2,855,777
MTC - Means-Based Discount Project		-	500,000	-	500,000	-	1,000,000
MTC - Admin, Planning, Technical Assistance ²		128,132	-	128,132	-	-	384,397
Total	100.0%	2,562,648	11,673,561	2,562,648	11,907,032	8,971,587	40,240,123

(1) FY2011 STA Funds were programmed in Cycle 2

(2) Consistent with federal JARC guidance, MTC will set aside five percent of the region's FY11, FY12 and FY13 apportionment to fund administration, planning and technical assistance

(3) STP funds are available to the Lifeline Program starting in FY13, as part of MTC's "Resolution 3814 payback" being implemented in the 2nd cycle STP/CMAQ program (proposed One Bay Area Grants). Note that MTC may apply Congestion Mitigation and Air Quality Improvement (CMAQ) funds instead of STP to CMAQ-eligible projects, and references to "STP" should be considered as "STP or CMAQ."

Table C – Estimated Funding Target for Proposition 1B Transit Funds per Transit Operator and County

Transit Operator & Hybrid Formula (Share of Regional Low Income Ridership & Share of Regional Low Income Population) ²	Prop 1B ¹		Total
	FY2011	FY2012	
AC Transit	8,403,487	-	8,403,487
BART	8,173,010	-	8,173,010
County Connection (CCCTA)	484,534	-	484,534
Golden Gate Transit/Marin Transit	1,477,729	-	1,477,729
Wheels (LAVTA)	240,910	-	240,910
Muni (SFMTA)	11,723,430	-	11,723,430
SamTrans	2,272,697	-	2,272,697
Tri Delta Transit (ECCTA)	327,019	-	327,019
VINE (NCTPA)	597,647	-	597,647
VTA	9,186,049	-	9,186,049
WestCat (WCCCTA)	147,335	-	147,335
Solano County Operators	1,547,328	-	1,547,328
Sonoma County Operators	1,938,791	-	1,938,791
Total	46,519,967	-	46,519,967

(1) FY2011 Prop 1B appropriations represent three years of funding.

(2) Only transit operators who have previously received Proposition 1B Lifeline funds are included in the formula distribution

Appendix 1 Lifeline Transportation Program Third Cycle Funding

Funding Source Information

	State Transit Assistance (STA)	Proposition 1B – Transit	Job Access and Reverse Commute (JARC)	Surface Transportation Program (STP)
Purpose of Fund Source	To improve existing public transportation services and encourage regional transportation coordination	To help advance the State's goals of providing mobility choices for all residents, reducing congestion, and protecting the environment	To improve access to transportation services to employment and related activities for welfare recipients and eligible low-income individuals	To fund highway improvements, including projects on eligible public roads, transit capital projects, and intracity/ intercity bus terminals and facilities.
Detailed Guidelines	http://www.dot.ca.gov/hq/MassTrans/Docs-Pdfs/TDA2007Work.pdf	www.mtc.ca.gov/funding/infrastructure/PTMISEA_12-05-07.PDF	www.fta.dot.gov/documents/FTA_C_9050_1_JARC.pdf	http://www.fhwa.dot.gov/programadmin/13005.cfm
Use of Funds	For public transportation purposes including community transit services	For public transportation purposes	For transportation services that meet the transportation needs of low-income persons	For public transportation purposes
Eligible Recipients	<ul style="list-style-type: none"> Transit operators Cities and Counties if eligible to claim TDA MTC for regional coordination Other entities, under an agreement with an eligible recipient 	Transit operators or local agencies that are eligible to receive STA funds, as listed by State Controller's Office	<ul style="list-style-type: none"> Operators of public transportation services, including private operators of public transportation services Private non-profit organizations State or local governmental authority 	<ul style="list-style-type: none"> Operators of public transportation services. State or local governmental authority
Eligible Projects	<p>Transit Capital and Operations, including:</p> <ul style="list-style-type: none"> New, continued or expanded fixed-route service Purchase of vehicles Shuttle service if available for use by the general public Purchase of technology (i.e. GPS, other ITS applications) Capital projects such as bus stop improvements, including bus benches, shelters, etc. Various elements of mobility management, if consistent with STA program purpose and allowable use. These may include planning, coordinating, capital or operating activities. 	<p>Transit Capital (including a minimum operable segment of a project) for:</p> <ul style="list-style-type: none"> Rehab, safety, or modernization improvements Capital service enhancements or expansions New capital projects Bus rapid transit improvements Rolling stock procurement, rehab, or replacements <p>Projects must be consistent with most recently adopted short-range transit plan or other publicly adopted plan that includes transit capital improvements.</p>	<p>Capital and Operating projects including:</p> <ul style="list-style-type: none"> Services (e.g. late-night & weekend, shuttles) Ridesharing and carpooling Transit-related aspects of bicycling Local car loan programs Marketing Certain pedestrian and bicycle projects Administration and expenses for voucher programs ITS, AVL, etc. for improving scheduling and dispatch Mobility management <p>Projects must be derived from the regionally-adopted Coordinated Public Transit-Human Services Transportation Plan.</p>	<p>Capital and Planning projects including:</p> <ul style="list-style-type: none"> Public transit capital improvements Rehab, safety, or modernization improvements Pedestrian and bicycle facilities Transportation planning activities Community-Based Transportation Plan updates Consolidated transportation services planning

	State Transit Assistance (STA)	Proposition 1B – Transit	Job Access and Reverse Commute (JARC)	Surface Transportation Program (STP)
Lifeline Program Local Match	20%	20%	<ul style="list-style-type: none"> 50% for operating projects (may use STA funds to cover up to 30% if project is eligible for both JARC and STA) 50% for auto projects 20% for capital projects 	20%
Estimated timing for availability of funds to project sponsor	<ul style="list-style-type: none"> Transit operators and eligible cities and counties can initiate claims for FY12 and FY13 funds immediately following MTC approval of program of projects for current fiscal year funds. For “other entities”, the eligible recipient acting as fiscal agent will initiate a funding agreement following MTC approval of program of projects. Funds will be available on a reimbursement basis after execution of the agreement. 	Project sponsors must submit a Proposition 1B application to MTC for submittal to Caltrans by April 11, 2012. Disbursement timing depends on bond sales.	<p>For FY11 and FY12 funds, following MTC approval of the program of projects, there will be a 3-6 month process of entering projects in the TIP, applying for the FTA grant, FTA review and award. Following FTA award, there will be an additional 3 month process of entering into funding agreements with the non-FTA recipient project sponsors. Funds will be available on a reimbursement basis after execution of agreements. For FY13 funds, the 6-9 month process of entering projects in the TIP, applying for the FTA grant, and entering into funding agreements will start as soon as the funds are appropriated and secured (approximately Spring 2013).</p>	<p>For transit projects: After approval by the Commission, the sponsor will enter projects in the TIP, apply to FHWA for a funds transfer to FTA, apply for the FTA grant, FTA review and award. Following FTA award, there will be an additional process of entering into funding agreements with the non-FTA recipient project sponsors. Funds will be available on a reimbursement basis after execution of agreements.</p> <p>For local agencies with non-transit projects (e.g., bicycle and pedestrian facilities): After project approval by the MTC Commission, the sponsor will enter projects in the TIP, followed by submitting the obligation requests to FHWA. Project sponsors cannot spend STP funds until after they receive FHWA authorization.</p>
Accountability & Reporting Requirements	<ul style="list-style-type: none"> Transit operators and eligible cities and counties must submit annual performance (i.e., ridership) statistics for the project, first to Lifeline Program Administrators for review, and then to MTC along with annual claim. Depending on the arrangement with the pass-through agency, “other entities” will likely submit quarterly performance reports with invoices, first to the pass-through agency for reimbursement, and then to Lifeline Program Administrators for review. 	<p>Using designated Caltrans forms, project sponsors are required to submit project activities and progress reports to the state every six months, as well as a project close-out form. Caltrans will track and publicize progress via their website.</p> <p>Project sponsor will not be required to submit progress reports to the Lifeline Program Administrator unless the LPA believes that county-level project monitoring would be beneficial.</p>	<p>Non-FTA recipient sponsors will submit quarterly performance reports with invoices, first to Lifeline Program Administrators for review, and then to MTC for reimbursement. Non-FTA recipient sponsors will also submit FTA Certifications and Assurances and Title VI reports annually to MTC, and are subject to Title VI monitoring. FTA recipients are responsible for following all applicable federal requirements for preparing and maintaining their JARC grants. All project sponsors will submit annual JARC reporting information to MTC.</p>	<p>Non-FTA recipient sponsors will submit quarterly performance reports with invoices, first to Lifeline Program Administrators for review, and then to MTC for reimbursement. Non-FTA recipient sponsors will also submit FTA Certifications and Assurances and Title VI reports annually to MTC, and are subject to Title VI monitoring. FTA recipients are responsible for following all applicable federal requirements for preparing and maintaining their STP grants. All project sponsors will submit annual STP reporting information to MTC.</p>

Note: Information on this chart is accurate as of December 2011. MTC will strive to make Lifeline Program Administrators aware of any changes to fund source guidelines that may be enacted by the appropriating agencies (i.e. State of California, Federal Transit Administration).

Appendix 2 Lifeline Transportation Program Third Cycle Funding

Compliance with Federal Requirements for Job Access and Reverse Commute (JARC) and Surface Transportation Program (STP) Funds

Applicants should be prepared to abide by all applicable federal requirements as specified in 49 U.S.C. Section 5316, FTA Circulars C 9050.1 and 4702.1A, the most current FTA Master Agreement MA(13), and the most current Certifications and Assurances for FTA Assistance Programs.

MTC includes language regarding these federal requirements in its funding agreements with subrecipients and requires each subrecipient to execute a certification of compliance with the relevant federal requirements. Subrecipient certifications are required of the subrecipient prior to the execution of a funding agreement by MTC and annually thereafter when FTA publishes the annual list of certifications and assurances.

Direct recipients are responsible for adhering to FTA requirements through their agreements and grants with FTA directly.

Title VI of the Civil Rights Act

In connection with MTC's Title VI monitoring obligations, as outlined in FTA Circular 4702.1A (Title VI and Title VI-Dependent Guidelines for Federal Transit Administration Recipients), applicants will be required to provide the following information in the grant application:

- a. The organization's policy regarding Civil Rights (based on Title VI of the Civil Rights Act) and for ensuring that benefits of the project are distributed equitably among low-income and minority population groups in the project's service area.
- b. Information on whether the project will provide assistance to predominately minority and low-income populations. (Projects are classified as providing service to predominately minority and low-income populations if the proportion of minority and low-income people in the project's service area exceeds the regional average minority and low-income population.)

In order to document that federal funds are passed through without regard to race, color or national origin, and to document that minority populations are not being denied the benefits of or excluded from participation in the Lifeline Transportation Program, MTC will keep a record of applications submitted for Lifeline funding. MTC's records will identify those applicants that would use grant program funds to provide assistance to predominately minority and low-income populations and indicate whether those applicants were accepted or rejected for funding.

MTC requires that all JARC and STP subrecipients submit all appropriate FTA certifications and assurances to MTC prior to funding agreement execution and annually thereafter when FTA publishes the annual list of certifications and assurances. MTC will not execute any funding agreements prior to having received these items from the selected subrecipients. MTC, within its administration, planning, and technical assistance capacity, also will comply with all appropriate certifications and assurances for FTA assistance programs and will submit this information to the FTA as required.

The certifications and assurances pertaining to civil rights include:

1. Nondiscrimination Assurances in Accordance with the Civil Rights Act
2. Documentation Pertaining to Civil Rights Lawsuits and Complaints

Nondiscrimination assurances included above involve the prohibition of discrimination on the basis of race, color, creed, national origin, sex, or age, and prohibit discrimination in employment or business opportunity, as specified by 49 U.S.C. 5332 (otherwise known as Title VI of the Civil Rights Act of 1964O, as amended (42 U.S.C. 2000d et seq.) and U.S. DOT regulations, *Nondiscrimination in Federally-Assisted Programs of the*

Department of Transportation-Effectuation of Title VI of the Civil Rights Act, 49 C.F.R. Part 21. By complying with the Civil Rights Act, no person, on the basis of race, color, national origin, creed, sex, or age, will be excluded from participation in, be denied the benefits of any program for which the subrecipient receives federal funding via MTC.

As a condition of receiving JARC and STP funds, subrecipients must comply with the requirements of the US Department of Transportation's Title VI regulations. The purpose of Title VI is to ensure that no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. Subrecipients are also responsible for ensuring compliance of each third party contractor at any tier of the project.

Subrecipients must develop procedures for investigating and tracking Title Vi complaints filed against them and make their procedures for filing a complaint available to members of the public upon request. In order to reduce the administrative burden associated with this requirement, subrecipients may adopt the Title VI complaint investigation and tracking procedures developed by MTC.

Subrecipients must prepare and maintain a list of any active investigations conducted by entities other than FTA, lawsuits, or complaints naming the subrecipient that allege discrimination on the basis of race, color, or national origin. This list shall include the date, summary of allegations, current status, and actions taken by the subrecipient in response to the investigation, lawsuit, or complaint.

Subrecipients must provide information to the public regarding their Title VI obligations and apprise members of the public of the protections against discrimination afforded to them by Title VI. Subrecipients that provide transit service shall disseminate this information to the public through measures that can include but shall not be limited to a posting on the agency's Web site.

All successful subrecipients must submit compliance reports to MTC. The following contents will be required with the submission of the standard agreement and annually thereafter with the submission of the annual FTA certifications and assurances:

1. A summary of public outreach and involvement activities undertaken and a description of steps taken to ensure that minority and low-income people had meaningful access to these activities.
2. A copy of the subrecipient's plan for providing language assistance for persons with limited English proficiency (LEP) that was based on the DOT LEP Guidance or a copy of the agency's alternative framework for providing language assistance.
3. A copy of the subrecipient procedures for tracking and investigating Title VI complaints.
4. A list of any Title VI investigations, complaints, or lawsuits filed with the subrecipient. This list should include only those investigations, complaints, or lawsuits that pertain to the subrecipient submitting the report, not necessarily the larger agency or department of which the entity is a part.
5. A copy of the subrecipient's notice to the public that it complies with Title VI and instructions to the public on how to file a discrimination complaint.

The first compliance report, submitted with the standard agreement, must contain all of the contents listed above. If, prior to the deadline for subsequent compliance reports, the subrecipient has not altered items 2, 3 and 5 above (its language assistance policies, procedures for tracking and investigating a Title VI complaint, or its notice to the public that it complies with Title VI and instructions to the public on how to file a Title VI complaint), the

subrecipient should submit a statement to this effect in lieu of copies of the original documents. The annual compliance report should include an update on items 1 and 4.

Dun and Bradstreet (D&B) Data Universal Numbering System (DUNS)

JARC and STP recipients/subrecipients will be required to have a Dun and Bradstreet (D&B) Data Universal Numbering System (DUNS) number and provide it during the application process.⁴ A DUNS number may be obtained from D&B by telephone (866-705-5711) or the Internet (<http://fedgov.dnb.com/webform>).

Role of Recipients/Subrecipients: JARC and STP recipients/subrecipients' responsibilities include:

- For direct recipients (transit operators who are FTA grantees), submitting a grant application to FTA and carrying out the terms of the grant;
- Meeting program requirements and grant/funding agreements requirements including, but not limited to, Title VI reporting requirements;
- Making best efforts to execute selected projects; and
- Complying with other applicable local, state, and federal requirements.

⁴ A Dun and Bradstreet (D&B) Data Universal Numbering System (DUNS) number is a unique, non-indicative 9-digit identifier issued and maintained by D&B that verifies the existence of a business entity. The DUNS number is a universal identifier required for Federal financial assistance applicants, as well as recipients and their direct subrecipients.

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Alameda CTC Proposed Programming Schedule for Lifeline Cycle 3

Programming Activities	Date
Draft fund estimate and schedule to ACTAC	December 6, 2011
MTC to release guidelines	December 21, 2011
Alameda CTC review/approve process	January 2012
Alameda CTC to release Call for Projects (CFP)	January 31, 2012
Alameda CTC to hold application workshop	February 2012
Applications due to Alameda CTC for Transit Operator Prop. 1B requests	Mid-February 2012
Applications due to Alameda CTC for other (STA/JARC/STP) funding sources requests	End of February 2012
Alameda CTC to approve Transit Operator Prop. 1 B proposed projects	March/April 2011
Draft program of projects to Alameda CTC Committees and Board	April 2012
Alameda CTC approved Transit Operator Prop. 1B requests due to MTC	April 11, 2012
Final program to Alameda CTC Committees and Board	May 2012
Alameda CTC approved program due to MTC	May 15, 2012
MTC approval of program	June 27, 2012
Operators can file STA claims for FYs 11/12 and 12/13	Following MTC approval
Sponsors of FYs 10/11 and 11/12 JARC/STP funded projects enter into funding agreements with MTC	Jan/Feb 2013

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Index	Lifeline Cycle 2		Lifeline Cycle 3	
	MTC Standard Criteria:	ACCMA Cycle 2 Weight	MTC Standard Criteria:	Alameda CTC-Proposed Weight
1	Project Need/Stated Goals and Objectives	30%	Project need/goals and objectives,	30%
2	Project is a CBTP ¹ Priority Project	10%	Project is a CBTP ¹ Priority Project Priority projects from other local planning efforts will be considered on a case-by-case basis ²	10%
3	Implementation Plan	10%	Implementation plan and project management capacity	10%
4	Project Budget/Sustainability	10%	Project budget/sustainability	10%
5	Coordination and Program Outreach	5%	Coordination and program outreach,	5%
6	Cost-effectiveness and Performance	10%	Cost-effectiveness and performance indicators	10%
	ACCMA Additional Criteria:		Alameda CTC-Proposed Additional Criteria:	
7	Demand	10%	Demand	10%
8	Funding	5%	Matching funds above minimum required	5%
9	Project Readiness	10%	Project Readiness	10%
		100%		100%

Notes:

- 1) Community-Based Transportation Plan
- 2) MTC standard criteria is community-Due to the age of the Alameda County CBTPs, it is recommended that priority projects from other local planning efforts also be considered for the 10% weighting on a case-by-case basis.

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Memorandum

DATE: December 27, 2011

TO: Programs and Projects Committee

FROM: Jacki Taylor, Program Analyst

SUBJECT: **Approval of Advance Programming of \$45,000 of Lifeline Cycle 3 funding to the Neighborhood Bike Centers Program**

Recommendation

It is recommended the Commission approve the advance programming of \$45,000 of federal Job Access and Reverse Commute (JARC) funding from the Third Cycle Lifeline Transportation Program (Cycle 3) to the Neighborhood Bike Centers program. ACTAC is scheduled to consider this item on January 3rd.

Summary

The Neighborhood Bike Centers, operated by Cycles of Change, was initially funded for two years through the Cycle 2 Lifeline program. In MTC's evaluation of the Cycle 2 Program, the Neighborhood Bike Centers program was highlighted as an example of best practices. Cycles of Change has managed to stretch the original Lifeline funding to last an additional 6 months, to December 2011, but operations will cease after the end of the year if additional funding is not identified. Cycles of Change intends to apply for Lifeline Cycle 3 funding to continue the program, but the Cycle 3 JARC funds are not anticipated to be available until January 2013. An advance will allow this program to apply for future funding through Cycle 3.

Information

As detailed in Attachment A, the Neighborhood Bike Centers (Bike-Go-Round) Program, operated by the non-profit, Cycles of Change, recovers, restores, and distributes bicycles for use by eligible low-income residents of targeted communities of concern. Individuals are invited to take part in the program based on their commitment to use bicycling and transit as their primary transportation in getting to work, school, shopping, and other daily needs. In addition to receiving a bicycle lock and helmet, program participants complete an urban cycling training course from certified instructors and are given personal transportation consultation which enables them to plan and conduct their daily activities using bicycles and transit. Neighborhood Bike Centers currently operate at the following two locations: (1) West Oakland, based at MOHR 1 Community Center at 741 Filbert St. serving residents within a two-mile radius of the West Oakland BART station, and (2) Central/East Oakland, based at the Bikery, Cycles of Change Community Bicycle shop, at 2289 International Blvd, serving residents within two miles of the 12th St., 19th St., Fruitvale, and Coliseum BART stations.

Lifeline is a funding program that addresses the mobility needs of low-income residents and is intended to support community-based transportation projects that address transportation gaps and/or barriers within designated communities of concern and expand the range of transportation choices by adding a variety of new or expanded services. In 2009, the Alameda County Congestion Management Agency Board (a predecessor agency to the Alameda CTC) approved Cycle 2 Lifeline funding for the Neighborhood Bike Centers. The program has provided a total of 1,450 adults and youth with on-road safety training and distributing 325 bicycles to youth for the purpose of attending school and to 440 adults for the purpose of commuting to employment. In MTC's recent evaluation report of the Cycle 2 Lifeline program, the Neighborhood Bike Centers was a project highlighted as an example of best practices. Attachment B provides an overview of the first year of the Neighborhood Bike Centers program (2010).

The Cycle 2 Lifeline grant provided \$314,000 of federal JARC funds for two years of program operations, ending June 30, 2011. The JARC funds required a 50% match. Through cost savings and reduced program operations, Cycles for Change has been able to stretch the original 2-year budget to last an additional 6 months, through December 31, 2011, but they have not been successful in securing additional funds to continue the program beyond this date. A call for projects for the Cycle 3 Lifeline program is scheduled to be released in early 2012, but the funding will not be available to the approved projects until early 2013. Cycles of Change intends to apply for Cycle 3 funding of Lifeline funding, but even if successful, because Cycle 3 funds are not anticipated to be available until January 2013, it is faced with a one-year funding gap for 2012 and has indicated that program operations will cease December 31, 2011 unless additional funding can be secured.

Working with MTC, Cycles of Change, East Bay Bicycle Coalition and other Lifeline program partners, staff propose to advance \$45,000 of Cycle 3 Lifeline JARC funding to the Neighborhood Bike Centers program. This scenario is dependent upon securing the 50% local match required for the proposed JARC funds. Cycles of Change has prepared a budget (Attachment C) showing two program options: (1) continuation of the current program (that allows for two classes per month) with a \$161,600 annual cost and (2) a scaled-back program of approximately 50% of current operations (allowing for one class per month) with a \$95,000 annual cost. Given that the scenario requires the advancing of Cycle 3 Lifeline funding, staff proposes to fund operations at the \$95,000 level for 2012, limiting the federal funding requested to \$45,000. Staff also proposes to secure the required local match from the Measure B Bicycle and Pedestrian Countywide Discretionary Fund. At its December 15th meeting, the Alameda County Bicycle and Pedestrian Advisory Committee (BPAC) recommended Board approval of the \$50,000 request for Measure B for the Neighborhood Bike Centers.

This funding proposal, comprising \$45,000 JARC and \$50,000 Measure B, will provide funding for the Neighborhood Bike Centers program for calendar year 2012, allowing Cycles of Change to apply for additional Lifeline funds through the regular Cycle 3 programming process.

Next Steps

The ACTAC and BPAC recommendations will be brought to the PPC and Alameda CTC Board in January 2012. Concurrently, MTC will be considering the same request for the advance of the Cycle 3 funding. If the advance and related actions are approved by both Alameda CTC and MTC in January, MTC will enter into a funding agreement with Cycles of Change for the JARC funds which will allow for program costs incurred as of January 1, 2012 to be eligible for reimbursement.

Attachments

Attachment A: Neighborhood Bike Centers program - 2012 Scope

Attachment B: Neighborhood Bike Centers program - 2012 Project Budget

Attachment C: Neighborhood Bicycle Transportation Centers program – Year One Overview

Lifeline Transportation Program: Cycles of Change Neighborhood Bicycle Centers

2-YEAR PROGRAM OUTCOMES

Number of adults and youth provided on-road safety training: 1,450

Youth that received bicycle for purpose of attending educational institution: 325

Adults that received bicycle for purpose of attending employment/other: 440

AMENDED SCOPE OF WORK (for Lifeline funding agreement)

Proposed outcomes for 3rd year (2012) with modified schedule (scaled back by one half):

Number of adults and youth provided on-road safety training: 600

Youth receiving bicycle for purpose of attending educational institution: 100

Adults receiving bicycle for purpose of attending employment/other: 120

RECIPIENT shall use Lifeline funds to continue its Neighborhood Bicycle Transportation Centers bicycle distribution and education program at two neighborhood-based centers of social services:

1. West Oakland, based at MOHR 1 Community Center at 741 Filbert St. serving residents within a two-mile radius of the BART station.
2. Central/East Oakland, based at the Bikery, Cycles of Change Community Bicycle shop at 2289 International Blvd, serving residents within two miles of the 12th St. and 19th St. Oakland BART stations, Fruitvale, and Coliseum BART station.

RECIPIENT shall continue to work with existing partnerships to recover, restore, and distribute bicycles for use by eligible low-income residents of targeted communities of concern. Individuals shall be invited to take part in the program based on their commitment to use the bicycle and transit as their primary transportation in getting to work, school, shopping, and other daily needs. In addition to receiving a bicycle lock and helmet, program participants shall complete an urban cycling training course from certified instructors. Finally, program participants shall be given personal transportation consultation which shall enable them to plan and conduct all their weekly activities using bicycles and transit.

Over the next year, RECIPIENT's bicycle distribution and education programs shall enable 600 low-income residents of the targeted areas to successfully use their bicycle and transit system to satisfy their daily transportation needs. Participants will be able to reach jobs over a wide geographic range that involve working off-hours, or are away from major bus lines. In addition, bicycles and training received will allow easier access to far more choices for basic necessities, services, and community resources. Having an

efficient, reliable, zero-cost, flexible, safe transportation system will open up a wide array of economic possibilities for participants while easing one of the major stresses of their lives.

Cycles of Change currently operates bicycle education and distribution programs at schools and community centers in low-income communities around the East Bay. The neighborhood-based service centers would continue to overcome basic barriers by:

- Making commuter-outfitted bicycles (helmet, rack, lock) available at no cost;
- Educating participants how to ride safely in traffic;
- Teaching participants how to maintain and fix their bicycles; and
- Creating a personalized bicycle-based transportation plan using routes that are safe from traffic and other hazards, and making connections to BART and main bus lines.

RECIPIENT shall select individuals who are interested in the program based on their commitment to use the bicycle as a main form of transportation (50% of trips), including to get to work or school. As part of the selection process, each participant shall be asked to attend a workshop to introduce them to the basics of how to use the bike to get around their area, including safe riding practices, route-planning, and basic maintenance. At the end of each workshop, program staff shall give individual consultation to each participant, walking them through their daily transportation needs and advising them on how to meet them using bicycles and transit-based travel.

A month after receiving the bicycle (along with helmet, lock, and bicycle map), program staff shall do a follow-up evaluation with each participant that tracks how they are using the bicycle to meet their daily transportation needs. Through these follow-up evaluations, along with initial surveys, staff will be able to determine the effect to which the program is achieving desired program goals of providing low-income persons with low-cost, efficient transportation to work, school, and basic needs. The program coordinator shall record operating data in a spreadsheet and monitor program expenses using existing processes that track financial and operating information.

Cycles of Change Neighborhood Bike Centers (Bike-Go-Round) Program

PROGRAM BUDGET - January 1 through December 31, 2012

Costs	Current Program		Reduced Program		Description
	Hours	Amount	Hours	Amount	
	<i>Two classes per month, serving 250 new bicycle commuters</i>		<i>One class per month, serving 120 new bicycle commuters</i>		
Project Administrator	156.00	3,946.80	78.00	1,973.40	Schedule classes, reporting & evaluation
Coordinators	1,040.00	26,312.00	520.00	13,156.00	participants
Educators	1,040.00	26,312.00	520.00	13,156.00	Prepare and teach classes
Mechanics	1,560.00	34,086.00	780.00	17,043.00	Rehab bikes and support participants
TOTAL PERSONNEL	3,640.00	86,710.00	1,820.00	43,355.00	
Bicycles		5,000.00		0.00	Purchased bicycles
Facilities		24,000.00		24,000.00	Rent
Tools/Supplies		7,000.00		4,000.00	For bike rehab
Helmets, locks, racks, & panniers		15,000.00		7,500.00	Accessories for participants
Hauling		3,000.00		1,500.00	For donation pickups & deliveries
TOTAL NON-PERSONNEL		54,000.00		37,000.00	
TOTAL DIRECT EXPENSE		140,710.00		80,355.00	
OVERHEAD		21,885.20		14,642.60	Insurance, accounting, telephone, postage
TOTAL EXPENSE		162,595.20		94,997.60	

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CYCLES OF CHANGE



Bike-Go-Round Adult Commuter Program Year One Program Overview

January 20, 2010

<u>SECTION</u>	<u>Page #</u>
1. Accomplishments	2
2. Partners	3
3. Year Two Targets	4
4. Project Recognition	5
Appendix	6

1. Accomplishments

Background:

Since 1998, Cycles of Change has operated bicycle distribution and bicycle education programs in low-income areas around the east bay. Working in close partnership with public schools, community centers, and social service providers we have assisted over 13,500 youth and adults in using bikes and public transit systems as their main transportation.

Lifeline funds for 2009-2011 has enabled Cycles to expand this work through our existing and newly forged partnerships. Our objective of recovering, restoring, and distributing bicycles for use by eligible low-income adult residents, has met with great success in our targeted communities.

B-G-R

As stated by our plan, our intention was to present a class in urban bike commuting safety and give the participants a restored mountain or commuter bike, equipped with a cargo rack, safety lights, a U-lock, and a helmet. The four hour training we provide to participants includes on-road training, basic traffic laws and basic bike maintenance. Upon completion of this one-day session, the new Bike Go Round (BGR) member is ready to hit the streets with their new transportation options. Six weeks after this training, participants return for a follow-up survey and consultation to let us know how often they ride and any outstanding concerns.

Our plan to operate from existing neighborhood bicycle centers in our target communities has been successful and contributed to our expanding the level of services provided in those neighborhoods. Our most developed Neighborhood Bicycle Center to date is the East Oakland site, the Cycles of Change bike repair shop, The Bikery.

Located at 2289 International Blvd., a half mile away from Cycles of Change first school program at Roosevelt Middle School (founded in 1998), the Bikery facility opened in the Summer of 2009. Since that time, Lifeline funding has expanded our hours of operation and supports salaries for bike mechanic staff that restore donated bicycles to recycle back out to the community through the Bike Go Round Program.

Our initial plan identified three target communities in the greater east bay where we wanted to be viable. These areas are West Oakland (2-mile radius of West Oakland BART station), East Oakland (2-mile radius of Fruitvale and Coliseum BART stations), and West Alameda (West of Webster Street and Naval Base). [see APENDIX i, page 6]

Our first class and bike give-away in West Oakland was held Sunday, March 7, 2010. Fifteen adult participants were present for the class, and they all received bikes and the accompanying gear. To date, we have given five classes, and given away thirty-eight bikes in West Oakland.

The first class in West Alameda was held on Sunday, March 21, 2010. This class consisted of eleven adults, and each received bicycles and gear. To date, two classes have been held in this community, and seventeen bikes have been distributed.

Our final target area of East Oakland had it's first class at the Cycles of Change Bikery in the densely populated community called The Fruitvale. The class was held on Sunday, April 25, 2010, with eight people in attendance. All participants received bikes and the accompanying gear. To date this site has held ten classes, and distributed 130 bikes.

2. Partners

Our initial application for the Lifeline Funding was submitted to the MTC in Summer of 2008. At the time, three service areas, connected to community service organizations to be known as Partners, were designated. However, by the time we were awarded the funds in late 2009, changes within those organizations initially contacted required us to adjust, recruit and establish new partnerships.

A. Original Regions* and Partner Organizations: (*see appendix i.)

West Oakland - **Oakland Housing Authority/Science Discovery Center**-Serving residents within a two mile radius of the BART Station. 950 Union St., Oakland, CA

Central/East Oakland - **Day Laborers' Center** - Serving residents within two miles of the Fruitvale BART Station, and within two miles of the Coliseum BART Station.

West Alameda- **Alameda Point Collaborative (APC)** - Serving residents within two miles of the decommissioned Naval Base.

An example of Cycles of Change's experience with the need to be flexible in terms of partnerships can be seen in the following instance. To serve low-income citizens residing in the Downtown area of Oakland, an additional partnership with the **St. Vincent de Paul Organization** (SVDP) had been discussed. Their long valued work amongst the homeless men and women of this region led us to regard this potential partnership as a particularly promising relationship.

However, after many efforts to schedule a class, we were only successful in holding one class at the site. Eight bikes were distributed to the receptive group. Follow-up discussions with the SVDP staff revealed that in the time between our initial discussions and the current year, they had begun donating bicycles to a similar program for youth and were not interested in steering any of those resources towards their adult clients, which precluded a working relationship with us.

As far as the Oakland Housing Authority, we have had initial meetings and pitched the program to them, but as of yet, they haven't followed up to coordinate next steps.

The Day Labor Center ceased operation and closed after our initial grant proposal was filled.

B. New Partners

The Bike Go Round Program's expansion is due to our success with the groups that have heard of our work, largely by word of mouth, and referral from happy bike recipients. We are also involved in ongoing active recruitment on a person to person, as well as organizational basis. As a result of this, the growing list of our new partners is noted below:

West Oakland	MOHR I Apartments - 741 Filbert St., Oakland, CA Prescott Elementary School - 920 Campbell Street, Oakland CA Bikes 4 Life Bike Shop -1600 7th Street, Oakland CA
East Oakland	International Rescue Committee (IRC) -1305 Franklin St. Oakland, CA Crossroads Shelter - 7515 International Blvd., Oakland, CA Black Organizing Project (BOP) -1218 East 21st St. Oakland, CA Cycles of Change/The Bikery - 2289 International Blvd., Oakland, CA
Alameda	Playa del Alameda - 148 Crolls Garden Court, Alameda, CA Changing Gears Bike Shop (Formerly APC) - 677 Ranger Alameda, CA

3. Year Two Targets

Our year two implementations will expand to reach development goals laid out in the initial proposal of this project. The first of these is job training for local residents. To accomplish this, we will be training high school youth in bicycle maintenance through paid internships. Youth will learn mechanical skills, as well as organizational and teaching skills.

The second new implementation will be to create opportunities for bike recipients themselves to learn more advanced mechanical skills that will make bike commuting more sustainable as a reliant mode of everyday transportation. To accomplish this we will offer mechanics classes to former BGR participants out of our Neighborhood Bicycle Center, the Bikery, situated in the community where most of the participants to date live.

We will also ally with existing Neighborhood Bicycle Centers such as Bikes 4 Life in West Oakland and Changing Gears in Alameda to provide follow-up support for program participants, as many of them may not have the time or ability to learn bicycle mechanics.

Finally we will coordinate group rides and other social activities for participants geared towards making riders more safe and competent on the road, which will also serve as a visible reflection of our support for participants as a growing bicycle community centered here in Oakland, CA.

4. Project Recognition

Press for B-G-R:

- Ticket to Ride? Get a Bike – and training – through new Oakland program
http://www.mtc.ca.gov/news/info/cycles_of_change.htm (originally from oaklandlocal.com)

Press for THE BIKERY:

- Eugene Kang & Cycles of Change
<http://oaklandlocal.com/article/eugene-kang-cycles-change>

Awards for Cycles of Change:

- MTC Biennial Transportation Award
http://www.mtc.ca.gov/about_mtc/awards/index.htm

MTC's Transportation Awards recognize people and organizations who have made extraordinary contributions to the way people get around in the Bay Area each day. For nearly three decades, MTC has recognized day-to-day and long-term efforts that are improving transportation in the region.

Awards for The Bikery:

- Oaklandish Innovator Award
<http://www.oaklandish.org/COMMUNITY/community.html>

This award was created in the spirit of those Oakland legends who have had a direct influence on global culture; Architect Julia Morgan, Martial Artist Bruce Lee, Musician Larry Graham, Dancer Isadora Duncan, Aviator Joe Fong Guey, Artist Mike "Dream" Francisco, and Director Russ Myer, among many many others.

Testimony from BGR Members (Bike Recipients)

“It helped me loose 10 pounds and get to the store and park without driving.”

-Shavonne Scott 4/20/10

“This is better than Christmas!”

-Jack Johnson 4/25/10

“I am learning to be free of a car and saving money. It is a challenge to ride my bike long distance... Nevertheless it is a good daily exercise and I have noticed some persons ask me with a tone of surprise about my bike as a way of transportation. “

-Rosa Sanson 9/14/10

“Being able to ride has allowed me to slow down and appreciate life in a different sense. This is such a bike friendly city and I appreciate being able to be a better steward of the planet.”

- Nacole Predom 9/29/10

iii. Photos



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Memorandum

Date: December 22, 2011

To: Programs and Projects Committee

From: Matt Todd, Manager of Programming

Subject: **Approval of the Reallocation of \$400,000 of Measure B Bicycle and Pedestrian Countywide Discretionary Fund (CDF) from Grant Agreement A09-0018, Alamo Canal Regional Trail I-580 Undercrossing Project, to the East Bay Greenway project and the Bicycle Safety Education program A09-0025**

Recommendations

It is recommended the Commission approve the reallocation of \$400,000 of Measure B Bicycle and Pedestrian Countywide Discretionary Fund (CDF) grant funds from the Alamo Canal Regional Trail I-580 Undercrossing Project (Agreement No. A09-0018), to the East Bay Greenway project and Bicycle Safety Education program as follows:

- (1) \$350,000 to the East Bay Greenway project, for Construction/Maintenance phase activities.
- (2) \$50,000 to the Bicycle Safety Education program (Agreement No. A09-0025), to expand the program scope to include the Neighborhood Bike Centers program. The current budget, schedule and deliverables for the existing components of the Bicycle Safety Education Program would remain unchanged.

The Countywide Bicycle and Pedestrian Advisory Committee (BPAC) unanimously concurred with both recommendations at its December 2011 meeting.

Summary

The City of Dublin was awarded \$891,000 from the CDF for construction of the Alamo Canal Regional Trail I-580 Undercrossing project. Since the time the Measure B funds were initially approved for the project in 2009, additional funds have been acquired for the project. In light of the identified surplus, staff is proposing to reallocate \$400,000 of the CDF grant funds to two other projects in the county, the East Bay Greenway (EBG) Project and the Bicycle Safety Education Program (Neighborhood Bike Centers Program). The reallocation of Measure B CDF will allow for all three projects to proceed.

Background

The City of Dublin was awarded \$891,000 from the CDF for construction of the Alamo Canal Regional Trail I-580 Undercrossing project (Agreement No. A09-0018). Since the time the Measure B funds were initially approved for the project in 2009, additional funds have been acquired for the project through a portion of the federal TIGER II grant awarded to East Bay Regional Parks District (EBRPD). Combining the new TIGER II funds with the previously

identified EBRPD Measure WW funds provides a funding surplus. In light of the identified surplus, staff is proposing to reallocate \$400,000 of the CDF grant funds to two other projects in the county.

Additional project-specific background information is detailed below:

East Bay Greenway (EBG) Project

This regional project will build a 12-mile trail below the BART tracks through Oakland, San Leandro, Unincorporated Areas, and Hayward. The project begins at 18th Avenue in Oakland and extends south to the Downtown Hayward BART Station. The Alameda CTC is managing the delivery of the EBG project. The project has been awarded \$1.01 million in Measure B CDF funds to advance the development of the project as well as \$300,000 intended for the early phases of the 12 mile project, or the San Leandro segment of the project.

The first segment of the project to be constructed will be a 0.5-mile trail segment (of the 12-mile project) from the Coliseum BART Station to 85th Avenue in Oakland. The Alameda CTC's completion of the environmental and design work for the overall project is leveraging the federal TIGER II and Measure WW funding, which will be used for construction of the first segment of the EBG. The EBRPD allocated \$1.16 million of the TIGER II funds and \$290,000 of local funds (total of \$1.45 million), to the construction phase of the EBG project. There is also a maintenance requirement for this project, which includes costs that are not eligible for the TIGER II funds. The total need for this segment of the project is about \$1.8 million. The project budget is detailed in Attachment A. The additional \$350,000 of measure B would provide the remaining funds. Without the funding package in place, the 0.5 mile Project will not be able to proceed and meet the obligation requirements of the TIGER II grant by March 2012. Staff and the project delivery team will continue to work to identify and compete for other funding sources.

The EBG expands and enhances bicycle and pedestrian access, convenience, safety and usage on a regional route. The EBG will connect communities, offering residents healthier and safer modes of transportation between home, work and school destinations which will cover 12 miles across 4 local agencies. The EBG was the highest scoring project in the Cycle 4 CDF program. The project also provides access to transit as well as Communities of Concern.

Bicycle Safety Education Program/Neighborhood Bike Centers Program

As detailed in Attachment B, the Neighborhood Bike Centers (Bike-Go-Round) Program, operated by the non-profit, Cycles of Change, recovers, restores, and distributes bicycles for use by eligible low-income residents of targeted communities of concern. Individuals are invited to take part in the program based on their commitment to use bicycling and transit as their primary transportation in getting to work, school, shopping, and other daily needs. In addition to receiving a bicycle lock and helmet, program participants complete an urban cycling training course from certified instructors and are given personal transportation consultation which enables them to plan and conduct their daily activities using bicycles and transit. Neighborhood Bike Centers currently operate at the following two locations: (1) West Oakland, based at MOHR 1 Community Center at 741 Filbert St. serving residents within a two-mile radius of the West Oakland BART station, and (2) Central/East Oakland, based at the Bikery, Cycles of Change Community Bicycle shop, at 2289 International Blvd, serving residents within two miles of the 12th St., 19th St., Fruitvale, and Coliseum BART stations.

In 2009, the Alameda County Congestion Management Agency (a predecessor agency to the Alameda CTC) approved funding through the Lifeline Transportation Program for the Neighborhood Bike Centers. Lifeline is a funding program that addresses the mobility needs of low-income residents and is intended to support community-based transportation projects that address transportation gaps and/or barriers within designated communities of concern and expand the range of transportation choices by adding a variety of new or expanded services. The Neighborhood Bike Centers program has provided a total of 1,450 adults and youth with on-road safety training and distributing 325 bicycles to youth for the purpose of attending school and to 440 adults for the purpose of commuting to employment. In MTC's recent evaluation report of the Lifeline program, the Neighborhood Bike Centers program was highlighted as an example of best practices. Attachment D provides an overview the first year of the program (2010).

The Lifeline grant provided \$314,000 for two years of program operations, ending June 30, 2011. The federal funding provided through Lifeline required a 50% match. Through cost savings and reduced program operations, Cycles for Change has been able to stretch the original 2-year budget to last an additional 6 months, through December 31, 2011, but they have not been successful in securing additional funds to continue the program beyond this date. A call for projects for the next cycle of Lifeline programming is scheduled to be released in early 2012, but the funding will not be available to the approved projects until early 2013. Cycles of Change intends to apply for the next cycle of Lifeline funding, but even if successful, is faced with a one-year funding gap for 2012 and have indicated that program operations will cease December 31, 2011 unless additional funding can be secured.

Working with MTC, Cycles of Change, East Bay Bicycle Coalition and other Lifeline program partners, staff propose to advance a small amount of the next cycle of Lifeline funding to the Neighborhood Bike Centers program. This scenario is dependent upon securing the 50% local match required for the proposed federal funds. Cycles of Change has prepared a budget (Attachment C) showing two program options: (1) continuation of the current program (that allows for two classes per month) with a \$161,600 annual cost and (2) a scaled-back program of approximately 50% of current operations (allowing for one class per month) with a \$95,000 annual cost. Given that the identified federal funding is limited to \$45,000, staff is proposing to fund the scaled-back program and is proposing a \$50,000 local match from Measure B. This proposal will provide funding to operate the program and allow for the application for additional funds in the next Lifeline programming cycle. The programming of the federal funds is covered under PPC agenda item 3B.

While the Neighborhood Bike Centers program has not previously received Measure B Bicycle-Pedestrian grant funding, it would be considered an eligible program under the most recent CDF Program Guidelines. The project provides bicycle safety education, which is called out in the current adopted Countywide Bicycle Plan. Additionally, the project also provides for bicycle repair and maintenance, and serves Communities of Concern (low income areas with transportation gaps) which are both supported in the latest Countywide Bicycle and Pedestrian Plan update.

Cycles of Change is an established sub-consultant to the CDF grant funded EBBC Bicycle Safety Education Program, currently operating the bike rodeo component. Due to the similar goals of the two programs of providing bike training and safety education, as well as to streamline the administration of the proposed CDF funds, staff is proposing to amend the scope and funding to the existing Bicycle Safety Education CDF grant-funded program. EBBC has concurred with the addition of the proposed scope.

Alamo Canal Regional Trail I-580 Undercrossing Project

Staff has been working with City of Dublin and EBRPD staff in regards to this proposal. The City of Dublin has released a contract with bids due on January 11, 2012. Based on the engineers estimate and budgeted funds, the City of Dublin will have a complete funding plan for the project after accounting for this CDF grant amendment. Alameda CTC staff will continue to work with all the project sponsors to ensure all projects are successfully completed. Additional information on the bids received will be available in early January prior to the consideration of this item by the Alameda CTC Board.

The BPAC unanimously concurred with the requested reallocation of Bicycle and Pedestrian Countywide Discretionary Grant Funds, contingent on the construction bids received by City of Dublin being within the funding package remaining on the Alamo Canal Regional Trail I-580 Undercrossing Project and also authorizing the use of additional matching funds (\$100,000) available through the BPAC Matching Fund program.

Attachments

Attachment A:	East Bay Greenway Current Budget
Attachment B:	Neighborhood Bike Centers program - 2012 Scope
Attachment C:	Neighborhood Bike Centers program - 2012 Project Budget
Attachment D:	Neighborhood Bicycle Transportation Centers program – Year One Overview

East Bay Greenway Project

Budget

Item	Amount (12 mi)	Amount (0.5 mi)
Preliminary engineering	\$ 465,660	\$ 60,000
Environmental review (CEQA)	\$ 222,333	\$ 9,667
NEPA & final design	\$ -	\$ 160,000
Construction & maintenance	Unknown	\$ 1,801,500
Former San Leandro Slough grant	\$ 299,500	\$ -
Total costs	Unknown	\$ 2,031,167

Funding

Agency/Source	Amount (12 mi)	Amount (0.5 mi)
Alameda CTC/Measure B (Approved)	\$ 1,082,333	\$ 229,667
FHWA/TIGER II	\$ -	\$ 1,161,200
EBRPD/Measure WW	\$ 109,700	\$ 290,300
Alameda CTC/Measure B (Proposed)	\$ -	\$ 350,000
Total funding	Unknown	\$ 2,031,167

Notes

12-mile project extends from 19th Avenue in Oakland south through San Leandro, Unincorporated Alameda County and Hayward to the Hayward BART station.

0.5-mile segment is a portion of the 12-mile project and extends from the Coliseum BART station to 85th Avenue in Oakland.

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Lifeline Transportation Program: Cycles of Change Neighborhood Bicycle Centers

2-YEAR PROGRAM OUTCOMES

Number of adults and youth provided on-road safety training: 1,450

Youth that received bicycle for purpose of attending educational institution: 325

Adults that received bicycle for purpose of attending employment/other: 440

AMENDED SCOPE OF WORK (for Lifeline funding agreement)

Proposed outcomes for 3rd year (2012) with modified schedule (scaled back by one half):

Number of adults and youth provided on-road safety training: 600

Youth receiving bicycle for purpose of attending educational institution: 100

Adults receiving bicycle for purpose of attending employment/other: 120

RECIPIENT shall use Lifeline funds to continue its Neighborhood Bicycle Transportation Centers bicycle distribution and education program at two neighborhood-based centers of social services:

1. West Oakland, based at MOHR 1 Community Center at 741 Filbert St. serving residents within a two-mile radius of the BART station.
2. Central/East Oakland, based at the Bikery, Cycles of Change Community Bicycle shop at 2289 International Blvd, serving residents within two miles of the 12th St. and 19th St. Oakland BART stations, Fruitvale, and Coliseum BART station.

RECIPIENT shall continue to work with existing partnerships to recover, restore, and distribute bicycles for use by eligible low-income residents of targeted communities of concern. Individuals shall be invited to take part in the program based on their commitment to use the bicycle and transit as their primary transportation in getting to work, school, shopping, and other daily needs. In addition to receiving a bicycle lock and helmet, program participants shall complete an urban cycling training course from certified instructors. Finally, program participants shall be given personal transportation consultation which shall enable them to plan and conduct all their weekly activities using bicycles and transit.

Over the next year, RECIPIENT's bicycle distribution and education programs shall enable 600 low-income residents of the targeted areas to successfully use their bicycle and transit system to satisfy their daily transportation needs. Participants will be able to reach jobs over a wide geographic range that involve working off-hours, or are away from major bus lines. In addition, bicycles and training received will allow easier access to far more choices for basic necessities, services, and community resources. Having an

efficient, reliable, zero-cost, flexible, safe transportation system will open up a wide array of economic possibilities for participants while easing one of the major stresses of their lives.

Cycles of Change currently operates bicycle education and distribution programs at schools and community centers in low-income communities around the East Bay. The neighborhood-based service centers would continue to overcome basic barriers by:

- Making commuter-outfitted bicycles (helmet, rack, lock) available at no cost;
- Educating participants how to ride safely in traffic;
- Teaching participants how to maintain and fix their bicycles; and
- Creating a personalized bicycle-based transportation plan using routes that are safe from traffic and other hazards, and making connections to BART and main bus lines.

RECIPIENT shall select individuals who are interested in the program based on their commitment to use the bicycle as a main form of transportation (50% of trips), including to get to work or school. As part of the selection process, each participant shall be asked to attend a workshop to introduce them to the basics of how to use the bike to get around their area, including safe riding practices, route-planning, and basic maintenance. At the end of each workshop, program staff shall give individual consultation to each participant, walking them through their daily transportation needs and advising them on how to meet them using bicycles and transit-based travel.

A month after receiving the bicycle (along with helmet, lock, and bicycle map), program staff shall do a follow-up evaluation with each participant that tracks how they are using the bicycle to meet their daily transportation needs. Through these follow-up evaluations, along with initial surveys, staff will be able to determine the effect to which the program is achieving desired program goals of providing low-income persons with low-cost, efficient transportation to work, school, and basic needs. The program coordinator shall record operating data in a spreadsheet and monitor program expenses using existing processes that track financial and operating information.

Cycles of Change Neighborhood Bike Centers (Bike-Go-Round) Program

PROGRAM BUDGET - January 1 through December 31, 2012

Costs	Current Program		Reduced Program		Description
	Hours	Amount	Hours	Amount	
	<i>Two classes per month, serving 250 new bicycle commuters</i>		<i>One class per month, serving 120 new bicycle commuters</i>		
Project Administrator	156.00	3,946.80	78.00	1,973.40	Schedule classes, reporting & evaluation
Coordinators	1,040.00	26,312.00	520.00	13,156.00	participants
Educators	1,040.00	26,312.00	520.00	13,156.00	Prepare and teach classes
Mechanics	1,560.00	34,086.00	780.00	17,043.00	Rehab bikes and support participants
TOTAL PERSONNEL	3,640.00	86,710.00	1,820.00	43,355.00	
Bicycles		5,000.00		0.00	Purchased bicycles
Facilities		24,000.00		24,000.00	Rent
Tools/Supplies		7,000.00		4,000.00	For bike rehab
Helmets, locks, racks, & panniers		15,000.00		7,500.00	Accessories for participants
Hauling		3,000.00		1,500.00	For donation pickups & deliveries
TOTAL NON-PERSONNEL		54,000.00		37,000.00	
TOTAL DIRECT EXPENSE		140,710.00		80,355.00	
OVERHEAD		21,885.20		14,642.60	Insurance, accounting, telephone, postage
TOTAL EXPENSE		162,595.20		94,997.60	

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CYCLES OF CHANGE



Bike-Go-Round Adult Commuter Program Year One Program Overview

January 20, 2010

<u>SECTION</u>	<u>Page #</u>
1. Accomplishments	2
2. Partners	3
3. Year Two Targets	4
4. Project Recognition	5
Appendix	6

1. Accomplishments

Background:

Since 1998, Cycles of Change has operated bicycle distribution and bicycle education programs in low-income areas around the east bay. Working in close partnership with public schools, community centers, and social service providers we have assisted over 13,500 youth and adults in using bikes and public transit systems as their main transportation.

Lifeline funds for 2009-2011 has enabled Cycles to expand this work through our existing and newly forged partnerships. Our objective of recovering, restoring, and distributing bicycles for use by eligible low-income adult residents, has met with great success in our targeted communities.

B-G-R

As stated by our plan, our intention was to present a class in urban bike commuting safety and give the participants a restored mountain or commuter bike, equipped with a cargo rack, safety lights, a U-lock, and a helmet. The four hour training we provide to participants includes on-road training, basic traffic laws and basic bike maintenance. Upon completion of this one-day session, the new Bike Go Round (BGR) member is ready to hit the streets with their new transportation options. Six weeks after this training, participants return for a follow-up survey and consultation to let us know how often they ride and any outstanding concerns.

Our plan to operate from existing neighborhood bicycle centers in our target communities has been successful and contributed to our expanding the level of services provided in those neighborhoods. Our most developed Neighborhood Bicycle Center to date is the East Oakland site, the Cycles of Change bike repair shop, The Bikery.

Located at 2289 International Blvd., a half mile away from Cycles of Change first school program at Roosevelt Middle School (founded in 1998), the Bikery facility opened in the Summer of 2009. Since that time, Lifeline funding has expanded our hours of operation and supports salaries for bike mechanic staff that restore donated bicycles to recycle back out to the community through the Bike Go Round Program.

Our initial plan identified three target communities in the greater east bay where we wanted to be viable. These areas are West Oakland (2-mile radius of West Oakland BART station), East Oakland (2-mile radius of Fruitvale and Coliseum BART stations), and West Alameda (West of Webster Street and Naval Base). [see APENDIX i, page 6]

Our first class and bike give-away in West Oakland was held Sunday, March 7, 2010. Fifteen adult participants were present for the class, and they all received bikes and the accompanying gear. To date, we have given five classes, and given away thirty-eight bikes in West Oakland.

The first class in West Alameda was held on Sunday, March 21, 2010. This class consisted of eleven adults, and each received bicycles and gear. To date, two classes have been held in this community, and seventeen bikes have been distributed.

Our final target area of East Oakland had it's first class at the Cycles of Change Bikery in the densely populated community called The Fruitvale. The class was held on Sunday, April 25, 2010, with eight people in attendance. All participants received bikes and the accompanying gear. To date this site has held ten classes, and distributed 130 bikes.

2. Partners

Our initial application for the Lifeline Funding was submitted to the MTC in Summer of 2008. At the time, three service areas, connected to community service organizations to be known as Partners, were designated. However, by the time we were awarded the funds in late 2009, changes within those organizations initially contacted required us to adjust, recruit and establish new partnerships.

A. Original Regions* and Partner Organizations: (*see appendix i.)

West Oakland - **Oakland Housing Authority/Science Discovery Center**-Serving residents within a two mile radius of the BART Station. 950 Union St., Oakland, CA

Central/East Oakland - **Day Laborers' Center** - Serving residents within two miles of the Fruitvale BART Station, and within two miles of the Coliseum BART Station.

West Alameda- **Alameda Point Collaborative (APC)** - Serving residents within two miles of the decommissioned Naval Base.

An example of Cycles of Change's experience with the need to be flexible in terms of partnerships can be seen in the following instance. To serve low-income citizens residing in the Downtown area of Oakland, an additional partnership with the **St. Vincent de Paul Organization** (SVDP) had been discussed. Their long valued work amongst the homeless men and women of this region led us to regard this potential partnership as a particularly promising relationship.

However, after many efforts to schedule a class, we were only successful in holding one class at the site. Eight bikes were distributed to the receptive group. Follow-up discussions with the SVDP staff revealed that in the time between our initial discussions and the current year, they had begun donating bicycles to a similar program for youth and were not interested in steering any of those resources towards their adult clients, which precluded a working relationship with us.

As far as the Oakland Housing Authority, we have had initial meetings and pitched the program to them, but as of yet, they haven't followed up to coordinate next steps.

The Day Labor Center ceased operation and closed after our initial grant proposal was filled.

B. New Partners

The Bike Go Round Program's expansion is due to our success with the groups that have heard of our work, largely by word of mouth, and referral from happy bike recipients. We are also involved in ongoing active recruitment on a person to person, as well as organizational basis. As a result of this, the growing list of our new partners is noted below:

West Oakland	MOHR I Apartments - 741 Filbert St., Oakland, CA Prescott Elementary School - 920 Campbell Street, Oakland CA Bikes 4 Life Bike Shop -1600 7th Street, Oakland CA
East Oakland	International Rescue Committee (IRC) -1305 Franklin St. Oakland, CA Crossroads Shelter - 7515 International Blvd., Oakland, CA Black Organizing Project (BOP) -1218 East 21st St. Oakland, CA Cycles of Change/The Bikery - 2289 International Blvd., Oakland, CA
Alameda	Playa del Alameda - 148 Crolls Garden Court, Alameda, CA Changing Gears Bike Shop (Formerly APC) - 677 Ranger Alameda, CA

3. Year Two Targets

Our year two implementations will expand to reach development goals laid out in the initial proposal of this project. The first of these is job training for local residents. To accomplish this, we will be training high school youth in bicycle maintenance through paid internships. Youth will learn mechanical skills, as well as organizational and teaching skills.

The second new implementation will be to create opportunities for bike recipients themselves to learn more advanced mechanical skills that will make bike commuting more sustainable as a reliant mode of everyday transportation. To accomplish this we will offer mechanics classes to former BGR participants out of our Neighborhood Bicycle Center, the Bikery, situated in the community where most of the participants to date live.

We will also ally with existing Neighborhood Bicycle Centers such as Bikes 4 Life in West Oakland and Changing Gears in Alameda to provide follow-up support for program participants, as many of them may not have the time or ability to learn bicycle mechanics.

Finally we will coordinate group rides and other social activities for participants geared towards making riders more safe and competent on the road, which will also serve as a visible reflection of our support for participants as a growing bicycle community centered here in Oakland, CA.

4. Project Recognition

Press for B-G-R:

- Ticket to Ride? Get a Bike – and training – through new Oakland program
http://www.mtc.ca.gov/news/info/cycles_of_change.htm (originally from oaklandlocal.com)

Press for THE BIKERY:

- Eugene Kang & Cycles of Change
<http://oaklandlocal.com/article/eugene-kang-cycles-change>

Awards for Cycles of Change:

- MTC Biennial Transportation Award
http://www.mtc.ca.gov/about_mtc/awards/index.htm

MTC's Transportation Awards recognize people and organizations who have made extraordinary contributions to the way people get around in the Bay Area each day. For nearly three decades, MTC has recognized day-to-day and long-term efforts that are improving transportation in the region.

Awards for The Bikery:

- Oaklandish Innovator Award
<http://www.oaklandish.org/COMMUNITY/community.html>

This award was created in the spirit of those Oakland legends who have had a direct influence on global culture; Architect Julia Morgan, Martial Artist Bruce Lee, Musician Larry Graham, Dancer Isadora Duncan, Aviator Joe Fong Guey, Artist Mike "Dream" Francisco, and Director Russ Myer, among many many others.

Testimony from BGR Members (Bike Recipients)

“It helped me loose 10 pounds and get to the store and park without driving.”

-Shavonne Scott 4/20/10

“This is better than Christmas!”

-Jack Johnson 4/25/10

“I am learning to be free of a car and saving money. It is a challenge to ride my bike long distance... Nevertheless it is a good daily exercise and I have noticed some persons ask me with a tone of surprise about my bike as a way of transportation. “

-Rosa Sanson 9/14/10

“Being able to ride has allowed me to slow down and appreciate life in a different sense. This is such a bike friendly city and I appreciate being able to be a better steward of the planet.”

- Nacole Predom 9/29/10

iii. Photos



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Memorandum

Date: December 22, 2011

To: Programs and Projects Committee

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

Subject: **Approval of City of Fremont's Request to Modify Scope Elements of the Irvington Area Pedestrian Improvement Project, Measure B Bicycle and Pedestrian Countywide Discretionary Fund Grant Agreement No. A09-0020.**

Recommendation

It is recommended the Commission approve the City of Fremont's request to modify scope elements of the Irvington Area Pedestrian Improvement project, Measure B Bicycle and Pedestrian Countywide Discretionary Fund (CDF) Grant Agreement No. A09-0020.

The Countywide Bicycle and Pedestrian Advisory Committee (BPAC) unanimously concurred with this recommendation at its December 2011 meeting.

Summary

The City of Fremont is requesting to modify the scope of the Irvington Area Pedestrian Improvements project (Agreement No. A09-0020). The revised total cost of the project is \$335,000 and per the grant agreement, the Measure B funds will cover 85.5% of the total project cost, or \$286,000. The original scope of work, requested scope revisions, rationale for each request, and revised scope of work are summarized in Attachment A. The BPAC concurred with the recommendation at its December 2011 meeting.

Background

In 2009, the City of Fremont was awarded \$342,000 of Measure B Countywide Discretionary Cycle 4 funds for the Irvington Area Pedestrian Improvements project (Agreement No. A09-0020). The project proposed pedestrian improvements along Fremont Boulevard between Eugene Street and Washington Boulevard, in the Irvington District and intended to improve pedestrian safety at signalized and non-signalized intersections, some of which are adjacent to bus stops.

For a variety of reasons, the City of Fremont has requested revisions to the original scope of work. Minor changes to the scope of work may be reviewed and approved by Alameda CTC staff, but based on the requested revisions this amendment request is being brought to the Commission for its consideration.

The original scope of work, requested scope revisions, rationale for each request, and revised scope of work are summarized in Attachment A. The original total project cost was \$400,000. With these scope revisions, the total cost of the project will be \$335,000 - significantly lower than originally anticipated. Per the grant agreement, the Measure B funds will cover 85.5% of

the total project cost, or \$286,000. For reference, a project location map, from the original grant application, is included as Attachment B.

The original expiration date for this agreement of October 31, 2011 was extended to October 31, 2012 through a prior administrative amendment, to allow completion of the construction contract under the latest schedule Information.

Attachments

- A: Project Scope Change Details
- B: Project Location Map

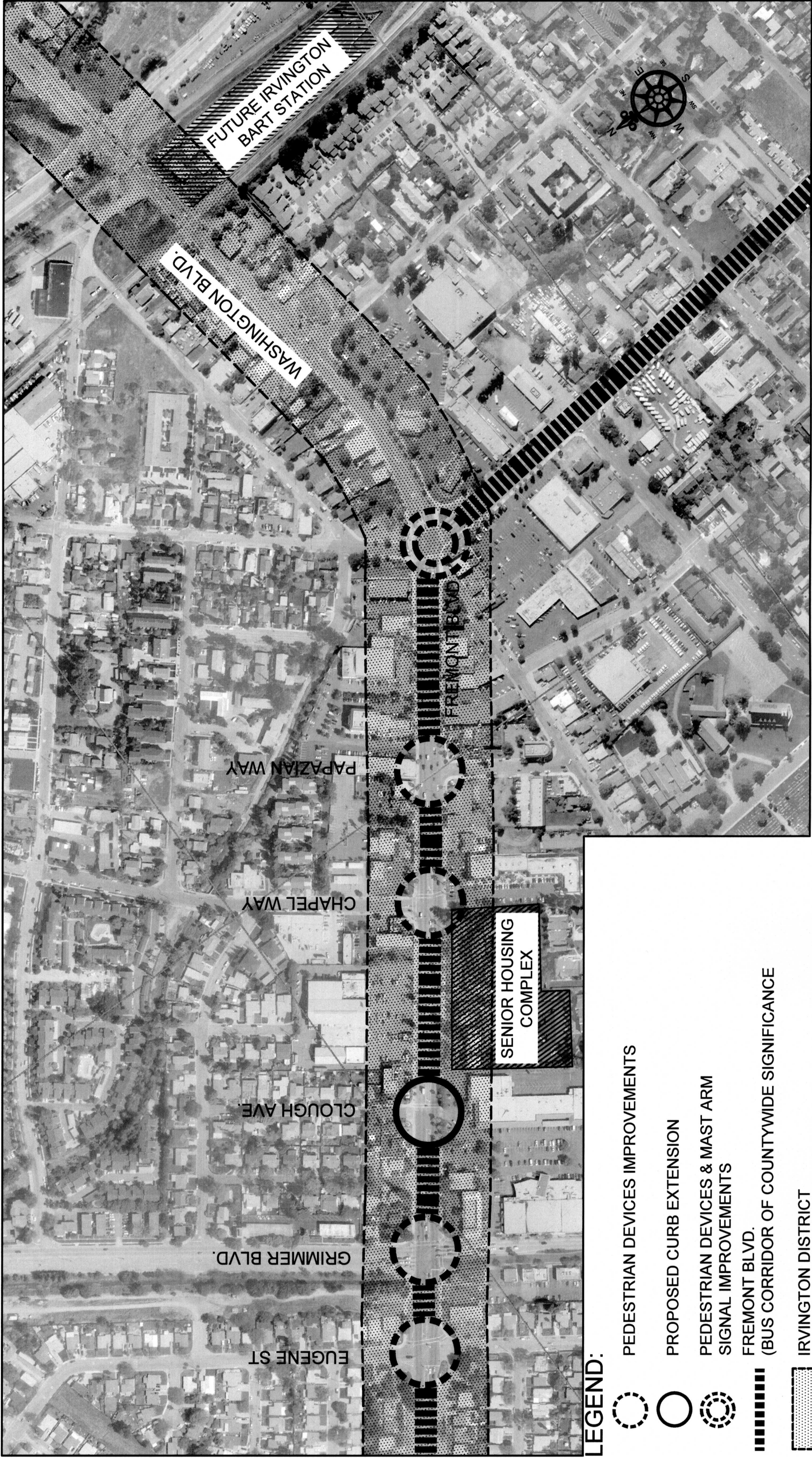
Ref. #	Original Scope of Work	Requested Changes to Scope of Work	Reason For Change	Proposed Revised Scope of Work
1.	Install ADA-compliant curb ramps at six intersections along Fremont Boulevard (Eugene Street, Grimmer Boulevard, Clough Avenue, Chapel Way, Papazian Way and Washington Boulevard/Union Street.)	<p>Delete the intersection of Fremont Boulevard/Papazian Way from the project, which consisted of installing two curb ramps that satisfy Americans with Disabilities Act (ADA) requirements.</p> <p>Remove from the project scope installation of new ADA curb ramps at the intersections of Fremont Boulevard/Eugene Street and Fremont Boulevard/Grimmer Boulevard.</p> <p>Add two new curb ramps at the northeast and southeast corners of the Fremont Boulevard/James Avenue intersection to replace the Papazian Way ramps. Also, reconstruct the intersection corner radius from 30' to 20' in order to shorten pedestrian walk distance and improve curb ramp orientation.</p>	<p>New ADA ramps were installed as part of the City's Bay Street Improvement project, so this part of the project is no longer needed.</p> <p>New ADA curb ramps were installed at these intersections as part of a separate traffic signal project.</p> <p>New work added, to replace the work deleted from the scope.</p>	Install ADA compliant curb ramps at four intersections along Fremont Boulevard: Clough Ave, Chapel Way, James Avenue, and Washington Boulevard/Union Street.

Ref. #	Original Scope of Work	Requested Changes to Scope of Work	Reason For Change	Proposed Revised Scope of Work
2.	Install accessible pedestrian signal devices and pedestrian countdown signals at the intersections of Fremont Boulevard and the following four intersecting streets: Eugene Street, Grimmer Boulevard, Chapel Way and Washington Boulevard/ Union Street.	Accessible pedestrian signal devices will not be installed at the intersections of Fremont Boulevard/Eugene Street and Fremont Boulevard/Grimmer Boulevard.	The reason for this change is that installing the accessible pedestrian signal device controller with the traffic signal controller/software could potentially put the intersection in "flash", causing continual operational problems that are difficult to resolve, based on past experiences. These two signalized intersections operate using a master controller, and the software designer for the controller is no longer in business. Staff believes it is prudent not to change its current operation. The City will proceed with the installation of pedestrian count-down signals as originally planned for the other two intersections.	Install accessible pedestrian signal devices and pedestrian countdown signals at the intersections of Fremont Boulevard and the following two intersecting streets: Chapel Way and Washington Boulevard/ Union Street. Install pedestrian countdown signals at the intersections of Fremont Boulevard and the following two streets: Eugene Street, Grimmer Boulevard.
3.	At Clough Avenue, construct curb extensions, reduce corner turning radii, and add a center median on the southern leg of the crossing of Fremont Boulevard, to narrow the travel lanes and pedestrian crossing distances.	No scope change requested.	N/A	<i>Same as original.</i>

Ref. #	Original Scope of Work	Requested Changes to Scope of Work	Reason For Change	Proposed Revised Scope of Work
4.	At Washington Boulevard / Union Street / Fremont Boulevard, modify southbound lane configuration and signage, and install a mast arm pole right turn signal ahead to minimize vehicle right-turn-on red violations during pedestrian crossing phases. Also, adjust pedestrian push button heights and reach, to improve accessibility for people using wheelchairs.	Remove from the project scope the removal and replacement of the southbound mast arm traffic signal pole at the northwest corner of the intersection of Fremont Boulevard/Washington Boulevard/Union Street/Bay Street.	<p>The installation of a new longer mast arm traffic signal pole was originally planned in order to improve traffic signal head alignment on the mast pole with the vehicle travel lanes which includes two southbound through lanes and a separate right and left turn only lane. The new traffic signal heads would have been aligned so that the indicators were directly centered on the through lanes and right-turn-only lane helping to minimize right-turn-on-red conflicts with pedestrians at the Fremont Boulevard/Washington intersection southbound right-turn movement. The City has reconsidered the operations of this movement and has determined that the existing operations are adequate, and the traffic signal pole removal and replacement is not needed. The City's Traffic Signal Operations staff also believes the installation of a longer mast arm pole for the near side traffic signal heads could potentially block the far side traffic signal heads on the mast arm pole.</p>	At Washington Boulevard/Union Street/Fremont Boulevard, adjust pedestrian push button heights and reach, to improve accessibility for people using wheelchairs.

Ref. #	Original Scope of Work	Requested Changes to Scope of Work	Reason For Change	Proposed Revised Scope of Work
5.	N/A	Add to the scope of work the replacement of 60 square feet of sidewalk and a traffic signal pull box (concrete box within sidewalk area that encloses the electrical wires and conduits for the traffic signal light system) at the intersection of Fremont Boulevard/Washington Boulevard/Union Street.	The existing sidewalk area to be repaired has major crack and joint separation adjacent to the curb ramp, pull box and back of curb. The crack and joint separation poses a tripping hazard for pedestrians and the crack and joint separation will lead to water seepage further deteriorating and damaging the sidewalk. Re-construction of this sidewalk area will provide a smooth and even walking surface for pedestrians traveling through the intersection.	Replace 60 square feet of sidewalk and a traffic signal pull box at the intersection of Fremont Boulevard/Washington Boulevard/Union Street.

**IRVINGTON AREA PEDESTRIAN
IMPROVEMENT
CAPITAL PROJECT MAP**



LEGEND:

- PEDESTRIAN DEVICES IMPROVEMENTS
- PROPOSED CURB EXTENSION
- PEDESTRIAN DEVICES & MAST ARM SIGNAL IMPROVEMENTS
- FREMONT BLVD.
(BUS CORRIDOR OF COUNTYWIDE SIGNIFICANCE)
- IRVINGTON DISTRICT
(COUNTY PEDESTRIAN PLAN AREA OF SIGNIFICANCE)

NOTE:
PEDESTRIAN DEVICE IMPROVEMENTS CONSISTING OF 1 OR ALL OF THE FOLLOWING, NEW CURB RAMP, PED COUNTDOWN SIGNAL, ACCESSIBLE PEDESTRIAN SIGNAL DEVICES.

2008-09 MEASURE B DISCRETIONARY GRANT APPLICATION IRVINGTON AREA PEDESTRIAN IMPROVEMENTS PROJECT		Designed By: RD
		Drawn By: AL
		Date: DEC. 2008
		Project No.:
		CAD File:
Fremont COMMUNITY DEVELOPMENT DEPARTMENT		Approved - Senior Engineer
		Recommended - Project Manager
		Date
		SHEET 1 of 1



Memorandum

DATE: December 28, 2011

TO: Programs and Projects Committee

FROM: Matt Todd, Manager of Programming

SUBJECT: **Approval of Transportation Fund for Clean Air Program Manager Funding for a Goods Movement Emission Reduction Program (Engine MY 2004 Port Truck Replacement Program)**

Recommendation

It is recommended the Commission consider providing Transportation Fund for Clean Air (TFCA) Program Manager funding for a Goods Movement Emission Reduction Program (Engine MY 2004 Port Truck Replacement Program).

ACTAC is scheduled to consider this item on January 3rd.

Summary

The California Air Resources Board (ARB) Statewide Drayage Truck Regulation and the resulting December 31, 2011 milestone requirement that model year (MY) 2004 Port drayage trucks meet certain emission standards was raised at the September 22, 2011 Alameda CTC Board meeting with the request for additional information to be presented at a future meeting. In response, additional information was provided at the October 27, 2011 Alameda CTC Board meeting. Based on ACTAC and Commission discussion, staff is proposing options to consider for participation in the BAAQMD-proposed MY 2004 Drayage Truck Replacement Program that offers assistance to Alameda County truck owners in meeting the December 31, 2011 regulation requirement.

Background

In December 2007, the ARB approved a new regulation to reduce emissions from drayage trucks. Drayage trucks are defined as those that access ports and intermodal rail yards. The first phase of the regulation went into effect on December 31, 2009, beginning a series of milestones that culminate in requirements to MY 2005 and 2006 engines by December 31, 2012. The next milestone requires MY 2004 engines to meet certain emission standards by December 31, 2011. Phase 2 of the regulation requires all drayage trucks to meet 2007 engine emission standards by December 31, 2013.

Table 1: ARB Drayage truck regulation compliance schedule

Phase	Date	Engine Model Years (MY)	Regulation requirement
Phase 1	12/31/09	1993 and older	Prohibited from operation as a drayage truck
		1994 – 2003	Install a Level 3 retrofit device
	12/31/11	2004	Install a Level 3 retrofit device
	12/31/12	2005 and 2006	Install a Level 3 retrofit device
Phase 2	12/31/13	1994 – 2006	Meet 2007 * engine emissions standards

* Trucks with 2007-2009 model year engines are compliant through 2022. Trucks with 2010 and newer engines are fully compliant

The Bay Area Air Quality Management District (BAAQMD) has offered financial assistance in the past to assist owners of trucks in meeting the regulation requirements for drayage trucks. Approximately \$26 million was used to assist over 1,500 trucks operating at the Port of Oakland to meet the ARB regulations. Those funds have been exhausted.

Table 2: Drayage truck population as of July 2011

Engine Model Year (MY)	Compliant until	# of Drayage trucks in Northern CA*	# of trucks that received grant funds	Grant funds expended **
MY 1994-2003 (w/ retrofits)	12/31/13	1,700	1,319	\$15,586,534
MY 2004	12/31/11	700	0	\$0
MY 2005 & 2006	12/31/12	2,150	0	\$0
MY 2007 – 2009	2022	1,350	203	\$10,150,000
MY 2010 +	Fully compliant	400		
Total		6,300	1,522	\$25,736,534

* Number of trucks registered in the ARB Drayage Truck Registry (DTR) with zip codes North of Fresno.

** Funding sources for the BAAQMD's Year 1 port truck funding program: TFCA (\$5 million), Port (\$5 million), ARB Prop 1B (\$13,835,133), and DERA (~\$2 million)

Approximately 700 MY 2004 trucks are identified in the ARB Drayage Truck Registry (DTR) with zip codes North of Fresno. Based on further analysis of the ARB DTR by BAAQMD staff:

- Of the 700 vehicles, 247 trucks (35%) are registered to a Bay Area addresses
- Of the 247 trucks with Bay Area addresses, 143 trucks are registered to addresses in Alameda County to 74 companies
- Of the 143 trucks located in Alameda County
 - About 50 are in fleets of 4 trucks or more
 - About 90 trucks are in fleets of three or fewer (most likely owned by single owner/operators)

- Information regarding truck registration by city is included in Attachment A

For a drayage truck with a MY 2004 engine to continue to access the Port of Oakland after December 31, 2011, the truck must:

- Have a level 3 retrofit device installed (provides reduction of particulate matter (PM))
 - Will provide compliance with Port Drayage Truck Regulations through December 31, 2013 (2 years)

OR

- Upgrade to a MY 2007 or newer engine (provides reduction of PM and NOx)
 - Will provide compliance with Port Drayage Truck Regulations through at least 2022

Funding Assistance Opportunities

Currently, the ARB will offer a 15% loan guarantee (15% of the cost of a truck) to a financial institution which is a member of the CalCap program. The CalCap program is a form of loan portfolio insurance provided by the State through the California Pollution Control Financing Authority which may provide a certain percentage of coverage on loan defaults and would benefit truck owners who may not ordinarily qualify for loans. Loan guarantees are not restricted to truck owners with poor credit and are available to all owners of MY 2004 vehicles.

Information on the ARBs program is available at:

<http://www.arb.ca.gov/msprog/truckstop/truckstop.htm>.

BAAQMD Goods Movement Emission Reduction Program (Engine MY 2004 Port Truck Replacement Program)

The BAAQMD has developed a proposal for a regional MY 2004 Drayage Truck Replacement Program (Program) that will assist truck owners in meeting the December 31, 2011 regulation requirement. Grant funding will provide approximately \$10,000 for each eligible Bay Area truck owner towards the cost of a truck with a compliant MY 2007 engine. The program allows the engine MY 2004 truck owner to trade their current vehicle in for its worth. The BAAQMD has procured a contractor program administrator that guarantees that the trade-in and replacement is done in such a manner that the engine MY 2004 trucks surrendered do not return to service in California for 10 years.

The BAAQMD program includes:

- Replacement truck costs cannot exceed \$60,000.
- A trade-in value of between \$8,000 and \$15,000 on the engine MY 2004 truck being traded in (dependent on condition).
- Use of a "CalCap" qualified lender
- Assistance to truckers in availing themselves of the program and to meet all Air District administrative requirements.

Additional information is included in Attachment B

County TFCA Program Manager Funds

TFCA is generated by a \$4.00 vehicle registration fee and collected by the BAAQMD. 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. Per the Alameda CTC TFCA Guidelines, 70 percent of the available funds are 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 allocated to transit-related projects on a discretionary basis. All available TFCA funds are required to be completely programmed annually. Projects proposed for TFCA funding are required to meet the eligibility and cost-effectiveness requirements of the TFCA Program. This program generates approximately \$1.8 million annually and is administered in accordance with the BAAQMD approved TFCA Program Manager Guidelines.

Funding Options

The BAAQMD has requested the Alameda CTC to contribute (program) \$1.43 million of TFCA County Program Manager funds (based on 143 Alameda County trucks x \$10,000/truck). The BAAQMD has also requested funding from partner agencies such as Bay Area CMAs and the Port of Oakland to provide additional funds for the program (see Attachment C). The BAAQMD has programmed \$1.04 million in TFCA Regional Fund monies to support the Program. The \$1.04 million would provide funding for 104 drayage trucks, or 42% of the 247 total MY 2004 drayage trucks registered in the Bay Area.

There was considerable discussion on the question of funding the Engine MY 2004 Port Truck Replacement Program at the December ACTAC meeting. The air quality aspect of the project would make it seem federal Congestion Mitigation and Air Quality (CMAQ) funds may be an appropriate fund source, but the contribution of funds to individual truck owners as well as the timing of the program implementation already being underway make the use of CMAQ infeasible.

The BAAQMD has indicated that TFCA County Program Manager funds are eligible to fund the Engine MY 2004 Port Truck Replacement Program. The next TFCA Program Manager funds would be available for FY 2012/13. The BAAQMD staff have indicated that the Alameda CTC could program the 2012/13 funds in January 2012 and the funds would be eligible to fund the proposed MY 2004 Drayage Truck Replacement Program. The 2012/13 TFCA Program Manager funds are projected to be about \$1.8 million. \$1.43 million is about 80% of the annual projected revenue.

Through the discussion at the December ACTAC, many issues and concerns were discussed including:

- Concern that the Port of Oakland has not contributed financially,
- Concern regarding the use of “local” TFCA funds for a regional program,
- Concern regarding the precedent of assisting in the regional program for one year’s milestone, with additional milestones and additional vehicles being impacted over the next two years,
- Concern costs of program are localized with the benefit of the Port extending across the region, state and nation,
- Concern regarding precedent of using TFCA funds for the benefit of privately owned vehicles, and

- Concern on effect of certain projects/programs that have received TFCA funds for ongoing operations.

The East Bay Bicycle Coalition has also submitted a letter in opposition to the use of Alameda TFCA Program Manager funds for the Engine MY 2004 Port Truck Replacement Program (Attachement D).

Per the Alameda CTC TFCA Guidelines (70 percent to the cities-county based on population / 30 percent transit-related projects), options can be considered how to provide funding within the Alameda County program formula. Options to provide funding to the Engine MY 2004 Port Truck Replacement Program include:

- Oakland/County First– Use 100 percent of the Oakland and County available balance, with the remainder of the required funds split by population percentage across the remaining cities. Based on credits from prior year programming, Oakland and the County would be contributing about \$.661 million (about 46% of request). This option would allow the remaining funds to be focused on certain ongoing operational projects (attachment E, option 1).
- Cities/County First – Assign the \$1.43 million of funds split by TFCA population percentage across the cities/county. This option would allow the remaining funds to be focused on certain ongoing operational projects (Attachment E, option 2)
- Off the Top - \$1.43 million off the top, and distribute the remainder of the funds by the 70 / 30 percent distribution formula (attachment E, option 3).

Using of \$1.43 million of TFCA Program Manager funds would preclude the use of the funds for other TFCA eligible projects. Funding would not be available to fund traditional TFCA projects such as bike projects and the “Free B” Broadway shuttle in Oakland and City of Alameda shuttle programs and arterial management projects. It should be noted that all available TFCA funds are required to be completely programmed annually, so any remaining funds not programmed to a drayage truck program will still need to be programmed to an eligible project(s).

Additional issues that also need to be addressed prior to approving Alameda TFCA Program Manager funds include:

- How would grant costs be split between Regional TFCA/Alameda TFCA/Other partners funds?
 - Include stipulation that Regional funds be used first, and Alameda funds last.
- What if funds remain unused?
 - Funds not required, based on the initial applications received through January 13, 2012 should be returned.
- Alameda CTC TFCA administrative formula, using the total annual TFCA revenue, must be honored.

- This is a one time contribution to assist with the December 31, 2011 milestone, the Alameda CTC will not participate in programs to meet future ARB drayage truck milestones.

At the December ACTAC meeting, BAAQMD staff was also requested to consider an option of the TFCA County Program Manager funds being “loaned” to the regional program. Staff is working with BAAQMD staff to follow up on this concept.

It is recommended the Commission consider providing TFCA County Program Manager Funding for a Goods Movement Emission Reduction Program (Engine MY 2004 Port Truck Replacement Program). ACTAC is scheduled to consider this item on January 3rd.

Next Steps

The BAAQMD has initiated the Engine MY 2004 Port Truck Replacement Program in December 2011 with the release of a call for projects. Applications for the Program are due January 13, 2012. The BAAQMD will be able to fund approximately 104 trucks with the funding currently allocated to the program. Additional funding would allow for the Program to provide assistance for additional truck purchases.

Alameda CTC will defer the release of the call for projects for 2012/13 TFCA County Program Manager funds from the end of December 2011 to the end of January 2012 to allow the consideration of Alameda CTC to contribute TFCA funds to the Engine MY 2004 Port Truck Replacement Program.

Attachments

- Attachment A: Analysis of Trucks Registered by City in Alameda County
- Attachment B: Engine MY 2004 Port Truck Replacement Program Fact Sheet
- Attachment C: Copy of Letter from BAAQMD to Port of Oakland
- Attachment D: East Bay Bicycle Coalition Letter
- Attachment E: TFCA Program Manager Proposed Funding Scenarios Options
- Attachment F: Overview of Statewide Drayage Truck Regulation

Alameda County Trucks

City	Number of Companies	Number of Trucks	% of Trucks
Alameda	1	3	2%
Berkeley	1	1	1%
Dublin	1	1	1%
Emeryville	1	4	3%
Fremont	2	4	3%
Hayward	1	23	16%
Livermore	1	3	2%
Newark	1	5	3%
Oakland	1	70	49%
San Leandro	3	23	16%
San Lorenzo	1	1	1%
Union City	1	5	3%
Totals	14	143	100%

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Bay Area Air Quality Management District Engine MY2004 Port Truck Replacement Program Fact Sheet

When can I apply?

Between **December 14, 2011 and January 13, 2012**, the Bay Area Air Quality Management District (District) will accept applications for Class 8 (GVWR 33,001+ lbs) drayage trucks with engines manufactured in 2004 that operate primarily in Bay Area maritime and rail ports and are registered in California Air Resources Board (CARB) Drayage Truck Registry (DTR) at an address within the nine-county Bay Area jurisdiction. The District anticipates contracting for selected projects within the first two months of 2012.

How much funding is available for 2004 truck replacement projects?

At least \$1.04 million is available for funding eligible projects. If additional funding becomes available, it will be assigned to trucks in this same Program. Each project is anticipated to receive a \$10,000 grant towards the purchase of a replacement truck with an engine certified to 2007 emissions standard or cleaner. These trucks are expected to cost between \$59,000 and \$69,400 depending on their mileage. The District has contracted with Cascade Sierra Solutions (CSS) to ensure trade-in values for old/existing trucks that further offset the purchase price. Grantees are responsible for paying the balance, including taxes, fees, and warranties.

Which trucks are eligible for replacement through this Program?

Class 8 (GVWR 33,001lbs or greater) drayage trucks with engines manufactured in 2004, travel an average of 20,000 miles per year, are registered at addresses within the Bay Area air basin*, currently entered into the CARB DTR, and are primarily used to transport bulk or containerized cargo to or from Bay Area maritime or rail ports.

(*Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, S. Sonoma Co., S. Solano Co.)

How will projects be selected?

Funds will be awarded to eligible projects on a first-come, first-served basis. All applications will be screened to ensure Program requirements are met. Trucks applied for will be pre-inspected soon after the application is received. Submitting an application for the Program is **not** a guarantee of funding but will be used to determine the potential emission reduction benefits of the proposed project. Any equipment purchased before the full execution of a Grant Agreement signed with the District for this Program will not be considered for funding.

How can I apply?

Project applications are available at OT411 (Maritime Ave/Alaska Rd, Port of Oakland) or may be printed from the District's website: www.baaqmd.gov/goods. Only complete applications will be accepted. Paper application and all required supplemental materials must be hand-delivered to Program staff at OT411 (Mon-Fri 11am-4pm). No mailed, faxed or emailed applications will be accepted. Applications must be completed and **submitted no later than Friday, January 13, 2012, at 5:00pm PST**.

What paperwork do I need to submit with my application?

Submit a photocopy of your current DMV registration card, current proof of insurance and mileage documentation (see below) with your application form. At the time of pre-inspection, your photo identification will be photographed: for driver/owners this will be a TWIC card, if truck owner does not have a TWIC card, substitute CA Driver's License. If the owner of a truck is a company, a photocopy of the TWIC or Driver's License of the company's contract-signing-authority should be submitted.

Preferred mileage documentation is any type of maintenance/repair, operational, tax or inspection records that show a *clear odometer reading with date* for the specific truck applied for. Two (2) odometer records are required: one from approximately 24 months ago and one from approximately 12 months ago. The District requests as few documents as possible to show odometer or miles driven. If no records of odometer readings are available, examples of alternate materials that may be submitted are:

- Daily manifest, driver log, safety booklet, electronic tracking record or similar records showing daily miles driven. If this option is used, discuss which records to submit in advance with Program staff. Excessive photocopies will not be accepted without staff permission.
- Any records such as GPS, fuel tax reports, gas card tracking, etc. that allow Program staff to calculate average miles driven for two 12 month periods during the past 2 years.
- Part IV or Part V of U.S. Federal Tax form Schedule C (Business Profit & Loss) showing claimed mileage or deducted annual diesel expenses of each separate truck (not for a fleet);
- If odometer is broken or no records are available, discuss documentation options with Program staff

Where can I get answers to my questions, and help with my application?

- Visit OT411 Trucker Information Center – Maritime Ave/Alaska Rd, Port of Oakland, Mon-Fri 11:00 am-4:00 pm
- Contact the District (general questions): 415/749-4994 (option 1), Email grants@baaqmd.gov, Website: www.baaqmd.gov/goods, or
- Contact Cascade Sierra Solutions (application & loan info): 541/246-2344

Can I choose whom to purchase the replacement truck from?

The District has contracted with Cascade Sierra Solutions to assist with program administration and to provide replacement trucks for this Program. All truck purchases must be processed through Cascade Sierra Solutions to ensure compliance with the Program requirements.

How do I arrange financing for the replacement truck?

CSS can assist applicants with financing. Alternately, an applicant may arrange financing on their own but must work with CSS to ensure that financing arrangements comply with Program requirements.

What happens to my old truck?

All existing trucks funded by the Program must be turned in to CSS for resale overseas or outside California. CSS will be able to offer up to \$15,000 of trade-in value for existing trucks based on condition. DMV title for the old truck must be clear, meaning all leases or loans paid and title signed off by lessor/lender. Existing (old) trucks are required to remain out of California for a minimum of 10 years.

When will I get the grant funding to replace my truck?

The District will enter into a Grant Agreement (contract) for each truck funded as part of this Program. The grant will be paid after the new truck has been delivered and inspected, and the old truck has been removed from service.

Will I be able to continue entering ports with my existing truck until I receive my new vehicle?

Participation in this Program does not allow waiver or extension of any CA truck regulations. Grant recipients will continue to be subject to the CARB Drayage Truck Regulation. The CARB Drayage Truck Regulation requires trucks with 2004 model year engine to have a retrofit installed to enter a California port or railyard after December 31, 2011. The Regulation is a state rule and any modifications to the compliance schedule can only be made by CARB.



December 14, 2011

Ms. Patricia Calloway
President, Board of Commissioners
Port of Oakland
530 Water Street,
Oakland, CA 94607

DEC 16 2011

**BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT**

ALAMEDA COUNTY
Tom Bates
(Chairperson)
Scott Haggerty
Jennifer Hosterman
Nate Miley

CONTRA COSTA COUNTY
John Giola
(Vice-Chair)
David Hudson
Mark Ross
Gayle B. Uilkema

MARIN COUNTY
Harold C. Brown, Jr.

NAPA COUNTY
Brad Wagenknecht

SAN FRANCISCO COUNTY
John Avalos
Edwin M. Lee
Eric Mar

SAN MATEO COUNTY
Carole Groom
Carol Klatt

SANTA CLARA COUNTY
Susan Garner
Ash Kalra
(Secretary)
Liz Kniss
Ken Yeager

SOLANO COUNTY
James Sperling

SONOMA COUNTY
Susan Gorin
Shirlee Zane

**Re: Upcoming California Air Resources Board Drayage Truck Regulation
Compliance Deadlines**

Dear Ms. Calloway,

On behalf of the Bay Area Air Quality Management District (Air District) Board of Directors (Board), I am writing this letter to strongly encourage you and your colleagues on the Board of Port Commissioners (Commission) to take additional actions to build upon our past successes in working together to reduce air pollutant emissions and health impacts from operations at the Port of Oakland (Port). Specifically, the Board encourages the Commission to work with us to take additional actions to clean up emissions from drayage trucks operating at, in and around your facilities in West Oakland.

This letter is also intended to emphasize comments offered to the Port's Executive Director in a letter dated November 16, 2011, and in testimony to the Commission on November 17, 2011, by the Air District's Executive Officer/APCO, Jack P. Broadbent.

As you may know, the Port and the surrounding West Oakland community was identified in a 2008 Health Risk Assessment, conducted by the California Air Resources Board (ARB), as having a cancer risk from toxic air contaminants of 2 to 3 times the Bay Area average. This cancer risk is primarily caused by diesel particulate material (DPM) emissions. Both the Port's MAQIP and the Air District's Community Air Risk Evaluation (CARE) Program have identified controlling DPM emissions from drayage trucks as being an important component of reducing this risk. A more recent study conducted by the Air District indicates that drayage truck DPM may contribute more to the overall health risk at the Port than was indicated in the 2008 Health Risk Assessment.

While the \$5 million contribution made by the Port to the Air District's \$26 million drayage truck upgrade program in 2009/10 significantly assisted in the retrofit and replacement of 1,522 vehicles (1,319 truck retrofits and 203 truck replacements), this funding only assisted truckers in meeting the first in a series of compliance deadlines that will require additional action. These additional compliance deadlines (see attachment 1) and corresponding bans on noncompliant trucks were included in an amendment to the Port's tariff that the Commission adopted on November 17, 2011.

While the Board commends the Commission for taking the step to ban noncompliant drayage trucks from Port entry, additional actions are still needed to

Jack P. Broadbent
EXECUTIVE OFFICER/APCO

ensure that the harmful DPM emissions from drayage truck operations at the Port continue to be reduced in the coming years.

Attachment 1, also provides an analysis of the number of vehicles affected by upcoming compliance deadlines in northern California. The Air District believes that the majority of these trucks are in service at the Port and in order to assist the owners of these trucks to come into compliance ahead of ARB requirements, the Board is requesting the Commission direct Port staff to explore the following actions:

- **Explore options to provide funding support to drayage truckers to upgrade equipment.** The Air District believes that the success of our joint 2009/10 program has provided the Port with an abundance of compliant drayage trucks that have allowed the flow of goods and services at your facilities to continue uninterrupted. In analyzing the upcoming ARB drayage truck rule deadlines, the Air District believes as many as 4,550 vehicles will need to be replaced with engine model year (MY) 2007 trucks in order to remain in compliance. While current economic studies show that the Port may not need all of these trucks, the fact remains that a large portion of these trucks will still be required to serve the Port.

Based on our experiences in 2009/10, the Air District believes that the Port needs to be a financial partner in solving the drayage truck upgrade issue. The Board is therefore requesting that the Commission direct Port staff to investigate all mechanisms available to provide funding support for drayage truck owners to upgrade their equipment to the required MY 2007 standards, including additional grant funding, revolving loan fund and/or credit and financing programs that will assist drayage truck owners to make the necessary upgrades. The Air District plans to complement this effort by seeking additional funding from ARB to match local funding from Air District grant programs and Federal funding from the United States Environmental Protection Agency (USEPA) to perform additional drayage truck upgrades at Bay Area ports.

- **Assist with providing accurate and timely compliance information to drayage truckers.** Based on the experiences from the 2009/10 truck upgrades, the Air District believes it is crucial that accurate and timely information be distributed to drayage truckers regarding upcoming compliance deadlines and assistance opportunities. The Air District believes that the Port and its staff have good credibility with and access to the drayage trucking community. The Port has many communication tools, including mobile billboards, warfingers, terminal owners and motor carriers, and its own drayage truck information system to inform the drayage community of all upcoming regulatory deadlines and compliance assistance opportunities.

Therefore, the Board urges the Commission to direct Port staff to perform sufficient outreach to ensure that drivers are aware of upcoming compliance requirements, any available funding or assistance available for truck upgrades, and any updates to Port or terminal procedures related to enforcement of compliance deadlines.

- **Leverage the Port's relationship with the City of Oakland (City) to provide additional financial, outreach and retraining support to drayage truck owners.** The Board also urges the Commission to direct Port staff to investigate leveraging their relationship with the City to provide any additional financial, outreach or retraining support available to drayage truck owners. Based on the Air District's experiences in 2009/10, support from the City in terms of providing links for truckers to financial packages, outreach to minority communities and outreach on retraining opportunities was helpful in assisting the drayage trucking community to understand and meet that compliance deadline. Bringing those resources to the table will round out a comprehensive support, outreach and financial mechanism to assist drayage truck drivers.
- **Conduct a comprehensive analysis of methods employed at Southern California Ports to address drayage truck compliance and implement applicable mechanisms to upgrade equipment.** The Board urges the Commission to direct Port staff to analyze, consider and implement applicable methods employed by the Southern California ports of Los Angeles and Long Beach to reduce the health risks from their drayage trucks. Both of these ports have managed to implement systems whereby their drayage truck fleets were replaced with lower emitting vehicles prior to ARB regulatory deadlines.

This turnover was achieved primarily through the implementation of container fees and concession models for the drayage trucking industry. Additionally, these models were supported by the beneficial cargo owners (BCO), railway companies and shippers at those ports. The Board also suggests that the Commission direct Port staff to engage the railway companies, shippers and BCO in the discussion regarding the upcoming compliance dates. It may also be possible to seek voluntary financial support from the BCO, railway companies and shippers to assist in the upgrade of the drayage truck fleet.

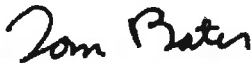
The Air District acknowledges that the business models in Oakland and Southern California ports differ. However, without engaging these entities and exploring and implementing what has been successful at other ports a

comprehensive solution to the upcoming drayage truck compliance issue cannot be achieved.

In conclusion, the Board encourages the Commission to take quick, deliberate and coordinated action to assist Port drayage truckers in complying with upcoming ARB regulations. We recognize that these are difficult economic times and that the Port is in the process of making a large investment into compliance with the ARB shore-power regulation. However, in order to ensure that necessary air quality improvements and health risk reductions occur in West Oakland, and that the Port continues to be economically vital we must act together.

I encourage the Commission to take the actions listed in this letter in partnership with the Air District. I would welcome the opportunity to discuss these issues with you in greater detail.

Sincerely,



Tom Bates
Chairperson
Bay Area Air Quality Management District

CC: Air District Board of Directors
Board of Port Commissioners
California Air Resources Board: Mary Nichols, Cynthia Marvin, James Goldstene
ACTA: Art Dao

Attachment 1-Upcoming ARB Regulatory Compliance Dates and Northern California Drayage Truck Analysis

Table 1: ARB Drayage Truck Regulation Compliance Schedule

Phase	Date	Engine Model Years (MY)	Regulation requirement
Phase 1	12/31/09	1993 and older	Prohibited from operation as a drayage truck
		1994 – 2003	Install a Level 3 retrofit device
	12/31/11	2004	Install a Level 3 retrofit device
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Phase 2	12/31/13	1994 – 2006	Meet 2007 * engine emissions standards

* Trucks with 2007-2009 model year engines are compliant through 2022. Trucks with 2010 and newer engines are fully compliant

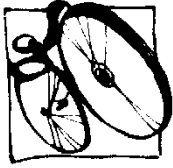
Table 2: Drayage Truck Population in Northern California as of July 2011

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** Funding sources for the Air District's Year 1 port truck funding program: TFCA (\$5 million), Port (\$5 million), ARB Prop 1B (\$13,835,133), and DERA (~\$2 million)

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EAST BAY BICYCLE COALITION

Working for safe, convenient and enjoyable bicycling for all people in the East Bay

December 19, 2011

Matt Todd,
Manager of Programming
Alameda County Transportation Commission
1333 Broadway, Suite 200
Oakland CA 94612

Re: Transportation Fund for Clean Air County Program Manager Funds Model Year 2004
Drayage Truck Replacement Program

Dear Mr. Todd:

The East Bay Bicycle Coalition strongly opposes any proposal to use TFCA funds in Alameda County for the purchase of new trucks and new truck engines for Drayage trucks at the Port of Oakland. TFCA funds are used in our County to fund many important bikeway projects and the staff proposal to redirect \$1.43 million in TFCA 2012/2013 fund year would decimate this program for that year.

We support efforts to clean the technology of vehicles and we know that the community of West Oakland is unfairly impacted by dirty diesel trucks entering and leaving the Port of Oakland. We also support the development of a truck parking facility in West Oakland away from neighborhoods. However, the Port of Oakland, and its clients, should pay for the replacement trucks/engines of Drayage trucks. Taxpayers should have to shoulder these costs. Before any additional staff proposals are brought forward, we also request to the Alameda CTC consider the following information:

1. How much money the Port of Oakland is contributing to this proposal and how much money they should be contributing as a matter of good public policy?
2. What bikeway projects would cities in Alameda County use this \$1.43 million to fund?

This additional information is necessary before an informed discussion and decision can be made about how best to address the issue of polluting diesel trucks at the Port of Oakland. Until this information is available, we are adamantly opposed to this proposal.

For context, the recent Countywide Transportation Plan call for projects resulted in \$4.5 billion is bike/ped projects submitted for funding. This was the 2nd highest category of need in the County (behind transit operations). To our knowledge, the Port of Oakland did not even submit this proposal as a project. Regardless, there is simply too much demand for bikeway projects in Alameda County for this proposal to be considered sound transportation planning. Please develop an alternative planning scenario, such as additional Prop 1B money, or state or federal funding sources.

Thank you for your consideration of our position on this matter.

Sincerely,

Dave Campbell
Program Director
Email: dave.campbell@ebbc.org

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TFCA FY 2012/13 Draft Fund Estimate - Drayage Truck Funding: Option 1

Agency	Population (Estimate)	% Population	Total % of Funding	TFCA Funds Available This FY	FY 11/12 Rollover Debits/ Credits	TFCA Balance & Rollover	Current Program Balance	Option 1 \$ to Drayage Trucks	Option 1 Available to Program
Alameda	74,081	4.87%	4.86%	\$ 59,154	\$ (488,271)	\$ (429,117)	\$ -	\$ 57,789	
Alameda County	141,898	9.33%	9.30%	\$ 113,306	\$ 18,290	\$ 131,596	\$ 131,596	\$ 131,596	
Albany	18,622	1.22%	1.22%	\$ 14,870	\$ (44,755)	\$ (29,885)	\$ -	\$ 14,527	
Berkeley	114,046	7.50%	7.48%	\$ 91,066	\$ 129,078	\$ 220,144	\$ 220,144	\$ 88,964	
Dublin	46,743	3.07%	3.06%	\$ 37,324	\$ 121,059	\$ 158,383	\$ 158,383	\$ 36,463	
Emeryville	10,125	0.67%	0.82%	\$ 10,000	\$ 19,075	\$ 29,075	\$ 29,075	\$ 7,898	
Fremont	215,711	14.18%	14.14%	\$ 172,246	\$ 59,960	\$ 232,206	\$ 232,206	\$ 168,271	
Hayward	145,839	9.59%	9.56%	\$ 116,453	\$ (646,919)	\$ (530,466)	\$ -	\$ 113,765	
Livermore	81,687	5.37%	5.36%	\$ 65,227	\$ 250,397	\$ 315,624	\$ 315,624	\$ 63,722	
Newark	42,764	2.81%	2.80%	\$ 34,147	\$ 198,279	\$ 232,426	\$ 232,426	\$ 33,359	
Oakland	392,932	25.83%	25.76%	\$ 313,758	\$ 215,238	\$ 528,996	\$ 528,996	\$ 528,996	
Piedmont	10,726	0.71%	0.82%	\$ 10,000	\$ 36,409	\$ 46,409	\$ 46,409	\$ 8,367	
Pleasanton	70,643	4.64%	4.63%	\$ 56,409	\$ (19,980)	\$ 36,429	\$ 36,429	\$ 55,107	
San Leandro	85,490	5.62%	5.60%	\$ 68,264	\$ 36,113	\$ 104,377	\$ 104,377	\$ 66,689	
Union City	69,850	4.59%	4.58%	\$ 55,775	\$ 105,414	\$ 161,189	\$ 161,189	\$ 54,488	
TOTAL:	1,521,157	100.00%	100.00%	\$ 1,218,000	\$ (10,613)	\$ 1,207,387		\$ 1,430,000	\$ -

FY 12/13 TFCA Funds (estimated) \$ 1,800,000

10/11 Interest Earned \$ 30,000

Programming Capacity \$ 1,830,000

Less 5% for Program Administration \$ 90,000

Total Estimated Programming Capacity \$ 1,740,000

Amount of City/County Balance to

Drayage Trucks \$ 1,430,000

Remaining Programming Capacity \$ 310,000

Notes:

- Option 1 funds the \$1.43 million drayage truck request by first utilizing Oakland and Alameda County current balances totaling \$660,592. The \$769,408 remainder is split by population among the remaining cities.
- Population estimates as of 1/01/11 from Dept. of Finance (www.dof.ca.gov).

TFCA FY 2012/13 Draft Fund Estimate - Drayage Truck Funding: Option 2

Agency	Population (Estimate)	% Population	Total % of Funding	TFCA Funds Available This FY	FY 11/12 Rollover Debits/ Credits	TFCA Balance & Rollover	Current Program Balance	Option 2 ¹ \$ to Drayage Trucks
Alameda	74,081	4.87%	4.86%	\$ 59,154	\$ (488,271)	\$ (429,117)	\$ -	\$ 69,450
Alameda County	141,898	9.33%	9.30%	\$ 113,306	\$ 18,290	\$ 131,596	\$ 131,596	\$ 133,028
Albany	18,622	1.22%	1.22%	\$ 14,870	\$ (44,755)	\$ (29,885)	\$ -	\$ 17,458
Berkeley	114,046	7.50%	7.48%	\$ 91,066	\$ 129,078	\$ 220,144	\$ 220,144	\$ 106,917
Dublin	46,743	3.07%	3.06%	\$ 37,324	\$ 121,059	\$ 158,383	\$ 158,383	\$ 43,821
Emeryville	10,125	0.67%	0.82%	\$ 10,000	\$ 19,075	\$ 29,075	\$ 29,075	\$ 11,741
Fremont	215,711	14.18%	14.14%	\$ 172,246	\$ 59,960	\$ 232,206	\$ 232,206	\$ 202,226
Hayward	145,839	9.59%	9.56%	\$ 116,453	\$ (646,919)	\$ (530,466)	\$ -	\$ 136,722
Livermore	81,687	5.37%	5.36%	\$ 65,227	\$ 250,397	\$ 315,624	\$ 315,624	\$ 76,581
Newark	42,764	2.81%	2.80%	\$ 34,147	\$ 198,279	\$ 232,426	\$ 232,426	\$ 40,091
Oakland	392,932	25.83%	25.76%	\$ 313,758	\$ 215,238	\$ 528,996	\$ 528,996	\$ 368,369
Piedmont	10,726	0.71%	0.82%	\$ 10,000	\$ 36,409	\$ 46,409	\$ 46,409	\$ 11,741
Pleasanton	70,643	4.64%	4.63%	\$ 56,409	\$ (19,980)	\$ 36,429	\$ 36,429	\$ 66,227
San Leandro	85,490	5.62%	5.60%	\$ 68,264	\$ 36,113	\$ 104,377	\$ 104,377	\$ 80,146
Union City	69,850	4.59%	4.58%	\$ 55,775	\$ 105,414	\$ 161,189	\$ 161,189	\$ 65,484
TOTAL:	1,521,157	100.00%	100.00%	\$ 1,218,000	\$ (10,613)	\$ 1,207,387	\$ 2,196,855	\$ 1,430,000

FY 12/13 TFCA Funds (estimated)	\$ 1,800,000
10/11 Interest Earned	\$ 30,000
Programming Capacity	\$ 1,830,000
Less 5% for Program Administration	\$ 90,000
Total Estimated Programming Capacity	\$ 1,740,000
Amount of City/County Balance to Drayage Trucks	\$ 1,430,000
Remaining Programming Capacity	\$ 310,000

Notes:

- Option 2 distributes the \$1.43 million drayage truck request among the Cities and County by the FY 12/13 "Total % of Funding".
- Population estimates as of 1/01/11 from Dept. of Finance (www.dof.ca.gov).

TFCA FY 2012/13 Draft Fund Estimate - Drayage Truck Funding: Option 3

Agency	Population (Estimate)	% Population	Total % of Funding	TFCA Funds Available This FY	FY 11/12 Rollover Debits/ Credits	Option 3 ¹ Total \$ to Drayage Trucks	Option 3 Available to Program	TFCA Balance (FY 11/12 Rollover + FY 12/13 Funds)
Alameda	74,081	4.87%	4.86%	\$ 59,154	\$ (488,271)		\$ 10,539	\$ (477,732)
Alameda County	141,898	9.33%	9.30%	\$ 113,306	\$ 18,290		\$ 20,187	\$ 38,477
Albany	18,622	1.22%	1.22%	\$ 14,870	\$ (44,755)		\$ 2,649	\$ (42,106)
Berkeley	114,046	7.50%	7.48%	\$ 91,066	\$ 129,078		\$ 16,224	\$ 145,302
Dublin	46,743	3.07%	3.06%	\$ 37,324	\$ 121,059		\$ 6,650	\$ 127,709
Emeryville	10,125	0.67%	0.82%	\$ 10,000	\$ 19,075		\$ 1,782	\$ 20,857
Fremont	215,711	14.18%	14.14%	\$ 172,246	\$ 59,960		\$ 30,688	\$ 90,648
Hayward	145,839	9.59%	9.56%	\$ 116,453	\$ (646,919)		\$ 20,747	\$ (626,172)
Livermore	81,687	5.37%	5.36%	\$ 65,227	\$ 250,397		\$ 11,621	\$ 262,018
Newark	42,764	2.81%	2.80%	\$ 34,147	\$ 198,279		\$ 6,084	\$ 204,363
Oakland	392,932	25.83%	25.76%	\$ 313,758	\$ 215,238		\$ 55,899	\$ 271,137
Piedmont	10,726	0.71%	0.82%	\$ 10,000	\$ 36,409		\$ 1,782	\$ 38,191
Pleasanton	70,643	4.64%	4.63%	\$ 56,409	\$ (19,980)		\$ 10,050	\$ (9,930)
San Leandro	85,490	5.62%	5.60%	\$ 68,264	\$ 36,113		\$ 12,162	\$ 48,275
Union City	69,850	4.59%	4.58%	\$ 55,775	\$ 105,414		\$ 9,937	\$ 115,351
TOTAL:	1,521,157	100.00%	100.00%	\$ 1,218,000	\$ (10,613)	\$ 1,430,000	\$ 217,000	

FY 12/13 TFCA Funds (estimated) \$ 1,800,000
10/11 Interest Earned \$ 30,000
Programming Capacity \$ 1,830,000

Less 5% for Program Administration \$ 90,000
Total Estimated Programming Capacity \$ 1,740,000

FY 12/13 TFCA Funds to Drayage Trucks \$ 1,430,000
Remaining Programming Capacity \$ 310,000

70% City/County Share \$ 217,000
30% Transit Discretionary Share \$ 93,000

Notes:

- Option 3 starts with \$1.43 million taken off the top of the total amount available to program leaving a \$310K remainder to be divided by the standard TFCA 70% / 30% split.
- Population estimates as of 1/01/11 from Dept. of Finance (www.dof.ca.gov).

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OVERVIEW OF

The Statewide Drayage Truck Regulation

Rule to achieve significant emission reductions and protect public health.

In December 2007, the California Air Resources Board (ARB) approved a new regulation to reduce emissions from drayage trucks at California's ports and intermodal rail yards. Staff subsequently proposed, and the board approved, changes to the regulation at the ARB's December 17th, 2010 hearing. These changes will become law upon Office of Administrative Law approval.

Why is this regulation needed?

Drayage trucks tend to be older vehicles with little or no emission controls. These vehicles tend to congregate near ports and rail yards and emit large amounts of smog forming oxides on nitrogen (NO_x), and toxic soot (Particulate Matter (PM)). Nearby communities are more heavily impacted by these emissions which contribute to many adverse health effects, including asthma, cancer, and premature deaths. Reducing emissions from these trucks is necessary to meet federally imposed clean air standards and to reduce adverse health effects – especially to nearby communities.

What types of vehicles are subject to this regulation?

The regulation applies to all on-road class-7* and class 8 (GVWR > 26,000 lbs) diesel-fueled vehicles that visit California's ports and intermodal rail yards regardless of the state or country of origin or visit frequency. The regulation does not apply to certain types of vehicles including emergency vehicles, military tactical support vehicles and dedicated use vehicles.

*During the December 2010 Board hearing, the Board approved the expansion of the regulation's applicability to include class-7 trucks (GVWR 26,001 to 33,000 lbs) and drayage trucks operating off of port or intermodal rail yard properties. These changes will become effective pending Office of Administrative Law approval.

Can I re-certify my truck to lower the GVWR (Gross Vehicle Weight Rating)?

No. According to Vehicle Code Section 350:

- "Gross Vehicle Weight Rating" (GVWR) means the weight specified by the manufacturer as a loaded weight of the single vehicle.

The GVWR on the certification label can only be assigned by the manufacturer and it is the only valid GVWR for complying with the Drayage Truck Regulation's requirements.

Who must comply with the regulation?

The regulation establishes requirements for drayage truck drivers, drayage truck owners, motor carriers that dispatch drayage trucks, port and marine terminals, intermodal rail yards, and port and rail authorities.

What does the regulation require?

In general, the regulation requires emission reductions from drayage trucks as well as recordkeeping and reporting to help monitor compliance and enforcement efforts. The basic responsibilities for each stakeholder are as follows: truck drivers must provide motor carrier contact information, load destination, and origin to enforcement officers, if requested; truck

owners are required to register their trucks in the State administered Drayage Truck Registry (DTR), ensure their trucks meet emission standards by the appropriate deadline dates (see table below), and ensure that emission control technologies are functioning properly; motor carriers must ensure that dispatched trucks are compliant with the regulation, provide a copy of the regulation to truck owners, and keep dispatch records for five years; and terminals are required to collect information from each noncompliant truck entering their facility and report it to their respective port or rail authority, who then reports this information to the ARB.

When do truck owner requirements take effect?

The regulation requires truck owners to register their trucks in the State run DTR prior to port or railyard entry. Truck owners are also required to meet emission standards shown in the following table.

Class 8 compliance schedule

Truck Engine Model Year	Emission Requirements
1993 and Older	Prohibited by December 31, 2009
1994 thru 2003	After December 31, 2009, reduce PM emissions by 85% and After December 31, 2013, meet 2007 engine emission standard
2004	After December 31, 2011, reduce PM emissions by 85% and After December 31, 2013, meet 2007 engine emission standard
2005 and 2006	After December 31, 2012, reduce PM emissions by 85% and After December 31, 2013, meet 2007 engine emission standard
2007-2009	Compliant through 2022
2010 and Newer	Fully compliant

Class 7 compliance schedule

Truck Engine Model Year	Emission Requirements
1993 and older	Prohibited
1994 thru 2006 while operating in the South Coast Air Basin	After December 31, 2011, reduce PM emissions by 85% and After December 31, 2013, meet 2007 engine emission standard
1994 thru 2006	After December 31, 2013, meet 2007 engine emission standard
2007 thru 2009	Compliant through 2022
2010 and Newer	Fully compliant

What are the benefits of the regulation?

The regulation is projected to provide significant emission reductions that will have a positive air quality impact in California – especially in and around affected ports and intermodal rail yards. PM emissions are projected to be reduced by about 2.6 tons per day starting in 2010 and NO_x emissions are projected to be reduced by 34 tons per day starting in 2014. Staff estimates that approximately 580 premature deaths would be avoided by 2014 in addition to 17,000 fewer cases of asthma-related symptoms.

Is incentive money available?

Incentive funds may be available in many areas of the state. Please see the following ARB website for additional information: www.arb.ca.gov/ba/fininfo.htm.

For more information

Contact the ARB Drayage Truck Hotline at 888-247-4821.
Please visit our website at : www.arb.ca.gov/drayagetruck

To obtain this document in an alternative format or language please contact the ARB's Helpline at (800) 242-4450 or at helpline@arb.ca.gov. TTY/TDD/ Speech to Speech users may dial 711 for the California Relay Service.



Memorandum

DATE: December 28, 2011

TO: Programs and Projects Committee

FROM: Matt Todd, Manager of Programming

SUBJECT: Approval of STIP Award Deadline Time Extension Request for the Union City Intermodal Station Project, Phase II

Recommendation

It is recommended the Commission approve the request for a six-month time extension to the STIP award deadline for the Union City Intermodal Station, Phase II. Union City is requesting a six-month extension from December 31, 2011 to June 30, 2012. ACTAC is scheduled to consider this item on January 3rd.

Summary

Union City requests a six-month time extension to the STIP award deadline from December 31, 2011 to June 30, 2012 for both \$715,000 of STIP and \$3,000,000 of STIP TE for a total of \$3,715,000, allocated on June 23, 2011, for the Construction phase of the project. The total project cost for Phase 2 is approximately \$20 million. The two extension requests are attached.

Background

The STIP timely use of funds provisions enacted by SB 45 are intended to encourage local and regional agencies to accurately program, monitor and deliver STIP projects in a timely manner. Per the STIP Guidelines, the CTC may grant a one-time extension to each of the allocation, expenditure, award (which includes FTA transfer), and completion deadlines only if it finds that an unforeseen and extraordinary circumstance beyond the control of the responsible agency has occurred that justifies the extension. The extension will not exceed the period of delay directly attributed to the extraordinary circumstance and will in no event be for more than 20 months.

This Intermodal Station infrastructure project continues to modify and reconfigure the existing Union City BART Station to improve access for all modes - pedestrians, bicyclists, vehicles and transit - which includes the creation of an east side entrance to the Station including installation of fare gates and other automated fare collection equipment; relocation of elevators; expansion of the east platform; improvements to pedestrian circulation in and around the Station and construction of a pedestrian overpass as required by the California PUC.

The City of Union City is partnering with BART to deliver this project. The agencies have executed a cooperative agreement, under which BART will award and administer the construction contract. The funding for the project includes \$715,000 of STIP funding and \$3.0 million in STIP-TE funds which have been requested to be transferred to an FTA grant. At the time of the CTC allocation in

June 2011, it was expected that the funds would be transferred to the FTA and a contract awarded within the 6-month timeframe stipulated in the STIP Guidelines.

An extension is requested due to the delay of the FTA transfer. The transfer request was not processed until November 2011 with the delay caused by issues with the transition to the new federal fiscal year (October 1st to September 30th). This has in turn delayed the contract award as BART policy prohibits advertising the project until all funding agreements are executed. Consequently, project advertisement will not occur prior to January 2012, which is the earliest the FTA transfer is anticipated to be completed. The two agencies have coordinated closely from the project's inception and will continue to work together to expedite awarding the contract.

The extension request for the \$715,000 STIP funding was submitted to Caltrans in November 2011 and may be scheduled for consideration at the January 25, 2012 CTC meeting, while the second extension request for the \$3 million STIP-TE was submitted in December 2011 and will likely be scheduled for consideration at the February 23, 2012 CTC meeting. MTC requires Alameda CTC concurrence for all STIP extension requests.

Attachments

Attachment A – STIP Time Extension Request for \$715,000

Attachment B – STIP Time Extension Request for \$3,000,000



34009 ALVARADO-NILES ROAD
UNION CITY, CALIFORNIA 94587
(510) 471-3232

REQUEST FOR TIME EXTENSION LOCAL HIGHWAY PROJECTS

To: Ms. Lisa Carboni, Chief
District 4 State Transit Grants Branch
Caltrans, Office of Transit & Community Planning
111 Grand Avenue
Oakland, CA 94612

Date: November 21, 2011

PPNO: 2110A
PROJECT #: _____
EA: R738TD
Union City Intermodal Station Phase II
Location: Union City
County: Alameda County
Assembly District: 18
Senate District: 10

Dear Ms. Carboni,

The City of Union City requests that the California Transportation Commission approve a request for a time extension for this project. Our Program Supplement number for this project is 04A0074-03.

A. Project description:

This Intermodal Station infrastructure project continues to modify and reconfigure the existing Union City BART Station to improve access for all modes – pedestrians, bicyclists, vehicles and transit which includes the creation of an east side entrance to the Station (including installation of fare gates and other automated fare collection equipment); relocation of elevators, expansion of the east platform, and improvements to pedestrian circulation in and around the Station; and construction of a pedestrian overpass as required by the California PUC.

Programmed STIP PTA Funding Level by Phase (X \$1,000):

	FY 11/ 12	Total
ENV		-
PS&E		-
R/W		-
CON	715	715
Total	715	715

B. Project element for which extension requested: (check appropriate box)

☐ Allocation ☐ Expenditure ☒ Award ☐ Completion
(contract acceptance)

C. Phase (component) of project: (check appropriate box or boxes)

☐ Environmental ☐ Plans, Specs. & ☐ Right of ☒ Construction*
Studies & Permits Estimate Way

D. Allocation and deadline summary

Allocation Date By Phase (if applicable)	Allocated Amount By Phase (if applicable)	Original Deadline	Number of Months of Extension Requested	Extended Deadline
6/23/11	\$715,000	12/31/2011	6 months	6/30/2012

E. Reason for project delay

The City of Union City is partnering with BART to deliver this project, which will modify and reconfigure the existing BART station. The agencies have executed a cooperative agreement, under which BART will award and administer the construction contract.

The funding for the project includes \$3.0 M in TE funds which were transferred to an FTA grant. The transfer was delayed due to the transition between federal fiscal years and was not processed until November 2011. BART policy prohibits advertising the project until all funding agreements are executed. Consequently, project advertisement will not occur until January 2012 at the earliest.

The two agencies have coordinated closely from the project's inception and will continue to work together to expedite awarding the contract.

F. Status of project milestones/revised project milestones

1) Completion of Environmental Document:

CEQA - Categorical Exemption, March 2002

NEPA - Categorical Exclusion, July 2003 (FTA NEPA Revalidation, January 2006)

2) Right of Way Certification:

Indicate the date right of way was certified (or will be certified) for the project - June 2006

3) Construction:

Indicate the date the project was advertised - January 2012 (estimated)

Indicate the date the project was awarded - May 2012 (estimated)


G. Timely Use of Funds

We request that the Commission approve this request at the January 25, 2012 meeting.

H. Local Agency Certification:

This Request for Time Extension has been prepared in accordance with the *Procedures for Administering Local Grant Projects in the State Transportation Improvement Program (STIP)*. I certify that the information provided in the document is accurate and correct. I understand that if the required information has not been provided this form will be returned and the request may be delayed. Please advise us as soon as the time extension has been approved. You may direct any questions to

Mintze Cheng at (510) 675-5036
(name) (phone number)

Signature  Title: Public Works Director Date: November 21, 2011

Agency/Commission: CITY OF UNION CITY

I. Caltrans District State Transit Grants Branch Chief Acceptance:

I have reviewed the information submitted on the Request for Time Extension and agree it is complete and has been prepared in accordance with the *Procedures for Administering Local Grant Projects in the State Transportation Improvement Program*.

Signature: _____

Title: Chief, State Grants Branch, D-4 Transportation Planning A

Date: _____

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34009 ALVARADO-NILES ROAD
UNION CITY, CALIFORNIA 94587
(510) 471-3232

REQUEST FOR TIME EXTENSION LOCAL HIGHWAY PROJECTS

To: Ms. Sylvia Fung, Chief
District 4 Local Assistance Engineer
Caltrans, Office of Local Assistance
111 Grand Avenue
Oakland, CA 94612

Date: December 22, 2011

PPNO: 2110A
PROJECT #: FTASTPLE-5354(031)
EA: R738A
Union City Intermodal Station Phase II
Location: Union City
County: Alameda County
Assembly District: 18
Senate District: 10

Dear Ms. Fung,

The City of Union City requests that the California Transportation Commission approve a request for a post-fact time extension for this project.

A. Project description:

This Intermodal Station infrastructure project continues to modify and reconfigure the existing Union City BART Station to improve access for all modes – pedestrians, bicyclists, vehicles and transit which includes the creation of an east side entrance to the Station (including installation of fare gates and other automated fare collection equipment); relocation of elevators, expansion of the east platform, and improvements to pedestrian circulation in and around the Station; and construction of a pedestrian overpass as required by the California PUC.

Programmed STIP TE Funding Level by Phase (X \$1,000):

	FY 11/ 12	Total
ENV		-
PS&E		-
R/W		-
CON	3,000	3,000
Total	3,000	3,000

B. Project element for which extension requested: (check appropriate box)

☐ Allocation
 ☐ Expenditure
 ☒ Award
 ☐ Completion
(contract acceptance)

C. Phase (component) of project: (check appropriate box or boxes)

☐ Environmental
Studies & Permits
 ☐ Plans, Specs. &
Estimate
 ☐ Right
Way
 of ☒ Construction*

City of Union City
Time Extension Request

D. Allocation and deadline summary

Allocation Date By Phase (if applicable)	Allocated Amount By Phase (if applicable)	Original Deadline	Number of Months of Extension Requested	Extended Deadline
6/23/11	\$3,000,000	12/31/2011	6 months	6/30/2012

E. Reason for project delay

The City of Union City is partnering with BART to deliver this project, which will modify and reconfigure the existing BART station. The agencies have executed a cooperative agreement, under which BART will award and administer the construction contract.

The funding for the project includes \$3.0 M in TE funds which were to be transferred to an FTA grant. The transfer was delayed due to the transition between federal fiscal years and was not processed until November 2011. FHWA staff advised that the earliest FTA transfer would occur in January 2012. BART policy prohibits advertising the project until all funding agreements are executed. Consequently, project advertisement will not occur until January 2012 at the earliest.

The two agencies have coordinated closely from the project's inception and will continue to work together to expedite awarding the contract.

F. Status of project milestones/revised project milestones

1) Completion of Environmental Document:

CEQA - Categorical Exemption, March 2002

NEPA - Categorical Exclusion, July 2003 (FTA NEPA Revalidation, January 2006)

2) Right of Way Certification:

Indicate the date right of way was certified (or will be certified) for the project - June 2006

3) Construction:

Indicate the date the project was advertised - January 2012 (estimated)

Indicate the date the project was awarded - May 2012 (estimated)

G. Timely Use of Funds

We request that the Commission approve this request at the February 23, 2012 meeting.

H. Local Agency Certification:

This Request for Time Extension has been prepared in accordance with the *Procedures for Administering Local Grant Projects in the State Transportation Improvement Program (STIP)*. I certify that the information provided in the document is accurate and correct. I understand that if the required information has not been provided this form will be returned and the request may be delayed. Please advise us as soon as the time extension has been approved. You may direct any questions to

Mintze Cheng at (510) 675-5036
(name) (phone number)

Signature  Title: Public Works Director Date: December 22, 2011

Agency/Commission: CITY OF UNION CITY

I. Regional Transportation Planning Agency/County Transportation Commission Concurrence:

Concurred

Signature _____
Title _____

Metropolitan Transportation Commission Date: _____
(Agency/Commission)

J. Caltrans District Local Assistance Engineer Chief Acceptance:

I have reviewed the information submitted on the Request for Time Extension and agree it is complete and has been prepared in accordance with the *Procedures for Administering Local Grant Projects in the State Transportation Improvement Program*.

Signature: _____

Title: Chief, Local Assistance Engineer, D-4 Office of Local Assistance

Date: _____

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Memorandum

DATE: December 23, 2011

TO: Programs and Projects Committee

FROM: Stewart D. Ng, Deputy Director of Programming and Projects
Kanda Raj, Project Controls Team

SUBJECT: **Southbound I-680 Express Lane Project: Approval of Amendments to Professional Services Agreements with Solem & Associates and Wilbur Smith Associates**

Recommendation

It is recommended the Commission approve the following two actions in support of the final system acceptance and operations of the Southbound I-680 Express Lane Project ("the Project"):

1. Amendment No. 5 to Consultant Services Agreement (CMA#06-019) with Solem & Associates to extend the term of the Agreement from December 31, 2011 to June 30, 2012, with no additional budget. The time extension to the Agreement is needed to continue the public education and marketing services during the operations phase of the Project, including maintaining the Project website, providing public/media outreach, and routinely responding to public inquiries, etc.; and
2. Amendment No. 6 to Consultant Services Agreement (CMA#04-007) with Wilbur Smith Associates to a) extend the term of the Agreement from March 31, 2012 to June 30, 2012, and b) include additional compensation for the new or improved services in the amount of \$178,000. Pending Commission's approval, the not to exceed maximum compensation amount included in this Agreement will be revised as \$2,063,821. The time extension and additional compensation are needed to continue the system manager oversight services for managing the system integration contractor, and to provide new services for monitoring and managing the daily activities associated with the operations of the Project.

Funding for Commission's Action 2 will be provided from the approved project budget.

Summary

The Southbound I-680 Express Lane, opened to traffic in September 2009 is the first and only express lane that is currently in operation in Northern California. The ACCMA (now Commission) is the managing agency of the I-680 Express Lane facility that allows carpool users to travel free of charge while charging a toll for single occupancy vehicles to use the excess capacity in the express lane. The system integration contractor has completed the final system testing and is in the process of reviewing the punch list items. The final system acceptance is expected in early 2012. Upon completion of this

task, the operations and maintenance of this express lane facility will continue. In spring 2012, the staff will present a work plan to the Commission that will outline the services required and a funding plan, for the operations and maintenance of the express lane facility beyond the current fiscal year.

Background

Since 2006, the ACCMA (now Commission) has implemented a robust public education and marketing activity for introducing, communicating and educating the customers about the new I-680 Express Lanes facility. Through continued implementation of an Education and Marketing Plan, communications regarding the appearance of the new toll lanes, the rules and requirements for use of the facility, and the safety and/or concerns of travelers have been carefully addressed. Based on surveys conducted, the express lanes have been well received by the public as a potential solution to the growing traffic congestion problem. During the operation phase of the Project, continuation of limited public education and outreach services is necessary to ensure customer services and educate the public/media regarding the benefits of the Project.

The consultant services have been utilized for the specialized system management and operations services. These services are necessary to oversee the final system acceptance and continue the staff augmentation required for achieving Project's daily operations needs.

Action 1:

During early phases of the Project, it was planned to implement the public education and marketing plan in two phases; the first phase for educating the public and marketing the facility prior to opening the express lane; the second phase for maintaining the website, performing periodic evaluation of the users of the facility, and if needed, providing additional marketing and media campaigns. With this plan in mind, an Agreement with Solem & Associates was executed in October 2006. Subsequently, the Agreement was amended four times; in January 2008, July 2009, April 2010, and in April 2011 to include new and improved consulting scope of services and extend the term of the Agreement to December 2010.

It is necessary to continue the customer services through this public education and marketing consultant services Agreement, such as maintaining project website, providing public/media outreach, preparing presentation materials, and routinely responding to public inquiries, etc. Adequate funds are included in the current total compensation maximum, allowed in the Agreement and no additional funds are required to extend the services until the end of fiscal year 2011/12, i.e.) June 30, 2012. The not to exceed maximum compensation amount, allowed in this Agreement will remain as 1,127,910.

Staff recommends that the Commission authorize the Executive Director of Alameda CTC to amend the Agreement with Solem & Associates (CMA#06-019), for extending the term of the Agreement to June 30, 2012.

Action 2:

In December 2004, the ACCMA executed an Agreement with Wilbur Smith Associates for providing system manager oversight on a system integration contractor's design and implementation of a toll facility. Subsequently, the Agreement was amended five times; in July 2007, September 2008, August 2009, May 2010, and in April 2011 to include new and improved consulting services and extend the term of the Agreement to March 31, 2012. Wilbur Smith Associates tasks also included validation of the System Integrator dynamic pricing algorithm for its capability to meet the contract's requirements

and the development of the Express Lane Operations Manual needed to document all policies, procedures, parameters and functional requirements of how the express lane operates.

The system integration contractor has completed the final system testing and the final system acceptance is expected in early 2012. The time extension and additional compensation are needed to continue the system manager oversight services for managing the system integration contractor, and to provide new services for monitoring and managing the daily activities associated with the operations of the Project. An additional compensation of \$178,000 will be added in the Wilbur Smith Associates Agreement for providing this added or improved scope of services. Pending Commission's approval of this amendment request, the total not to exceed compensation maximum amount allowed will be revised as \$2,063,821.

Staff recommends that the Commission authorize the Executive Director of Alameda CTC to amend the Agreement with Wilbur Smith Associates (CMA#04-007), for including additional compensation of \$178,000 and extending the term of the Agreement to June 30, 2012.

Fiscal Impact

Action 1:

Approval of the requested action will have no impact on the approved budget. This action will only extend the term of the Agreement.

Action 2:

Approval of the requested action will encumber additional \$178,000 of Measure B funds. The existing allocated amount of Measure B funds for the Project includes sufficient capacity.

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Memorandum

DATE: December 29, 2011

TO: Programs and Projects Committee

FROM: Stewart Ng, Deputy Director, Programming and Projects
James O'Brien, Project Controls Team

SUBJECT: **Congestion Relief Emergency Funds Project (ACTIA No. 27)**
Approval to Reallocate Funds Between Sub-Projects and
Amend the Project Title and Description of the I-880 Sub-Project

Recommendations

It is recommended that the Commission approve the following actions related to the Congestion Relief Emergency Funds Project (ACTIA No. 27):

- Revise the project title for Sub-Project 27C from, "I-880 North Safety and Operational Improvements at 23rd/29th Avenues Project" to, "I-880 Corridor Improvements in Oakland and San Leandro;"
- Revise the project description for Sub-Project 27C to include the current description plus the two segments, north and south, of the I-880 Southbound High Occupancy Vehicle (HOV) Lane - Hegenberger Road to Marina Boulevard Project;
- Approve the reallocation of \$1,000,000 of Measure B funds from Sub-Project 27E to 27B; and
- Approve the reallocation of \$1,500,000 of Measure B funds from Sub-Project 27E to 27C.
- Approve revisions to the currently approved project funding plans for the I-80 Integrated Corridor Mobility Project, the I-880 North Operational and Safety Improvements at 23rd and 29th Avenues Project, and the I-880 Southbound HOV Lane – Hegenberger to Marina Project to reflect the additional Measure B funding.

Summary

The Measure B Expenditure Plan states that the Congestion Relief Emergency Funds (CREF) "shall be available to fund high-priority projects that address major regional congestion problems that emerge during the lifetime of the Plan and which are not addressed by the proposed Plan." The total Measure B Commitment for ACTIA No. 27 in FY 11/12 dollars, consisting of the amounts allocated for each of the sub-projects to date, equals \$10.251 million. Table 1 below summarizes the amounts allocated to date for each of the sub-projects.

Table 1: Summary of Currently Approved Measure B Allocations for the Congestion Relief Emergency Funds Project (ACTIA No. 27)	
Description	Amount Allocated (\$ x 1,000)
27A Vasco Road Safety Improvements	\$ 1,500
27B I-80 Integrated Corridor Mobility Project	\$ 1,800
27C I-880 North Operational and Safety Improvements at 23rd and 29th	\$ 750
27D CWTP/TEP Development	\$ 50
27E Project Studies for Congested Segments and Locations on the CMP Network	\$ 6,151
Total Amount Allocated	\$ 10,251

The recommended actions would reallocate \$1,000,000 of Measure B funds from Sub-Project 27E to Sub-Project 27B, and \$1,500,000 to Sub-Project 27C. The funds allocated for Sub-Project 27E have not been encumbered. The reallocation of funds would make an additional \$1,000,000 available for encumbrance and subsequent expenditure to fund costs related to the delivery of the bond-funded I-80 Integrated Corridor Mobility Project, and an additional \$1,500,000 available for the three bond-funded projects in the I-880 corridor in Oakland and San Leandro: 1) the I-880 North Safety and Operational Improvements at 23rd and 29th Avenues; 2) the I-880 Southbound HOV Lane – Hegenberger to Marina (North Segment); and 3) the I-880 Southbound HOV Lane – Hegenberger to Marina (South Segment). Table 2 below reflects the recommended actions and the revised amounts allocated for each of the sub-projects.

Table 2: Summary of Revised (Recommended) Measure B Allocations for the Congestion Relief Emergency Funds Project (ACTIA No. 27)	
Description	Amount Allocated (\$ x 1,000)
27A Vasco Road Safety Improvements	\$ 1,500
27B I-80 Integrated Corridor Mobility Project	\$ 2,800
27C I-880 Corridor Improvements in Oakland and San Leandro	\$ 2,250
27D CWTP/TEP Development	\$ 50
27E Project Studies for Congested Segments and Locations on the CMP Network	\$ 3,651
Total Amount Allocated	\$ 10,251

The recommended actions would also expand the description of Sub-Project 27C to include the two segments of the I-880 Southbound HOV Lane – Hegenberger to Marina Project. Eligible costs to be funded by the additional Measure B funds include funds for the completion of the design phase, corridor coordination with the various agencies involved in the funding and delivery of the projects, right of way support, and support during the bidding phase required to move the projects forward to the award contract milestone in the construction phase. The I-Bond funding has a strict contract award deadline which must be achieved in order to secure the construction phase funding. The I-80 and I-880 Sub-Projects are slated to receive a total of more than \$244 million of I-Bond funding for the construction phases.

Discussion/Background

The Alameda CTC (ACCMA at the time) entered into Baseline Agreements with Caltrans, the Metropolitan Transportation Commission (MTC), and the California Transportation Commission (CTC) to deliver the I-80 Integrated Corridor Mobility Project, the I-880 North Operational and Safety Improvements at 23rd and 29th Avenues Project, and the I-880 Southbound HOV Lane – Hegenberger to Marina Project. The I-Bond funding committed in the Baseline Agreements is only available for the construction phase of the projects with a legislative deadline for award of the construction contracts by December 2012 (December 2013 for the I-880 North Safety and Operational Improvements Project). Project development, right of way certification, and other pre-construction requirements are the responsibility of the Alameda CTC. Since each of the projects involves the State Highway System, each must be prepared for construction in accordance with Caltrans policies and procedures. The Caltrans procedures require securing the allocation vote by the CTC prior to advertising and subsequent contract award.

The CTC has announced that they will be evaluating the project readiness for construction of the I-Bond funded projects in the February 2012 timeframe to determine if funds should be removed from projects deemed at risk of not meeting the contract award deadline. The CTC's evaluation will include reviewing the project delivery and funding plans for each project in order to assess the project readiness to receive the allocation vote necessary for the I-Bond funding in the April-May 2012 timeframe in order to allow for advertising and contract award by December 2012.

The improvements in the area of the I-880/23rd and I-880/29th Interchanges were approved as eligible for the CREF by the Alameda CTC in December 2010. The inclusion of the I-880 Southbound HOV Lane – Hegenberger to Marina improvements in Sub-Project 27C is consistent with the requirements for the CREF set forth in the 2000 Measure B Expenditure Plan. The I-880 Southbound HOV Lane project was identified at the same time as the I-880 23rd/29th improvements as a candidate for the I-Bond funding approved by the California voters in November 2006.

Fiscal Impact

There are no significant impacts anticipated as a result of the recommended actions due to the fact that the recommended actions involve shifting Measure B funds previously allocated.

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Memorandum

DATE: December 29, 2011

TO: Programs and Projects Committee

FROM: Stewart Ng, Deputy Director, Programming and Projects
James O'Brien, Project Controls Team

SUBJECT: I-880 Southbound HOV Lane Project (APN 730.0)
Approval of Amendment No. 3 to Professional Services Agreement with
WMH Corporation for Final Design Services

Recommendations

It is recommended that the Commission approve the following action related to the southern segment of the Southbound High Occupancy Vehicle (HOV) Lane - Hegenberger Road to Marina Boulevard Project (APN 730.0):

- Authorize the execution of Amendment No. 3 to the professional services agreement with WMH Corporation (Agreement No. A08-0017.WMH) to provide additional final design and bidding support services for an additional contract amount not to exceed \$630,000.

Summary

The I-880 Southbound High Occupancy Vehicle (HOV) Lane – Hegenberger to Marina project is one of the Alameda CTC's projects funded by the I-Bond funding approved by the California voters in November 2006. The preliminary engineering and environmental studies for the entire length from Hegenberger Road to Marina Boulevard, i.e. the north and south segments, were performed under a separate contract. The final design for each of the segments was split into separate contracts with WMH Corporation selected to provide the design services for the south segment from Davis Street to Marina Boulevard. Table 1 below summarizes the contract actions related to Agreement No. A08-0017.WMH.

Table 1: Summary of Agreement No. A08-0017.WMH with WMH Corporation		
Description	Amendment Amount	Total Contract Not to Exceed Amount
Professional Services Agreement (PSA) with WMH Corporation (A08-0017.WMH) for Final Design Services dated March 16, 2009	NA	\$4,181,365
Amendment No. 1 to A08-0017.WMH for additional services dated May 12, 2010.	\$ 782,850	\$ 4,964,215
Amendment No. 2 to A08-0017.WMH for additional services dated February 17, 2011.	\$ 683,104	\$ 5,647,319
Recommended Amendment No. 3 to A08-0017.WMH (This Agenda Item)	\$ 630,000	\$ 6,277,319
Total Amended Contract Not to Exceed Amount		\$ 6,277,319

The recommended action would increase the contract not to exceed amount as shown in Table 1 to provide additional contract budget to complete the project plans, specifications and estimates (PS&E), to coordinate with Caltrans during their review processes, and to provide support during the contract bidding period culminating at contract award.

The consultant, WMH Corporation, has submitted a request for an amendment in the amount of \$630,000. Staff and the project controls team have reviewed the request and concluded that \$530,000 is warranted for additional work, i.e. work not included in the current approved scope, required to complete the PS&E and to provide support during the bidding period until award of the construction contract is approved by Caltrans. The difference of \$100,000 is primarily due to the estimated level of effort to coordinate with Caltrans during their review process and to provide support during the bidding phase. Both of these efforts are difficult to predict since the level of effort required by the consultant will be dependent in large part on the number of inquiries to be responded to by the consultant, the number of changes to the PS&E required by Caltrans, and any addenda needed after the project is advertised for bids by Caltrans.

The recommended action includes authorization for the full amount requested by the consultant. Staff proposes to keep the \$100,000 in the amendment as an on-call task that will only be accessible to the consultant with prior written approval by the Alameda CTC. If the on-call budget of \$100,000 is not needed prior to award of the construction contract by Caltrans, any remaining capacity will be held in reserve to fund design services during construction, for which the Alameda CTC will be responsible since the PS&E were prepared under contract to the Alameda CTC.

The Alameda CTC is beginning negotiations with Caltrans for this I-Bond project (and the other I-Bond projects not yet in construction) to determine the budgets and funding for the design services during construction. Support during the construction phase is eligible for the I-Bond funding, but there is a limited amount of I-Bond funding to cover both the construction capital and support. The negotiations with Caltrans involve identifying which costs will be funded by the I-Bond. Once the negotiations are complete, any additional commitments required of the Alameda CTC will be brought before the Alameda CTC committees and Board for approval, if not previously approved.

Background

The Alameda CTC is implementing the project development phases for a number of projects receiving funding from the I-Bond approved by the California voters in November 2006. More than \$400 million of I-Bond funding is programmed for projects along the I-580 corridor in East County, the I-880 corridor in Oakland and San Leandro, the I-80 corridor in Alameda and Contra Costa counties, and Route 84 in Livermore. With the exception of the \$73 million programmed for the I-880 North Safety and Operational Improvements at 23rd and 29th Avenues in Oakland, the I-Bond funding for construction requires that the award of the construction contract be approved by December 2012. (The funding for the I-880 23rd/29th project has a contract award deadline of December 2013.)

The Alameda CTC agreed to implement the project development and right of way phases for the I-Bond projects in Alameda County, and therefore is responsible for getting the projects ready for construction. The Alameda CTC has cobbled together local, regional, state and federal funding from a number of sources to fund the project development and right of way phases of the I-Bond projects.

The project funding plan for the I-880 southbound HOV Lane – Hegenberger to Marina Project includes federal STP/CMAQ, CMA TIP, local funds from the City of San Leandro, and Measure B funds (as proposed under a separate item on this agenda) for the project development and right of way phases.

Fiscal Impact

The recommended action will result in the encumbrance of an additional \$630,000 for the project. The project funding plan (as proposed under a separate item on this agenda) includes adequate funding for the recommended action.

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Memorandum

DATE: December 29, 2011

TO: Programs and Projects Committee

FROM: Stewart Ng, Deputy Director, Programming and Projects
James O'Brien, Project Controls Team

SUBJECT: **East 14th Street/Hesperian Boulevard/150th Avenue Intersection Improvements Project (ACTIA No. 19) – Approval of Amendments to the Right of Way and PS&E Project Specific Funding Agreements to Extend Termination Dates**

Recommendations

It is recommended that the Commission approve the following actions related to the East 14th Street/Hesperian Boulevard/150th Avenue Intersection Improvements Project (ACTIA No. 19):

- Authorize the execution of Amendment No. 2 to the Project Specific Funding Agreement (PSFA) with the City of San Leandro for the Right of Way Capital and Support Phases (Agreement No. A07-0064) to extend the termination date of the PSFA to December 31, 2013 to allow for completion and close out of the phase; and
- Authorize the execution of Amendment No. 1 to the Project Specific Funding Agreement (PSFA) with the City of San Leandro for the Plans, Specifications and Estimates (PS&E) Phase (Agreement No. A09-0012) to extend the termination date of the PSFA to December 31, 2013 to allow for completion and close out of the phase.

Summary

The East 14th Street/Hesperian Boulevard/150th Avenue Intersection Improvements Project (ACTIA No. 19) is one of the 27 capital projects included in the 2000 measure B Expenditure Plan. The City of San Leandro is the project sponsor. Right of way and final design activities are underway. The project activities include ground water monitoring and a remedial action plan for property clean up of a parcel required for the project. Construction is scheduled to begin before the end of 2013.

The total Measure B commitment for this project is \$1,030,000 which has been allocated. The amount reimbursed to date is approximately \$164,000.

Fiscal Impact

There are no significant impacts anticipated as a result of the recommended actions.

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Memorandum

DATE: December 29, 2011

TO: Programs and Projects Committee

FROM: Stewart Ng, Deputy Director, Programming and Projects
James O'Brien, Project Controls Team

SUBJECT: **Telegraph Avenue Corridor Transit Project (ACTIA No. 07A)**
Approval of Allocation of Measure B Funding for the
Preliminary Engineering/Environmental Studies Phase

Recommendations

It is recommended that the Commission approve the following actions related to the Telegraph Avenue Corridor Transit Project (ACTIA No. 07A):

- Allocate \$3,128,000 of Measure B funding for the Preliminary Engineering / Environmental Studies Phase; and
- Authorize the execution of Amendment No. 5 to the Project Specific Funding Agreement (PSFA) with AC Transit for the Preliminary Engineering / Environmental Studies Phase (Agreement No. A05-0005) to encumber the allocated funds and to extend the termination date of the PSFA to December 31, 2012 to allow for completion and close out of the phase.

Summary

The Telegraph Avenue Corridor Transit Project (ACTIA 07A) is one the 27 capital projects included in the 2000 Measure B Expenditure Plan. The project is currently in the Preliminary Engineering/ Environmental Studies phase and is being implemented by AC Transit.

AC Transit has requested the recommended allocation and amendment to PSFA No. A05-0005. A copy of the request is attached. The current budget for the Preliminary Engineering/ Environmental Studies phase of the project is \$21.0 million. The phase budget includes \$9.1 million of Measure B funds (i.e. 43.3% of the total phase budget) and a mix of federal, state and regional funds. The attached request package includes details about the phase budget and overall project delivery plan. Table 1 below summarizes the total Measure B commitment to the project and the allocated amount.

Table 1: Summary of Telegraph Avenue Corridor Transit Project (ACTIA No. 07A) Measure B Commitment		
Description	Allocation Amount	Remaining Measure B Programmed (Un-Allocated) Balance (\$ x 1,000)
Total Measure B Commitment (FY11/12 Dollars)	NA	\$ 10,427
Previously Allocated Amount	\$ 5,971	\$ 4,456
Recommended Allocation (This Agenda Item)	\$ 3,128	\$ 1,328
Remaining Measure B Programmed Balance		\$ 1,328

Table 2 below summarizes the encumbrances for PSFA A05-0005 and the amendments approved to date.

Table 2: Summary of Project Specific Funding Agreement No. A05-0005		
Description	Amendment Amount	Total Amount Encumbered (\$ x 1,000)
Original PSFA A05-0005 dated March 2, 2005	NA	\$ 4,025
Amendment No. 1 to A05-0005 dated June 26, 2008	\$ 946	\$ 4,971
Amendment No. 2 to A05-005 dated September 8, 2009	\$ 0 ¹	\$ 4,971
Amendment No. 3 to A05-0005 dated March 26, 2010	\$ 0 ²	\$ 4,971
Amendment No. 4 to A05-0005 dated July 22, 2010	\$ 1,000	\$ 5,971
Recommended Amendment No. 5 to A05-0005 (This Agenda Item)	\$ 3,128	\$ 9,099
Total Amount Encumbered		\$ 9,099
Notes:		
1. Amendment No. 2 revised the amounts per fiscal year without adding new capacity.		
2. Amendment No. 3 extended the termination date without adding new capacity.		

Discussion

The BRT project extends from the north in the City of Berkeley, through the City of Oakland, and south into the City of San Leandro. The environmental studies for the BRT project began in March 2003. The Draft Environmental Impact Statement/Environmental Impact Report (EIS/EIR) was published in May 2007, but work was delayed on the completion of the Final EIS/EIR due to concerns expressed by the local jurisdictions regarding the development of a locally acceptable project. The completion of the Preliminary Engineering / Environmental Studies Phase for the Telegraph Avenue Corridor Transit Project has been delayed due to additional analysis and outreach efforts requested by the local jurisdictions along the corridor.

In late 2008, AC Transit reactivated the Technical Advisory Committee and the Policy Steering Committee (PSC) to begin actively working with the local jurisdictions and funding agencies on the development of a Locally Preferred Alternative (LPA). In 2009, a revised schedule for adoption of the Final EIS/EIR extended the environmental review process for one year to allow each local jurisdiction to initiate independent processes for obtaining community input into the selection of an LPA. As part of this process, AC Transit provided additional analyses to support the local outreach efforts.

AC Transit has been working with the Alameda CTC, the Metropolitan Transportation Commission (MTC), and the Federal Transit Administration (FTA) to finalize the project delivery and funding plan. The recommended action is consistent with the project delivery plan developed in conjunction with the agencies involved. MTC is providing approximately 24% of the Preliminary Engineering/ Environmental Studies phase budget with federal and state funding representing the remaining 33% as shown on the attached request package.

Fiscal Impact

The recommended actions will result in the encumbrance and subsequent expenditure of \$3,128,000 of Measure B funds. The anticipated expenditures are consistent with the FY 2011/2012 Strategic Plan and the Measure B capital projects program-wide financial model.

Attachment A: Request for Allocation Package from AC Transit dated December 21, 2011

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Alameda-Contra Costa Transit District

Capital Planning, Legislation and Grants

December 21, 2011

RECEIVED

DEC 27 2011

ALAMEDA CTC

Arthur L. Dao, P.E.
Deputy Director and Project Development Manager
Alameda County Transportation Improvement Authority
1333 Broadway, Suite 300
Oakland, CA 94612

Subject: Request for Allocation of Measure B Funding
For the Preliminary Engineering Phase of the
Telegraph Avenue Corridor Transit Project, ACTIA Project No. 7A,
Agreement A05-0005

Dear Mr. Dao:

We are hereby requesting an allocation of Measure B funding for the subject project and phase. The allocation history for this phase of the project is as follows:

Total Previously Approved Allocation Amount	5,971,000
Allocation Amount Requested	3,128,000
Total Allocated Amount (Including this Request)	9,099,000

Currently, the total allocated budget for the PE and Environmental phases of this project is \$16.9 million. This includes \$1.5 million in RM2 funding received in January 2010 to extend the existing contract with Cambridge Systematics which included preparation of necessary reports; conducting public outreach; updating engineering, capital, and operating costs; and providing technical support for AC Transit Technical Advisory and AC Transit Policy Steering Committee. It also includes \$2.5 million just allocated to complete the environmental phase and branding.

An additional \$3,128,000 in Measure B funds is being requested to match Federal Transit Administration (FTA) New Starts funds for these items:

- Awarding the contract for preliminary engineering (PE). After an RFP process, AC Transit selected the Parsons Transportation Group as the primary contractor for design and engineering services. The initial phase of the contract for PE will be approximately \$5 million. Future evaluations will determine whether to extend the contract to cover later phases of the project. (\$1,100,000)
- The first three years of three new AC Transit staff positions to directly manage and support the BRT project. The positions include a project director, an engineer, and support staff. This augmentation of District staff will promise more timely and successful project execution, and have been added in response to recommendations from the FTA triennial findings. (\$320,000)

- A new project management consultant (to be selected) for the design and engineering phases of the project. (\$1,708,000)

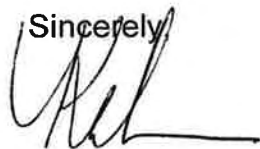
The current project includes some modifications which were developed and refined through an extensive local process by each of the three municipalities – Berkeley, Oakland, and San Leandro. These modifications include refinements to 28 BRT station locations – most of which have changed from a split platform to a center platform configuration – bicycle lanes, and traffic lane striping. Additionally, AC Transit will operate dual door buses along the route, again based on outreach with the communities on the best ways to address concerns about traffic, bike and pedestrian access.

We have attached an ACTIA Project Update Package (Attachment 1) that reflects current project scope, cost, funding, and schedule information to support our Request for Allocation. We understand that a Project Specific Funding Agreement (PSFA) is required prior to incurring costs eligible for reimbursement.

 X We are hereby requesting that ACTIA initiate the development of a PSFA, or amendment to an existing PSFA, for the allocation requested herein and have included Attachment 2; or

 We are not requesting the development of a PSFA, or amendment to existing PSFA, at this time. We expect that we will request the necessary PSFA, or amendment, and submit the required Phase Funding Breakdown by the end of *month/year*.

If you have any questions regarding this request, please contact me (510-891-4859 kmiller@actransit.org) or my staff member, Chris Andrichak (510-891-4855/ candrichak@actransit.org).

Sincerely,


Kate Miller
Manager
Capital Development, Legislation & Grants

Attachments: 1. ACTIA Project UpdatePackage
2. Initiation of Project Specific Funding Agreement

cc: James O'Brien, Project Coordinator, ACTIA (w/atts.)
Lewis Clinton, Chief Financial Officer, AC Transit (w/atts.)
Tina Spencer, Planning Manager, AC Transit (w/atts.)

ACTIA Project Update Package
ACTIA Project No. 7A
ACTIA PSFA No. A05-0005
Date: December 21, 2011

Attachment 1: ACTIA Project Update Package

See Attached Project Update Package which includes PE/Environmental Phase

- Budget / Expenses by fund source
- Schedule

PE/Environmental/ROW Phase Budget and Expenses by Fund Source

ACTIA Project Name Telegraph Ave Corridor Transit Project
 ACTIA Project Number 7A

PE/Env Phase	Source of funds	Type of funds	Budget	Allocated/ Appropriated	Encumbered	Expended	Balance
Environmental	FTA	5339	\$ 237,500	\$ 237,500	\$ -	\$ 237,500	\$ -
Environmental	ACTC	Measure B	\$ 5,971,000	\$ 5,970,964	\$ 96,120	\$ 5,874,880	\$ -
Environmental	MTC	Regional Measure 2	\$ 4,000,000	\$ 4,000,000			\$ 4,000,000
Environmental	STIP	PTA	\$ 2,700,000	\$ 2,700,000		\$ 2,700,000	\$ -
Preliminary Engineering	FTA	5309 BUS	\$ 971,000	\$ 971,000		\$ 971,000	\$ -
Preliminary Engineering	FTA	5309 NS	\$ 3,000,000	\$ 3,000,000			\$ 3,000,000
Preliminary Engineering	ACTC	Measure B	\$ 1,420,000				\$ 1,420,000
Preliminary Engineering	MTC	Regional Measure 2	\$ 1,011,000				\$ 1,011,000
Design Project Mgmt	ACTC	Measure B	\$ 1,708,000				\$ 1,708,000
TOTAL			\$ 21,018,500	\$ 16,879,464	\$ 96,120	\$ 9,783,380	\$ 11,139,000

43.3%

Measure B as a percentage of total

PE/Environmental Phase Schedule

ACTIA Project Name Telegraph Ave Corridor Transit Project
 ACTIA Project Number 7A

Task	Start	Finish	FY 02-03	FY 03-04	FY 04-05	FY 05-06	FY 06-07	FY 07-08	FY 08-09	FY 09-10	FY 10-11	FY 11-12	FY 12-13	FY 13-14	FY 14-15	FY 15-16
Draft EIS/EIR	May 2003	Jul 2007														
Prepare Final EIS/EIR	Sep 2008	April 2012														
Record of Decision	Apr 2012	July 2012														
Design Project Mgmt	Dec 2011	Nov 2013														
Preliminary Engineering	Dec 2011	Oct 2012														
Final Design/PS&E	Oct 2012	Nov 2013														
Construction	Nov 2013	Apr 2016														

Phase Cost/Funding Breakdown
ACTIA Project No. 7A
ACTIA PSFA No. A05-0005
Date: December 21, 2011

**Attachment 2: Initiation of Project Specific Funding Agreement
(Required for PSFA)**

See attached Spreadsheet

Measure B Initiation of Project Specific Funding Agreement

ACTIA Project Name

Telegraph Ave Corridor Transit Project

ACTIA Project Number

7A

FORM A - Allocation by Phase						
Phase	Allocation Request by Phase (\$ x 1,000)	Allocation Distribution by Fiscal Year (\$ x 1,000)				
		FY 2011/12	FY 2012/13	FY 2013/14	FY 2014/15	FY 2015/16
Scope						
PE/Env	\$ 3,128	870	1,580	678		
PS&E						
ROW Support						
ROW Capital						
Utility Relocation						
Equipment						
Other (Describe)						
TOTAL	\$ 3,128	\$ 870	\$ 1,580	\$ 678	\$ -	\$ -

FORM B - Phase Funding Breakdown by Line Item SAMPLE						
Construction Support Phase	Measure B Pro Rata Share	Measure B	Federal Earmark	STIP-RIP	Local	Funding Totals
Line Item						
Design Services During Construction (Consultant Contract)	#DIV/0!					
Construction Services (Caltrans)	#DIV/0!					
Construction Management (Consultant Contract)	#DIV/0!					
SPONSOR Staff Costs	#DIV/0!					
ACTIA Incurred Expenses	#DIV/0!					
Phase Totals		\$ -	\$ -	\$ -	\$ -	\$ -

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Memorandum

DATE: December 28, 2011

TO: Programs and Projects Committee

FROM: Arthur L. Dao, Executive Director
Pamela Schock Mintzer, Wendel Rosen Black & Dean LLP

SUBJECT: **Approval of Alameda County Transportation Commission Eminent Domain Process**

Recommendation

It is recommended the Commission:

- (1) Amend the Alameda CTC's Administrative Code to allow the Alameda CTC to adopt resolutions of necessity for the use of eminent domain to acquire real property necessary for public projects:
 - (a) By a two-thirds vote (or greater if required) of the membership of the Alameda CTC governing board, rather than the weighted voting as forth in the Joint Powers Agreement and the Administrative Code, and
 - (b) Without prior review or action from any Alameda CTC Committee.
- (2) Adopt Resolution agreeing to hear resolutions of necessity should an eminent domain action be required for the Interstate 880 Southbound HOV Lane Project.

Summary

The Alameda CTC is taking steps to acquire the power of eminent domain to better be able to deliver its projects. As part of this process, two revisions to the Administrative Code are required. This memorandum discusses the power of eminent domain and the reasons for these amendments.

The first project for which the Alameda CTC may utilize the power of eminent domain, including the consideration and adoption of the resolutions of necessity which will initiate the eminent domain process, is the Interstate 880 Southbound HOV Lane Project. Caltrans requires that local agencies hearing resolutions of necessity for projects on the State highway system adopt a resolution agreeing to hear the resolutions of necessity for the project. This memorandum discusses the Interstate 880 Southbound HOV Lane Project, and the resolution required by Caltrans.

Background

History of use of eminent domain for Alameda Agencies

The agencies that preceded the Alameda County Transportation Commission – the Alameda County Transportation Authority (“ACTA”), the Alameda County Transportation Improvement Authority (“ACTIA”), and the Alameda County Congestion Management Agency (“CMA”) (collectively the “Alameda Agencies”) – did not have the power of eminent domain because State law did not grant ACTA and ACTIA the power of eminent domain and the CMA Joint Powers Agreement did not explicitly grant this power. As a result, the Alameda Agencies have a long history of using other public agencies’ power of eminent domain through a variety of cooperative agreements to deliver the projects contained in the Expenditure and Countywide plans. For instance, ACTA relied on Caltrans to acquire the real property interests necessary for the Mission Spots Project, and ACTIA relied on Alameda County to acquire the real property interests necessary for the I-880 Widening Project.

This system has served the Alameda Agencies well and resulted in the delivery of numerous projects for Alameda County. However, it is not without faults. Significant staff time is necessary to negotiate the often complex cooperative agreements required for another agency to take on an Alameda CTC project’s eminent domain duties. In addition, Alameda CTC gives up control over the eminent domain process by having other agencies act as the condemning authority for right of way necessary for its projects, which leads to lesser control over such matters as right-of-way staff activities, treatment of property owners, acquisition budgets, and timing of delivery of the project. Acquisitions by the State for the Alameda CTC present even more difficult issues, since Caltrans District Directors are now required to be involved in any meetings prior to the resolution of necessity hearing meetings if requested by affected property owners, and to be involved in the resolutions of necessity hearings before the California Transportation Commission. The California Transportation Commission will take resolution of necessity hearings off calendar if a property owner asks to speak at the hearing, which can jeopardize project funding.

The power of eminent domain is a weighty burden, which must be pursued ethically and competently, and must never be undertaken lightly. Although the Alameda Agencies have not held the power, the municipalities, the County, and transit agencies that are members of the Alameda CTC do hold this power, and the Alameda CTC Commissioners are familiar with the limits and obligations of this power. In acquiring the power of eminent domain, Alameda CTC will be able to better control the process, which will better lead to the construction of transportation projects on time, within budget, and in support of the Alameda CTC’s purpose, mission, vision, and goals. Having the power of eminent domain will allow Alameda CTC to uphold and continue the Alameda Agencies’ reputation for treating private property owners fairly and ethically.

Next steps in gaining the power of eminent domain for Alameda CTC

A joint powers authority such as Alameda CTC can hold the power of eminent domain if all the member agencies hold the power, and if the joint powers authority agreement explicitly grants the jointly held power of eminent domain to the joint powers authority.

In the case of Alameda CTC, we ensured that the Joint Powers Agreement explicitly provides that one of Alameda CTC's powers is to "acquire property by eminent domain to the extent allowed by state law." Joint Powers Agreement, Section 11(f). However, because the current membership of Alameda CTC includes ACTIA and CMA, two agencies that do not have the power of eminent domain, California law prevents Alameda CTC from exercising the power of eminent domain. Once ACTIA and CMA are dissolved, the Alameda CTC will automatically have the power of eminent domain based on the terms of the Joint Powers Agreement. We currently expect CMA, ACTIA and Alameda CTC to hold a joint Board meeting in February, at which time all three agencies will take the requisite actions to terminate CMA and ACTIA, and transfer all of their respective powers to Alameda CTC. Upon the adoption of these resolutions and the termination of CMA and ACTIA, the Alameda CTC will automatically gain the power of eminent domain.

To hear resolutions of necessity for State highway projects at the local level, Caltrans requires the board of the local agency to adopt a resolution agreeing to hear such resolutions of necessity, should any be necessary. This is discussed in greater detail below.

Before exercising the power of eminent domain, the governing board of a public agency must consider and adopt a resolution of necessity authorizing the filing of an eminent domain action. Cal. Civ. Proc. Code section 1245.220. Except under certain circumstances that are not present here, only the governing board of a public agency may consider and adopt resolutions of necessity. Cal. Civ. Proc. Code §1245.235(c). Generally, unless a greater vote is required, a resolution of necessity must be adopted by no less than a two-thirds vote of the members of the governing board of a public agency. Cal. Civ. Proc. Code section 1245.240. However, because the Interstate 880 Southbound HOV Lane Project is on the State highway system, any resolutions of necessity must be adopted by a four-fifths vote. Cal. Sts. & High. Code §760.

The Administrative Code of the Alameda CTC provides that the Programs and Projects Committee ("PPC") has authority over eminent domain proceedings. Administrative Code section 4.9.4.8. Because resolutions of necessity can be adopted only after a hearing of the full board of a public agency, and because the timing of resolutions of necessity is often very sensitive, we recommend amending the Administrative Code to provide that resolutions of necessity may go directly to the Commission without prior committee review. The PPC will retain the ability to provide valuable input with respect to eminent domain matters, since the PPC will retain its responsibility for review of projects, and will be asked to review and recommend resolutions agreeing to hear resolutions of necessity on a project-by-project basis, as is being done with this memorandum.

The Administrative Code will also need to be amended to allow the adoption of a resolution of necessity with a two-thirds vote (15/22) of the Commission *members* (or 4/5 vote (18/22) as required for projects on the State highway system). This will be a change from the current voting procedure, which requires a majority of the weighted vote of the Alameda CTC Commissioners present at the time of the vote, as set forth in section 4.2.4 of the Administrative Code, and is required to insure consistency with controlling California law.

The amendment of the Administrative Code can easily be accomplished by providing a clean and redlined copy of the full Administrative Code showing these proposed changes at the January 26, 2012 Commission meeting.

The Interstate 880 Southbound HOV Lane Project

The Interstate 880 Southbound HOV Lane Project is funded in part by California Transportation Commission Corridor Mobility Improvement Account (“CMIA”) program funds. To be eligible to receive the funds, this project must hold resolution of necessity hearings, file eminent domain actions, and set up court hearing dates for possession of the real property interests well in advance of an April 30, 2012 California Transportation Commission project certification deadline.

Although staff is working to gain all the necessary property rights by negotiation, to ensure that these deadlines are met, in the event use of the eminent domain power is required, the hearings for resolutions of necessity must be held no later than late March 2012. Although the California Transportation Commission can hear these resolutions, as noted above, the process for hearing resolutions of necessity at the State level is ponderous and could result in a delay beyond March 2012, which would result in the loss of funds for the project. If the Alameda CTC hears the resolutions of necessity, any issues with property owners can be handled while keeping the scheduled resolution of necessity hearing on the calendar, thus avoiding a loss of project funding.

As noted above, for the Commission to hear resolutions of necessity to acquire the property interests necessary for the Interstate 880 Southbound HOV Lane Project, the Commission must adopt a resolution authorizing it to hear such resolutions of necessity. Although the Alameda CTC does not yet have the power of eminent domain, Caltrans has agreed to allow the Commission to adopt the resolution agreeing to hear the resolutions of necessity prior to acquiring that power, effective only when it acquires the power of eminent domain.

Attached is the draft resolution which will authorize the Alameda CTC to hear resolutions of necessity to the acquisition of property interests necessary for the Interstate 880 Southbound HOV Lane Project. Once the attached resolution is adopted, Caltrans will authorize the Commission to hear the requisite resolutions of necessity for the Interstate 880 Southbound HOV Lane Project once it has the power of eminent domain.

If staff is unable to acquire the property rights necessary for the project, which are almost entirely temporary construction easements, in time to meet the California Transportation

Commission project certification deadline, staff will return to Alameda CTC with resolutions of necessity at the March 22, 2012 meeting. The staff reports for the resolutions of necessity will provide detail about the necessary temporary construction easements and the project.

A similar resolution will be necessary for the acquisition of the necessary property interests for the I-880 Operational and Safety Improvements at 29th Avenue and 23rd Avenue Overcrossings Project. However, certification of this project is not necessary until the fall of 2012, and staff will bring this resolution to the PPC and Alameda CTC in the coming months.

Attachments

Attachment A: Resolution of the Alameda County Transportation Commission
Electing to Hear Resolutions of Necessity for the Interstate 880
Southbound HOV Lane Project

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ALAMEDA COUNTY TRANSPORTATION COMMISSION (Alameda CTC)

RESOLUTION NUMBER 2012-00__

Resolution of the Alameda County Transportation Commission Electing to Hear Resolutions of Necessity for the Interstate 880 Southbound HOV Lane Project

WHEREAS, Alameda CTC is undertaking the Interstate 880 Southbound HOV Lane Project (“Project”) (a former Alameda County Congestion Management Agency project) to widen the southbound I-880 mainline from Hegenberger Road to Marina Boulevard for a High Occupancy Vehicle (HOV) lane and will reconstruct the Davis Street and Marina Boulevard overcrossings to accommodate the HOV lane and provide standard vertical clearance over the freeway; and

WHEREAS, as of March 1, 2012, Alameda CTC will be vested with the power of eminent domain to acquire real property by virtue of Article 1, Section 19 of the Constitution of the State of California, Section 25350.5 of the Government Code of the State of California as delegated in Section 14 of Alameda CTC’s Joint Powers Agreement, and Sections 1240.010 and 1240.110 of the Code of Civil Procedure of the State of California within the jurisdictional limits of the County of Alameda; and

WHEREAS, the State of California, Department of Transportation requires the governing body of a local transportation agency to acquiring real property for a project relating to a State Highway to pass and adopt a resolution determining that the governing body of the local transportation authority will hear any resolutions of necessity to acquire real property for a project relating to a State Highway, if any are necessary; and

WHEREAS, to proceed with the Project and the acquisition process, and in light of the Project’s schedule, critical deadlines, and necessary acquisitions, it may be necessary to conduct Resolution of Necessity hearings.

NOW, THEREFORE, BE IT RESOLVED, that the governing body of the Alameda County Transportation Commission hereby agrees to conduct Resolution of Necessity hearings, and to adopt or reject the proposed resolutions of necessity to obtain the real property and real property interests determined to be necessary for the Project.

PASSED AND ADOPTED by the governing body of the Alameda County Transportation Commission on _____, 2012 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

SIGNED:

Mark Green, Chairperson

ATTEST:

Vanessa Lee, Clerk of the Commission



Memorandum

Date: December 28, 2011

To: Programs and Projects Committee

From: John Hemiup, Project Manager

Subject: **I-80 Integrated Corridor Mobility (ICM) Project – Authorization to Select and Negotiate a Contract with the Top-Ranked Firm for System Integrator Services and Approval of an Amendment to a Professional Services Agreement with Kimley-Horn & Associates for System Manager Services.**

Recommendations

It is recommended the Commission:

1. Authorize the Executive Director to select and negotiate a contract with the top-ranked firm for System Integrator Services for the I-80 ICM Project.
2. Approve an amendment to the existing System Manager Professional Services Agreement (A11-0039) with Kimley-Horn & Associates for System Manager Services for the I-80 ICM Project.

Background

The I-80 ICM Project will reduce congestion and delays in the 20-mile I-80 corridor and San Pablo Avenue from Emeryville to the Carquinez Bridge through the deployment of intelligent transportation system (ITS) and transportation operation system (TOS), without physically adding capacity through widening of the corridor. This \$93 million project is funded with the Statewide Proposition 1B bond funds (\$76.7 million), and a combination of funding from Alameda and Contra Costa counties sales tax programs, as well as federal and other local and regional funds. The I-80 ICM Project has been divided into seven sub-projects in order to stage the delivery of contracts, take advantage of the good construction bidding climate of recent years, and minimize project delivery risk to these projects by narrowing each of the contract scope. The seven sub-projects are as follows:

- Project #1: Software & Systems Integration
- Project #2: Specialty Material Procurement
- Project #3: Traffic Operations Systems (TOS)
- Project #4: Adaptive Ramp Metering (ARM)
- Project #5: Active Traffic Management (ATM)
- Project #6: San Pablo Corridor Arterial and Transit Improvement Project
- Project #7: Richmond Parkway Transit Center

Alameda CTC staff has been working very closely with the California Transportation Commission (CTC) and Caltrans on the delivery of this regionally significant project. As the result of this partnership, CTC has allocated State Bond funds to implement Project Nos. 1, 3,

and 6. Under an agreement with Caltrans, the Alameda CTC is responsible for the construction, administration, and management of Project Nos. 1, 2, 3, and 6. Implementation of Project Nos. 1 and 6 requires Software and System Integration services to integrate the functions of various devices installed under other sub-projects of I-80 ICM Project.

In January 2010, Alameda County Congestion Management Agency (ACCMA) Board authorized issuance of a Request for Proposal (RFP), and staff received proposals from qualified firms. It was intended to implement System Integration Services in two phases as the funds were approved by CTC:

1. The first phase would provide services for the San Pablo Corridor Arterial and Transit Improvement Project which is funded by Traffic Light Synchronization (TLSP) Program of the State Proposition 1B Funds.
2. The second phase would provide system integration services for the I-80 ICM Project which is funded by the Corridor Mobility Improvement Account (CMIA) of the State Proposition 1B Funds.

The CTC recently allocated funds for both phases of the System Integration services. As a result, both phases for these services can be implemented simultaneously. In September, an RFP was issued to invite proposals from qualified firms to provide System Integration Services. Proposals were received from ICx Transportation and Delcan Corporation. A panel comprising of representatives from stakeholder agencies is currently reviewing the proposals. Interviews will be conducted in mid-January to pick the top-ranking firm and negotiations will be conducted with the top-ranking firm utilizing a Best and Final Offer (BAFO) Process.

On July 28, 2011, Alameda CTC Board approved a Professional Services Agreement with Kimley-Horn & Associates to retain a consultant to provide System Manager Services to support procurement activities and oversee the first phase of the San Pablo Corridor System Integration activities. Following CTC approval of funds for the second phase of the System Integration in October 2011, staff can now negotiate and execute an amendment for the second phase of the System Manager Services Professional Services Agreement.

Staff is recommending that the Commission authorize the Executive Director to enter into negotiations with the top-ranked firm to provide System Integrator services for both phases of the I-80 ICM Project.

Staff is also recommending that the Commission authorize the Executive Director to negotiate and execute an amendment to a Professional Services Agreement with Kimley-Horn & Associates to provide System Manager Services for the I-80 ICM Project for a not-to-exceed amount of \$2,100,000.

Fiscal Impacts:

The revenues and costs associated with this project will be funded through the State Infrastructure Bond Program (Proposition 1B) and are included in the approved Alameda CTC budget.