



Meeting Notice

1111 Broadway, Suite 800, Oakland, CA 94607

• 510.208.7400

• www.AlamedaCTC.org

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Mayor Jerry Thome

City of San Leandro

Mayor Pauline Cutter

City of Union City

Mayor Carol DuTra-Vernaci

Executive Director

Arthur L. Dao

Programs and Projects Committee

Monday, February 13, 2017, 12:15 p.m.

**1111 Broadway, Suite 800
Oakland, CA 94607**

Mission Statement

The mission of the Alameda County Transportation Commission (Alameda CTC) is to plan, fund, and deliver transportation programs and projects that expand access and improve mobility to foster a vibrant and livable Alameda County.

Public Comments

Public comments are limited to 3 minutes. Items not on the agenda are covered during the Public Comment section of the meeting, and items specific to an agenda item are covered during that agenda item discussion. If you wish to make a comment, fill out a speaker card, hand it to the clerk of the Commission, and wait until the chair calls your name. When you are summoned, come to the microphone and give your name and comment.

Recording of Public Meetings

The executive director or designee may designate one or more locations from which members of the public may broadcast, photograph, video record, or tape record open and public meetings without causing a distraction. If the Commission or any committee reasonably finds that noise, illumination, or obstruction of view related to these activities would persistently disrupt the proceedings, these activities must be discontinued or restricted as determined by the Commission or such committee (CA Government Code Sections 54953.5-54953.6).

Reminder

Please turn off your cell phones during the meeting. Please do not wear scented products so individuals with environmental sensitivities may attend the meeting.

Glossary of Acronyms

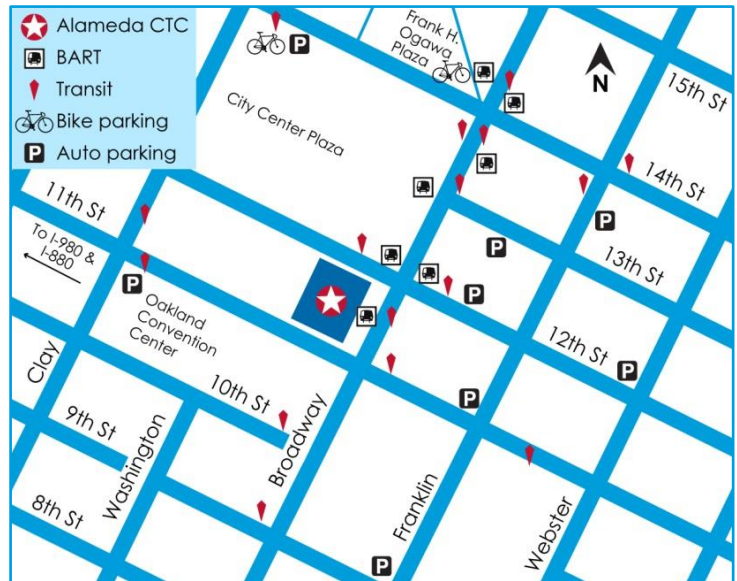
A glossary that includes frequently used acronyms is available on the Alameda CTC website at www.AlamedaCTC.org/app_pages/view/8081.

Location Map

★ Alameda CTC

1111 Broadway, Suite 800
Oakland, CA 94607

Alameda CTC is accessible by multiple transportation modes. The office is conveniently located near the 12th Street/City Center BART station and many AC Transit bus lines. Bicycle parking is available on the street and in the BART station as well as in electronic lockers at 14th Street and Broadway near Frank Ogawa Plaza (requires purchase of key card from bikelink.org).



Garage parking is located beneath City Center, accessible via entrances on 14th Street between 1300 Clay Street and 505 14th Street buildings, or via 11th Street just past Clay Street. To plan your trip to Alameda CTC visit www.511.org.

Accessibility

Public meetings at Alameda CTC are wheelchair accessible under the Americans with Disabilities Act. Guide and assistance dogs are welcome. Call 510-893-3347 (Voice) or 510-834-6754 (TTD) five days in advance to request a sign-language interpreter.



Meeting Schedule

The Alameda CTC meeting calendar lists all public meetings and is available at www.AlamedaCTC.org/events/upcoming/now.

Paperless Policy

On March 28, 2013, the Alameda CTC Commission approved the implementation of paperless meeting packet distribution. Hard copies are available by request only. Agendas and all accompanying staff reports are available electronically on the Alameda CTC website at www.AlamedaCTC.org/events/month/now.

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Programs and Projects Committee
 Meeting Agenda
 Monday, February 13, 2017 12:15 p.m.

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

- 1. Pledge of Allegiance
- 2. Roll Call
- 3. Public Comment

Chair: Mayor Carol Dutra-Vernaci, Union City
Vice Chair: Mayor Pauline Cutter, City of San Leandro
Commissioners: John Bauters, Luis Freitas, Scott Haggerty, Dan Kalb, Peter Maass, Nate Miley
Ex-Officio Members: Rebecca Kaplan, Richard Valle
Staff Liasion: Trinity Nguyen
Executive Director: Arthur L. Dao
Clerk: Vanessa Lee

	Page	A/I
4. Consent Calendar		
4.1. Approve the January 9, 2017 PPC meeting minutes.	1	A
5. Programs and Projects		
5.1. Approve Resolution 17-001 regarding the Transportation Fund for Clean Air FY 2017-18 Expenditure Plan Application.	5	A
5.2. Receive an update on the Alameda CTC's Capital Program.	23	I
5.3. Approve and authorize the Executive Director to enter into a Cooperative Agreement with Caltrans for the construction phase of the I-680 Express Lanes project.	31	A
5.4. Approve and authorize the Executive Director to execute Amendment No. 4 to Professional Services Agreement No. A13-0092 with Electronic Transaction Consultants Corporation for an additional amount of \$750,000 for a total not-to-exceed budget of \$4,887,500 and extend the term of the Agreement to December 31, 2017 for additional scope of services necessary for operating the I-580 Express Lanes.	59	A

- 6. Staff Reports
- 7. Committee Member Reports
- 8. Adjournment

Next Meeting: March 13, 2017

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

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1. **Pledge of Allegiance**

2. **Roll Call**

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

3. **Public Comment**

There were no public comments.

4. **Consent Calendar**

4.1. **Approval of the November 14, 2016 Meeting Minutes**

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

Yes: Dutra-Vernaci, Cutter, Freitas, Haggerty, Mass, Miley

No: None

Abstain: None

Absent: Kalb, Kaplan

5. **Programs and Projects**

5.1. **Approve and authorize the Executive Director to execute Amendment No. 4 to Professional Services Agreement No. A11-0039 with Kimley-Horn and Associates, Inc. for additional amount of \$200,000 for a total not-to-exceed amount of \$2,896,870 to provide system manager services through project completion.**

Trinity recommended that the Commission approve and authorize the Executive Director to execute Amendment No. 4 to the Professional Services Agreement No. A11-0039 with Kimley-Horn and Associates, Inc. for an additional amount of \$200,000 for a total not-to-exceed amount of \$2,896,870 to provide system manager services through project completion. Trinity reviewed the projects partnerships and gave a brief overview of the I-80 SMART Corridor. She introduced Randy Durrenberger from Kimley-Horn and Associates who presented detailed information on the project components including traffic, arterial, transit and incident management.

Commissioner Dutra asked if there are quantifiable numbers of how travel time has been improved. Trinity stated that there will be an after study done which will include those details.

Commissioner Mass asked if there are expected benefits that haven't been measured but will be included in the after study. Randy stated that there may be benefits that take longer to monitor. He stated that travel time manageability is an example.

Commissioner Mass asked if the number of partners contributed equally to the project and wanted to know if the large number of partners had anything to do with additional funding needed for the project. Trinity stated that 80% of funding was from state funded Proposition 1B (Prop 1B) "I-Bond" and stakeholder participation did have an impact on the project schedule which in turn increases the cost.

Commissioner Miley questioned if the system directs drivers off the freeway when there is an accident. Randy stated that the system directs drivers off the freeway and then back onto the freeway once they are beyond the incident. The system only monitors accidents and does not monitor general congestion.

Commissioner Cutter moved to approve this item. Commissioner seconded the motion. The motion passed with the following vote:

Yes: Dutra-Vernaci, Cutter, Freitas, Haggerty, Mass, Miley
No: None
Abstain: None
Absent: Kalb, Kaplan

5.2. Approve Administrative Amendment to Professional Services Agreement No. A13-0020 in support of the Alameda CTC's Capital Projects and Program delivery commitments.

Angelina Leong recommended that the Commission approve Administrative Amendment to Professional Services Agreement No. A13-0020 in support of the Alameda CTC's Capital Projects and Program delivery commitments. Ghirardelli Associates, Inc. did not report a conflict in accordance with the Levine Act and there is no fiscal impact of approving this item.

Commissioner Freitas moved to approve this item. Commissioner Mass seconded the motion. The motion passed with the following vote:

Yes: Dutra-Vernaci, Cutter, Freitas, Haggerty, Mass, Miley
No: None
Abstain: None
Absent: Kalb, Kaplan

6. Staff Reports

Art Dao reminded the committee that election of Chair and Vice Chair will take place at the February meeting.

7. Committee Reports

There were no committee member reports.

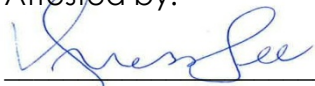
8. Adjournment/ Next Meeting

The next meeting is:

Date/Time: Monday, February 13, 2017 @12:15 p.m.

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

Attested by:

A handwritten signature in blue ink, appearing to read "Vanessa Lee", written over a horizontal line.

Vanessa Lee,
Clerk of the Commission

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Memorandum

5.1

1111 Broadway, Suite 800, Oakland, CA 94607

PH: (510) 208-7400

www.AlamedaCTC.org

DATE: February 6, 2017

SUBJECT: Transportation Fund for Clean Air (TFCA) FY 2017-18 Expenditure Plan Application

RECOMMENDATION: Approve Resolution 17-001 regarding the TFCA FY 2017-18 Expenditure Plan Application

Summary

It is recommended the Commission approve Resolution 17-001, regarding the fiscal year (FY) 2017-18 Transportation Fund for Clean Air (TFCA) County Program Manager Fund Expenditure Plan Application and its submittal to the Bay Area Air Quality Management District (Air District). The Alameda CTC Resolution and TFCA Expenditure Plan Application are included as Attachments A and B. The FY 2017-18 TFCA Expenditure Plan Application identifies \$2.094 million of funding available for projects and is due to the Air District by March 3, 2017, prior to a detailed program of projects.

Background

TFCA funding is generated by a four dollar vehicle registration fee collected by the Bay Area Air Quality Management District (Air District). To be eligible for TFCA funding, projects are to result in the reduction of motor vehicle emissions and achieve "surplus" emission reductions beyond what is currently required through regulations, ordinances, contracts, or other legally binding obligations. Projects typically funded with TFCA include shuttles, bicycle lanes and lockers, signal timing and trip reduction programs. As the TFCA County Program Manager (CPM) 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. A total of 6.25% percent of new revenue is set aside for the Alameda CTC's administration of the TFCA program. Per the Alameda CTC TFCA Guidelines, 70 percent of the available funds are to be allocated to the cities/county based on population, with a minimum of \$10,000 to each jurisdiction. The remaining 30 percent of funds are to be allocated to transit-related projects on a discretionary basis.

A jurisdiction's projected future share may be borrowed against in order for a project to receive more funds in the current year, which can help facilitate the required annual programming of all available funds. For reference, a draft FY 2017-18 TFCA fund estimate, which reflects the funding identified in the FY 2017-18 Expenditure Plan Application, is

included as Attachment C. Projects proposed for TFCA funding are to be consistent with the Air District's FY 2017-18 TFCA CPM Fund Policies (Attachment D) and cost-effectiveness requirements.

FY 2017-18 Revenue

The FY 2017-18 TFCA Expenditure Plan Application establishes the amount of TFCA funds available for programming to projects and program administration and is based on the Air District's DMV revenue estimates for the same period. Additionally, previously programmed TFCA funds remaining from cancelled or completed projects (as detailed on the second page of the Expenditure Plan Application) are returned to the Alameda CTC's fund estimate for reprogramming. Returned funds that were initially programmed from the 70 percent cities/county portion of the fund estimate, are credited back to the project sponsor's share. As summarized below, the estimated total amount of funds available for projects is the sum of the new allocation (projected revenue), returned project funds to reprogram, and earned interest, less 6.25 percent of the new allocation, which is reserved for the Alameda CTC's administration of the TFCA program.

Estimated new allocation for FY 2017-18:	\$2,024,825
Earned interest for calendar year 2016:	\$24,765
<u>Project funds to reprogram, as of 12/31/16:</u>	<u>\$170,699</u>
Total available TFCA funding:	\$2,220,289
Less 6.25% of new allocation for TFCA administration:	- \$126,552
Total FY 2017-18 TFCA funding for projects:	\$2,093,737

For FY 2017-18, the Air District's revisions to the TFCA CPM Fund Policies include an increase in the cost-effectiveness limit for shuttles, eligibility for certain goods movement truck replacements and bike facility upgrades, and relaxed requirements for bike share projects.

Next Steps

The TFCA Expenditure Plan Application is to be signed by the Executive Director and is due to the Air District by March 3, 2017. Updated TFCA program guidelines, including the attached Air District FY 2017-18 TFCA Policies, will be incorporated into the Alameda CTC's 2018 Comprehensive Investment Plan (2018 CIP), along with the fund estimate. Prior to the adoption of the 2018 CIP, additional information may need to be solicited from candidate projects (selected from the pool of 2018 CIP applications received October 2016) to support the TFCA cost-effectiveness evaluations and determine the projects to be recommended for FY 2017-18 TFCA funds. A draft 2018 CIP is scheduled for consideration by the Commission in April 2017. The Air District requires a final, Commission-approved program of TFCA projects to be submitted no later than November 2017.

Fiscal Impact: This recommended action has no significant fiscal impact. TFCA funding is made available by the Air District and will be included in the Alameda CTC's FY 2017-18 budget.

Attachments

- A. Alameda CTC Resolution 17-001
- B. Alameda CTC FY 2017-18 TFCA Expenditure Plan Application
- C. Alameda CTC Draft FY 2017-18 TFCA Fund Estimate
- D. Air District's FY 2017-18 TFCA County Program Manager Fund Policies

Staff Contacts

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

[Jacki Taylor](#), Associate Program Analyst

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ALAMEDA COUNTY TRANSPORTATION COMMISSION

RESOLUTION 17-001

Commission Chair
Councilmember At-Large
Rebecca Kaplan, City of Oakland

Commission Vice Chair
TBD

AC Transit
Director Elsa Ortiz

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Supervisor Wilma Chan, District 3
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City of Newark
Councilmember Luis Freitas

City of Oakland
Councilmember Dan Kalb

City of Piedmont
Acting Mayor Jeff Wieler

City of Pleasanton
Mayor Jerry Thorne

City of San Leandro
Mayor Pauline Cutter

City of Union City
Mayor Carol Dutra-Vernaci

Executive Director
Arthur L. Dao

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

WHEREAS, the TFCA Program requires the Program Manager to submit an Expenditure Plan Application for FY 2017-18 TFCA funding to the Bay Area Air Quality Management District ("Air District") by March 3, 2017.

NOW, THEREFORE BE IT RESOLVED, that the Alameda CTC Commission will program an estimated \$2,093,737 to projects, consistent with the attached FY 2017-18 TFCA County Program Manager Fund Expenditure Plan Application; and

BE IT FURTHER RESOLVED, the Alameda CTC Commission will approve a program of projects within six months of the Air District's approval of the Expenditure Plan Application; and

BE IT FURTHER RESOLVED, the Alameda CTC Commission authorizes the Executive Director to execute any necessary fund transfer agreements related to this funding with the Air District and project sponsors.

DULY PASSED AND ADOPTED by the Alameda CTC at the regular Commission meeting held on Thursday, February 23, 2017 in Oakland, California, by the following vote:

AYES: NOES: ABSTAIN: ABSENT:

SIGNED: ATTEST:

Rebecca Kaplan
Chair, Alameda CTC

Vanessa Lee
Clerk of the Commission

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SUMMARY INFORMATION

County Program Manager Agency Name: Alameda County Transportation Commission

Address: 1111 Broadway, Suite 800, Oakland, CA 94607

PART A: NEW TFCA FUNDS

- 1. Estimated FYE 2018 DMV revenues (based on projected CY2016 revenues): Line 1: \$1,920,500
2. Difference between prior-year estimate and actual revenue: Line 2: \$104,325
a. Actual FYE 2016 DMV revenues (based on CY2015): \$2,019,572.58
b. Estimated FYE 2016 DMV revenues: \$1,915,247.69
('a' minus 'b' equals Line 2.)
3. Estimated New Allocation for projects and administration (Sum of Lines 1 and 2): Line 3: \$2,024,825

PART B: INTEREST FOR PROGRAMMING AND TFCA FUNDS AVAILABLE FOR REPROGRAMMING

- 4. Total available for programming/reprogramming to other projects. Line 4: \$195,463
a. Amount available from previously funded projects: \$170,698.61
(Note: Reprogrammed funds originating from pre-2006 projects are not subject to the six-month allocation deadline.)
b. Interest income earned on TFCA funds in CY 2016: \$24,764.48
('a' plus 'b' equals Line 4.)

PART C: TOTAL AVAILABLE TFCA FUNDS

- 5. Total Available TFCA Funds (Sum of Lines 3 and 4) Line 5: \$2,220,288
a. Estimated TFCA funds budgeted for administration: \$126,551.56
(Note: This amount may not exceed 6.25% of Line 3.)
b. Estimated Total TFCA funds available for projects \$2,093,736.84
(Line 5 minus Line 5.a.)

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

Executive Director Signature: _____

Date: _____

1 The "Estimated TFCA funds budgeted for administration" amount is listed for informational purposes only. Per California Health and Safety Code Section 44233, County Program Managers must limit their administrative costs to no more than 6.25% of the actual total revenue received from the Air District.

SUMMARY INFORMATION - ADDENDUM

Complete if there are TFCA Funds available for reprogramming.

Project #	Project Sponsor/Grantee	Project Name	\$ TFCA Funds Allocated	\$ TFCA Funds Expended	\$ TFCA Funds Available	Code*
14ALA04	City of Fremont	Stevenson Blvd. Arterial Management	\$76,000	\$55,207	\$20,793	UB
NA	NA	Unprogrammed Funding from FYE17	NA	NA	\$149,905.61	See Note 1

TOTAL TFCA FUNDS AVAILABLE FOR REPROGRAMMING **\$170,698.61**

(Enter this amount in Part B, Line 4.a. of Summary Information form)

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

Notes:

- The Alameda CTC's FYE17 County TFCA program had an unprogrammed balance of \$149,906 caused by a late adjustment to the program. The TFCA cost effectiveness evaluation for Oakland's Broadway Shuttle was required to be revised to account for Regional TFCA funds that had been programmed to the project causing \$149,906 to be subtracted from the project's County TFCA funding recommendation. BAAQMD agreed to allow the \$149,906 balance to be rolled over and programmed in FYE18.

Alameda CTC TFCA County Program Manager Fund: FY 2017-18 Draft Fund Estimate

Agency	Population (Estimate ¹)	% Population	Total % of Funding	TFCA Funds Available (new this FY)	Balance from Previous FY	Programmed Last Cycle	Returned Funds from Closed Projects	Rollover (Debits/Credits)	TFCA Balance (New + Rollover)
Alameda	79,277	4.87%	4.87%	\$ 65,505	\$ (181,912)	\$ 9,853	\$ -	\$ (191,764)	\$ (126,259)
Alameda County	149,821	9.20%	9.20%	\$ 123,795	\$ 362,702	\$ 18,871	\$ -	\$ 343,831	\$ 467,626
Albany	18,893	1.16%	1.16%	\$ 15,611	\$ (64,861)	\$ 125,387	\$ -	\$ (190,248)	\$ (174,637)
Berkeley	119,915	7.37%	7.36%	\$ 99,084	\$ 95,249	\$ 103,271	\$ -	\$ (8,021)	\$ 91,063
Dublin	57,349	3.52%	3.52%	\$ 47,387	\$ 89,014	\$ 7,179	\$ -	\$ 81,834	\$ 129,221
Emeryville	11,721	0.72%	0.74%	\$ 10,000	\$ 67,675	\$ 1,359	\$ -	\$ 66,316	\$ 76,316
Fremont	229,324	14.09%	14.08%	\$ 189,487	\$ 539,107	\$ 454,126	\$ 20,793	\$ 105,774	\$ 295,261
Hayward	158,985	9.77%	9.76%	\$ 131,367	\$ (246,400)	\$ 19,656	\$ -	\$ (266,056)	\$ (134,689)
Livermore	88,138	5.41%	5.41%	\$ 72,827	\$ 588,908	\$ 11,055	\$ -	\$ 577,853	\$ 650,681
Newark	44,733	2.75%	2.75%	\$ 36,962	\$ 374,088	\$ 5,683	\$ -	\$ 368,405	\$ 405,367
Oakland	422,856	25.98%	25.96%	\$ 349,400	\$ 18,563	\$ 419,788	\$ -	\$ (401,224)	\$ (51,824)
Piedmont	11,219	0.69%	0.74%	\$ 10,000	\$ 84,938	\$ 1,429	\$ -	\$ 83,509	\$ 93,509
Pleasanton	74,982	4.61%	4.60%	\$ 61,957	\$ 44,212	\$ 198,623	\$ -	\$ (154,411)	\$ (92,454)
San Leandro	87,700	5.39%	5.38%	\$ 72,465	\$ 282,357	\$ 115,370	\$ -	\$ 166,987	\$ 239,452
Union City	72,952	4.48%	4.48%	\$ 60,279	\$ 358,203	\$ 9,352	\$ -	\$ 348,851	\$ 409,130
TOTAL 70% Cities/County:	1,627,865	100%	100%	\$ 1,346,127	\$ 2,411,842	\$ 1,501,000	\$ 20,793	\$ 931,635	\$ 2,277,762

FY 2017-18 TFCA New Revenue	\$ 2,024,825	(From FYE18 Expenditure Plan)
Less 6.25% for Program Administration	\$ (126,552)	
Subtotal New Programming Capacity	\$ 1,898,273	
Calendar Year 2016 Interest Earned	\$ 24,764	
Total New Programming Capacity	\$ 1,923,038	

	Totals	Cities/County (Shares) 70%	Transit (Discretionary) 30%
Total New Programming Capacity	\$ 1,923,038	\$ 1,346,127	\$ 576,911
Returned Funds from Closed Projects	\$ 20,793.00	\$ 20,793.00	\$ -
FY 2016-17 Rollover (debit/credit) Adjustment	\$ 149,906	\$ 910,842	\$ (760,937)
Total Adjustments²	\$ 170,699	\$ 931,635	\$ (760,937)
Adjusted Total Available to Program	\$ 2,093,737	\$ 2,277,762	\$ (184,025)

Notes:

1. Dept. of Finance (www.dof.ca.gov) population estimates as of 1/01/2016 (released May 2016).
2. Includes TFCA programming actions and returned funds from closed projects as of 12/31/16.

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Appendix D: Board-Adopted TFCA County Program Manager Fund Policies for FYE 2018

Adopted November 16, 2016

The following Policies apply to the Bay Area Air Quality Management District's (Air District) Transportation Fund for Clean Air (TFCA) County Program Manager Fund for fiscal year ending (FYE) 2018.

BASIC ELIGIBILITY

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

Projects must conform to the provisions of the California Health and Safety Code (HSC) sections 44220 et seq. and these Air District Board of Directors adopted TFCA County Program Manager Fund Policies for FYE 2018.

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

2. **TFCA Cost-Effectiveness:** Projects must not exceed the maximum cost-effectiveness (C-E) limit noted in Table 1. Cost-effectiveness (\$/weighted ton) is based on the ratio of TFCA funds awarded divided by the sum of surplus emissions reduced of reactive organic gases (ROG), nitrogen oxides (NOx), and weighted PM10 (particulate matter 10 microns in diameter and smaller) over a project's useful life. All TFCA-generated funds (e.g., reprogrammed TFCA funds) that are awarded or applied to a project must be included in the evaluation. For projects that involve more than one independent component (e.g., more than one vehicle purchased, more than one shuttle route), each component must achieve this cost-effectiveness requirement.

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

Table 1: Maximum Cost-Effectiveness for FYE 2018 County Program Manager Fund Projects

Policy No.	Project Category	Maximum C-E (\$/weighted ton)
22	Alternative Fuel Light-Duty Vehicles	250,000
23	Reserved	Reserved
24	Alternative Fuel Heavy-Duty Vehicles and Buses	250,000
25	On-Road Goods Movement Truck Replacements	90,000
26	Alternative Fuel Infrastructure	250,000
27	Ridesharing Projects	150,000
28 a.-h.	Shuttle/Feeder Bus Service – Existing	200,000; 250,000 for services in CARE Areas or PDAs
28 i.	Shuttle/Feeder Bus Service - Pilot	Year 1 - 250,000 Year 2 - see Policy #28.a-h.
28 i.	Shuttle/Feeder Bus Service – Pilot in CARE Areas or PDAs	Years 1 & 2 - 500,000 Year 3 - see Policy #28.a-h.

29	Bicycle Projects	250,000
30	Bike Share	500,000
31	Arterial Management	175,000
32	Smart Growth/Traffic Calming	175,000

3. **Eligible Projects and Case-by-Case Approval:** Eligible projects are those that conform to the provisions of the HSC section 44241, Air District Board-adopted policies, and Air District guidance. On a case-by-case basis, County Program Managers must receive approval by the Air District for projects that are authorized by the HSC section 44241 and achieve Board-adopted TFCA cost-effectiveness but do not fully meet other Board-adopted Policies.
4. **Consistent with Existing Plans and Programs:** All projects must comply with the Transportation Control and Mobile Source Control measures included in the Air District's most recently approved strategies for achieving and maintaining State and national ozone standards, those plans and programs established pursuant to HSC sections 40233, 40717, and 40919; and, when specified, other adopted federal, State, regional, and local plans and programs.
5. **Eligible Recipients:** Grant recipients must be responsible for the implementation of the project, have the authority and capability to complete the project, and be an applicant in good standing with the Air District (Policies #8-10).
 - a. **Public agencies** are eligible to apply for all project categories.
 - b. **Non-public entities** are only eligible to apply for new alternative-fuel (light, medium, and heavy-duty) vehicle and infrastructure projects, and advanced technology demonstrations that are permitted pursuant to HSC section 44241(b)(7).
6. **Readiness:** Projects must commence by the end of calendar year 2018. For purposes of this policy, “commence” means a tangible action taken in connection with the project’s operation or implementation, for which the grantee can provide documentation of the commencement date and action performed. “Commence” can mean the issuance of a purchase order to secure project vehicles and equipment, commencement of shuttle/feeder bus and ridesharing service, or the delivery of the award letter for a construction contract.
7. **Maximum Two Years Operating Costs:** Unless otherwise specified in policies #22 through #32, TFCA County Program Manager Funds may be used to support up to two years of operating costs for service-based projects (e.g., ridesharing, shuttle and feeder bus service). Grant applicants that seek TFCA funds for additional years must reapply for funding in the subsequent funding cycles.

APPLICANT IN GOOD STANDING

8. **Independent Air District Audit Findings and Determinations:** Grantees who have failed either the fiscal audit or the performance audit for a prior TFCA-funded project awarded by either County Program Managers or the Air District are excluded from receiving an award of any TFCA funds for three (3) years from the date of the Air District’s final audit determination in accordance with HSC section 44242 or for a duration determined by the Air District Air Pollution Control Officer (APCO). Existing TFCA funds already awarded to the project sponsor will not be released until all audit recommendations and remedies have been satisfactorily implemented. A failed fiscal audit means a final audit report that includes an uncorrected audit finding that confirms an ineligible expenditure of TFCA funds. A failed performance audit means that the program or project was not implemented in accordance with the applicable Funding Agreement or grant agreement.

A failed fiscal or performance audit of the County Program Manager or its grantee may subject the County Program Manager to a reduction of future revenue in an amount equal to the amount which was inappropriately expended pursuant to the provisions of HSC section 44242(c)(3).

9. **Authorization for County Program Manager to Proceed:** Only a fully executed Funding Agreement (i.e., signed by both the Air District and the County Program Manager) constitutes the Air District's award of County Program Manager Funds. County Program Managers may incur costs (i.e., contractually obligate itself to allocate County Program Manager Funds) only after the Funding Agreement with the Air District has been executed.
10. **Maintain Appropriate Insurance:** Both the County Program Manager and each grantee must obtain and maintain general liability insurance, workers compensation insurance, and additional insurance as appropriate for specific projects, with required coverage amounts provided in Air District guidance and final amounts specified in the respective grant agreements.

INELIGIBLE PROJECTS

11. **Duplication:** Duplicative projects are not eligible. Projects that propose to expand and achieve additional emission reductions of existing projects are eligible (e.g., shuttle service or route expansion, previously-funded project that has completed its Project Useful Life).
12. **Planning Activities:** A grantee may not use any TFCA funds for planning related activities unless they are directly related to the implementation of a project or program that result in emission reductions.
13. **Employee Subsidies:** Projects that provide a direct or indirect financial transit or rideshare subsidy or shuttle/feeder bus service exclusively to the grantee's employees are not eligible.
14. **Cost of Developing Proposals:** Grantees may not use any TFCA funds to cover the costs of developing grant applications.

USE OF TFCA FUNDS

15. **Combined Funds:** Unless otherwise specified in policies #22 through #32, TFCA County Program Manager Funds may not be combined with TFCA Regional Funds to fund a County Program Manager Fund project. Projects that are funded by the TFCA County Program Manager Fund are not eligible for additional funding from other funding sources that claim emissions credits. For example, County Program Manager-funded projects may be combined with Congestion Mitigation and Air Quality (CMAQ) funds because CMAQ does not require emissions reductions for funding eligibility.
16. **Administrative Costs:** The County Program Manager may not expend more than 6.25 percent of its County Program Manager Funds for its administrative costs. The County Program Manager's costs to prepare and execute its Funding Agreement with the Air District are eligible administrative costs. Interest earned on County Program Manager Funds shall not be included in the calculation of the administrative costs. To be eligible for reimbursement, administrative costs must be clearly identified in the expenditure plan application and in the Funding Agreement, and must be reported to the Air District.
17. **Expend Funds within Two Years:** County Program Manager Funds must be expended within two (2) years of receipt of the first transfer of funds from the Air District to the County Program Manager in the applicable fiscal year, unless a County Program Manager has made the determination based on an application for funding that the eligible project will take longer than two years to implement. Additionally, a County Program Manager may, if it finds that significant progress has been made on a project, approve no more than two one-year schedule extensions for a project. Any subsequent schedule extensions for projects can only be given on a case-by-case basis, if the Air District finds that significant progress has been made on a project, and the Funding Agreement is amended to reflect the revised schedule.
18. **Unallocated Funds:** Pursuant to HSC 44241(f), any County Program Manager Funds that are not allocated to a project within six months of the Air District Board of Directors approval of the County Program Manager's Expenditure Plan may be allocated to eligible projects by the Air District. The Air

District shall make reasonable effort to award these funds to eligible projects in the Air District within the same county from which the funds originated.

19. Reserved.

20. Reserved.

21. Reserved.

ELIGIBLE PROJECT CATEGORIES

22. Alternative Fuel Light-Duty Vehicles:

These projects are intended to accelerate the deployment of qualifying alternative fuel vehicles that operate within the Air District’s jurisdiction. All of the following conditions must be met for a project to be eligible for TFCA funds:

- a. Vehicles purchased and/or leased have a gross vehicle weight rating (GVWR) of 14,000 lbs. or lighter.
- b. Vehicles are 2017 model year or newer
 - i. hybrid-electric, electric, fuel cell, and CNG/LNG vehicles that are certified by the California Air Resources Board (CARB) as meeting established super ultra-low emission vehicle (SULEV), partial zero emission vehicle (PZEV), advanced technology-partial zero emission vehicle (AT-PZEV), or zero emission vehicle (ZEV) standards; or
 - ii. electric neighborhood vehicles (NEV) as defined in the California Vehicle Code.
- c. Vehicles must be maintained and operated within the Air District’s jurisdiction.
- d. The amount of TFCA funds awarded may not exceed 90% of the vehicle’s cost after all other grants and applicable manufacturer and local/state/federal rebates and discounts are applied.

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

Grantees may request authorization of up to 50% of the TFCA Funds awarded for each vehicle to be used to pay for costs directly related to the purchase and installation of alternative fueling infrastructure and/or equipment used to power the new vehicle.

23. Reserved.

24. Alternative Fuel Heavy-Duty Vehicles and Buses:

These projects are intended to accelerate the deployment of qualifying alternative fuel vehicles that operate within the Air District’s jurisdiction. All of the following conditions must be met for a project to be eligible for TFCA Funds:

- a. Vehicles purchased and/or leased either have a GVWR greater than 14,000 lbs or are classified as urban buses.
- b. Vehicles are 2017 model year or newer hybrid-electric, electric, CNG/LNG, and hydrogen fuel cell vehicles approved by the CARB.
- c. Vehicles must be maintained and operated within the Air District’s jurisdiction.

- d. The amount of TFCA funds awarded may not exceed 90% of the vehicle's cost after all other grants and applicable manufacturer and local/state/federal rebates and discounts are applied.
- e. **Scrapping Requirements:** Grantees with a fleet that includes model year 1998 or older heavy-duty diesel vehicles must scrap one model year 1998 or older heavy-duty diesel vehicle for each new vehicle purchased or leased under this grant. Costs related to the scrapping of heavy-duty vehicles are not eligible for reimbursement with TFCA funds.

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

Grantees may request authorization of up to 50% of the TFCA Funds awarded for each vehicle to be used to pay for costs directly related to the purchase and installation of alternative fueling infrastructure and/or equipment used to power the new vehicle.

Projects that seek to replace a vehicle in the same weight-class as the proposed new vehicle, may qualify for additional TFCA funding. Costs related to the scrapping and/or dismantling of the existing vehicle are not eligible for reimbursement with TFCA funds.

25. **On-Road Goods Movement Truck Replacements:** The project will replace Class 6, Class 7, or Class 8 diesel-powered trucks that have a gross vehicle weight rating (GVWR) of 19,501 lbs. or greater (per vehicle weight classification definition used by Federal Highway Administration (FHWA) with new or used trucks that have an engine certified to the 2010 CARB emissions standards or cleaner. Eligible vehicles are those that are used for goods movement as defined by CARB. The existing trucks must be registered with the California Department of Motor Vehicles (DMV) to an address within the Air District's jurisdiction, and must be scrapped after replacement.

26. **Alternative Fuel Infrastructure:**

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

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

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

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

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

These projects are intended to reduce single-occupancy vehicle trips by providing short-distance connections. All of the following conditions must be met for a project to be eligible for TFCA funds:

- a. The service must provide direct connections between a mass transit hub (e.g., a rail or Bus Rapid Transit (BRT) station, ferry or bus terminal or airport) and a distinct commercial or employment location.
- b. The service's schedule must be coordinated to have a timely connection with corresponding mass transit service.
- c. The service must be available for use by all members of the public.
- d. TFCA funds may be used to fund only shuttle services to locations that are under-served and lack other comparable service. For the purposes of this policy, "comparable service" means that there exists, either currently or within the last three years, a direct, timed, and publicly accessible service that brings passengers to within one-third (1/3) mile of the proposed commercial or employment location from a mass transit hub. A proposed service will not be deemed "comparable" to an existing service if the passengers' proposed travel time will be at least 15 minutes shorter and at least 33% shorter than the existing service's travel time to the proposed destination;
- e. Reserved.
- f. Grantees must be either: 1) a public transit agency or transit district that directly operates the shuttle/feeder bus service; or (2) a city, county, or any other public agency.
- g. Applicants must submit a letter of concurrence from the transit district or transit agency that provides service in the area of the proposed route, certifying that the service does not conflict with existing service.
- h. Each route must meet the cost-effectiveness requirement in Policy #2. Projects that would operate in Highly Impacted Communities or Episodic Areas as defined in the Air District Community Air Risk Evaluation (CARE) Program, or in Priority Development Areas (PDAs), may qualify for funding at a higher cost-effectiveness limit (see Policy #2).
- i. **Pilot Shuttle/Feeder Bus Service** projects are defined as routes that are at least 70% unique and where no other service was provided within the past three years. In addition to meeting the conditions listed in Policy #28.a.-h. for shuttle/feeder bus service, pilot shuttle/feeder bus service, project applicants must also comply with the following application criteria and agree to comply with the project implementation requirements:
 - i. Provide data and other evidence demonstrating the public's need for the service, including a demand assessment survey and letters of support from potential users. Project applicants must agree to conduct a passenger survey for each year of operation.
 - ii. Provide written documentation of plans for financing the service in the future;
 - iii. Provide a letter from the local transit agency denying service to the project's proposed service area, which includes the basis for denial of service to the proposed areas. The applicant must demonstrate that the project applicant has attempted to coordinate service with the local service provider and has provided the results of the demand assessment survey to the local transit agency. The applicant must provide the transit service provider's evaluation of the need for the shuttle service to the proposed area.
 - iv. Pilot projects located in Highly Impacted Communities as defined in the Air District CARE Program and/or a Planned or Potential PDA may receive a maximum of three years of TFCA Funds under the Pilot designation. For these projects, the project applicants understand and must agree that such projects will be evaluated every

year, and continued funding will be contingent upon the projects meeting the following requirements:

1. During the first year and by the end of the second year of operation, projects must not exceed a cost-effectiveness of \$500,000/ton, and
 2. By the end of the third year of operation, projects must meet all of the requirements, including cost-effectiveness limit, of Policy #28.a-h. (existing shuttles).
- v. Projects located outside of CARE areas and PDAs may receive a maximum of two years of TFCA Funds under this designation. For these projects, the project applicants understand and must agree that such projects will be evaluated every year, and continued funding will be contingent upon the projects meeting the following requirements:
1. By the end of the first year of operation, projects shall meet a cost-effectiveness of \$250,000/ton, and
 2. By the end of the second year of operation, projects shall meet all of the requirements, including cost-effectiveness limit, of Policy #28.a-h. (existing shuttles).

29. Bicycle Projects:

New bicycle facility projects or upgrades to an existing bicycle facility that are included in an adopted countywide bicycle plan, Congestion Management Program (CMP), countywide transportation plan (CTP), city plan, or the Metropolitan Transportation Commission's (MTC) Regional Bicycle Plan are eligible to receive TFCA funds. Projects that are included in an adopted city general plan or area-specific plan must specify that the purpose of the bicycle facility is to reduce motor vehicle emissions or traffic congestion. A project that proposes to upgrade an existing bicycle facility is eligible only if that project involves converting an existing Class-2 or Class-3 facility to a Class-1 or Class-4 facility.

Eligible projects are limited to the following types of bicycle facilities for public use that result in motor vehicle emission reductions:

- a. New Class-1 bicycle paths;
- b. New Class-2 bicycle lanes;
- c. New Class-3 bicycle routes;
- d. New Class-4 cycle tracks or separated bikeways;
- e. Upgraded Class-1 or Class-4 bicycle facilities;
- f. Bicycle racks, including bicycle racks on transit buses, trains, shuttle vehicles, and ferry vessels;
- g. Electronic bicycle lockers;
- h. Capital costs for attended bicycle storage facilities; and
- i. Purchase of two-wheeled or three-wheeled vehicles (self-propelled or electric), plus mounted equipment required for the intended service and helmets.
- j. Reserved.

All bicycle facility projects must, where applicable, be consistent with design standards published in the California Highway Design Manual, or conform to the provisions of the Protected Bikeway Act of 2014.

30. Bike Share:

Projects that make bicycles available to individuals for shared use for completing first- and last-mile trips in conjunction with regional transit and stand-alone short distance trips are eligible for TFCA funds, subject to all of the following conditions:

- a. Projects must either increase the fleet size of existing service areas or expand existing service areas to include new Bay Area communities.
- b. Projects must have a completed and approved environmental plan and a suitability study demonstrating the viability of bicycle sharing.
- c. Projects must have shared membership and/or be interoperable with the Bay Area Bike Share (BABS) project when they are placed into service, in order to streamline transit for end users by reducing the number of separate operators that would comprise bike trips. Projects that meet one or more of the following conditions are exempt from this requirement:
 - i. Projects that do not require membership or any fees for use, or
 - ii. Projects that were provided funding under MTC's Bike Share Capital Program to start a new or expand an existing bike share program; or.
 - iii. Projects that attempted to coordinate with, but were refused by, the current BABS operator to have shared membership or be interoperable with BABS. Applicants must provide documentation showing proof of refusal.

Projects may be awarded FYE 2018 TFCA funds to pay for up to five years of operations.

31. Arterial Management:

Arterial management grant applications must identify a specific arterial segment and define what improvement(s) will be made to affect traffic flow on the identified arterial segment. Projects that provide routine maintenance (e.g., responding to citizen complaints about malfunctioning signal equipment) are not eligible to receive TFCA funds. Incident management projects on arterials are eligible to receive TFCA funds. Transit improvement projects include, but are not limited to, bus rapid transit and transit priority projects. Signal timing projects are eligible to receive TFCA funds. Each arterial segment must meet the cost-effectiveness requirement in Policy #2.

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

- a. The development project and the physical improvements must be identified in an approved area-specific plan, redevelopment plan, general plan, bicycle plan, pedestrian plan, traffic-calming plan, or other similar plan.
- b. The project must implement one or more transportation control measures (TCMs) in the most recently adopted Air District plan for State and national ambient air quality standards. Pedestrian projects are eligible to receive TFCA funds.
- c. The project must have a completed and approved environmental plan. If a project is exempt from preparing an environmental plan as determined by the public agency or lead agency, then that project has met this requirement.

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



Memorandum

5.2

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

DATE: February 6, 2017

SUBJECT: Alameda CTC Capital Program Update

RECOMMENDATION: Receive an update on the Alameda CTC's Capital Program.

Summary

This is an informational item on the status of Alameda CTC's Capital Program. Alameda CTC's mission is to plan, fund and deliver transportation programs and projects that expand access and improve mobility to foster a vibrant and livable Alameda County. The Commission funds and oversees numerous capital transportation improvement projects throughout Alameda County, with many originating from the 1986, the 2000, and the 2014 Transportation Expenditure Plan (TEP). These projects include Local Streets and Roads, Highway and Arterials, Transit, Goods Movement, and Technology improvements with the goal of providing an effective, efficient, and safe transportation network throughout Alameda County. The Program, as summarized in Appendix A, currently contains 64 active projects directly implemented by Alameda CTC and projects implemented by other jurisdictions within Alameda County across the full spectrum of delivery from scoping through construction. The estimated capital value for projects in the construction phase is \$1.4 billion. The total estimated value of funding for active projects in Alameda CTC's Capital Program is \$2.7 billion.

Background

Alameda CTC's mission is to plan, fund and deliver transportation programs and projects that expand access and improve mobility to foster a vibrant and livable Alameda County. The Commission authorizes, funds, and oversees projects eligible for funding for which the Commission has authority to administer and/or program, including the 1986, the 2000, and the 2014 Transportation Expenditure Plan (TEP). These projects include Local Streets and Roads, Highway and Arterials, Transit, Goods Movement, and Technology improvements with the goal of providing an effective, efficient, and safe transportation network throughout Alameda County. The Alameda CTC is currently managing the 64 active capital projects, spanning various stages of delivery including, Scoping, Preliminary Engineering/Environmental, Design, and Construction, as summarized in Appendix A. In addition to performing project management oversight (PMO) for the twenty-six projects

implemented by jurisdictions within Alameda County, Alameda CTC provides Project Management (PM) and delivery of projects and programs which require multi-jurisdictional coordination and/or have significant regional impact.

In Summary

Alameda CTC's Capital Program contains sixteen projects in the Construction Phase with a total construction funding value of \$1.4 billion; twelve projects in the Design phase with total funding estimated at \$421.8 million; eight projects are in the Preliminary Engineering/Environmental Studies phase with approximately \$77.7 million in identified funding; and nineteen projects are in the Scoping phase with approximately \$27.8 million in identified funding. Additional project details are available on the Alameda CTC website (http://www.alamedactc.org/app_pages/view/4681).

Since the last Capital Program Update presented in October 2016, notable progress has been made as follows:

Project Funding Agreement (PFA): The CIP FY 16/17 update approved by the Commission in July 2016 authorized the initiation of PFA's for twelve capital projects. To date, two PFA's have been executed, six are in the review process, and four are in the development stage. As part of the oversight process, Alameda CTC participates in the procurements for both professional services and construction contracts initiated by local jurisdictions; providing Local Business Contract Equity support, performing proposal evaluations, and assessing bids. Support is also provided to project managers and invoice preparers to ensure requests for reimbursements are adequately supported and rework minimized.

Anticipated Construction Advertisements/Awards in 2017: The following projects, many of which received construction capital allocations in the CIP FY 16/17 update, are in the final stage of the design phase and anticipate advertising and/or awarding a construction contract in 2017.

1. Hesperian Boulevard Corridor Improvement (A Street – I-880) – (Project No.

1468.014): This project, located between the Cities of Hayward and San Leandro from A Street to the I-880 overcrossing, will include roadway resurfacing, drought resistant landscaping, Class II bicycle lanes, public transit enhancements, upgraded traffic signals, highlighted crosswalks, and many other complete street elements to improve traffic safety and provide congestion relief while further establishing a livable community that benefit motorists, pedestrians, bicyclists, and the San Lorenzo commercial corridor.

Sponsor: Alameda County Public Works Agency; Advertised: January 2017; Target Award: Spring 2017.

- 2. Dublin Widening, WB from 2 to 3 Lanes (Sierra Ct-Dougherty Rd) – (Project No. 1468.016):** This project, in the City of Dublin, will widen Dublin Boulevard from Sierra Court to Dublin Court in the westbound direction from two to three lanes. The project also includes the construction of Class II bike lane and will also upgrade all signals in this segment, including enhanced detection for bicyclists in left turn lanes. The expansion of this arterial will alleviate congestion and address current traffic conflicts.

Sponsor: City of Dublin; Target Advertise: Summer 2017.

- 3. Downtown Oakland Streetscape Improvement (Project No. 1190.000):** This project will replace existing sidewalks, add traffic calming bulb-outs, replace curb and gutter at locations and add pedestrian amenities along Broadway, Latham Square - Inner Telegraph Avenue and Washington Street in downtown Oakland. The final phase, Old Oakland Streetscape, will include new brick sidewalks, historic lighting, and pedestrian amenities on the west side of Washington Street from 7th Street to 9th Street.

Sponsor: City of Oakland; Target Advertise: Summer 2017.

- 4. Warm Springs BART - West Side Access (Project No. 1467.000):** This project consists of construction of a pedestrian/bicycle bridge that will connect the west side of the new Warm Springs/South Fremont BART station to a one acre at ground entry plaza. The plaza will provide a landing area for the bridge's staircase, escalators, and elevator, and, in addition, will be a public space that will provide a setting for community gatherings and outdoor activities.

Sponsor: City of Fremont; Target Advertise: Winter 2017.

- 5. Mission Boulevard Phases 2 and 3 (Complete Streets) – (Project No. 1468.017):** Phase 2 includes the 1.5 mile segment of Mission Boulevard between Industrial Parkway and the Hayward/Union City boundary and Phase 3 includes the 0.5 mile segment of Mission Boulevard between A Street and the Hayward/San Leandro boundary at Rose Street. Proposed improvements include pavement rehabilitation, new bike lanes, undergrounding of existing overhead utility lines, and traffic signal installation as well as upgrades.

Sponsor: City of Hayward; Target Advertise: Summer 2017.

- 6. Oakland Army Base Roadway Infrastructure (Truck Parking) – (Project No. 1468.018):** The Truck Parking component of the Oakland Army Base Public Improvement Project will provide needed trucking facilities mandated under the Bay Conservation and Development Commission (BCDC) Sea Port Plan to support ongoing operations of the Port of Oakland and the new Trade and Logistics uses at the former Oakland Army Base.

Sponsor: City of Oakland; Target Advertise: Summer 2017.

- 7. 14th Avenue Streetscape (Project No. 1473.000):** The project consists of streetscape improvements, including traffic signal pole upgrades, median/roadway reconfiguration, pavement work, bike lane striping, sidewalk and curb & gutter replacement, updating crosswalks, ramps, pedestrian lighting, and landscaping, along 14th Ave, from E. 8th/E. 12th Street to E. 27th Street. Construction will occur in three phases. Phase 1-14th Avenue from E. 8th Street/E. 12th Street to International Blvd.; Phase 2 -14th Avenue from International Blvd to E. 19th Street; and Phase 3 - 14th Avenue from E. 19th Street to E. 27th Street. Phase 2 construction is already underway.

Sponsor: City of Oakland; Target Advertise–Phase 1: Summer 2017.

- 8. I-680 Sunol Express Lane – Northbound (Project No. 1369.000):** Alameda CTC is the sponsor for this project which will construct a HOV/Express Lane on northbound I-680 from the SR 237 interchange in Santa Clara County to north of the SR 84 interchange in Alameda County. Environmental approval for the full length of the 15 mile corridor was obtained in July 2015. Alameda CTC has approved a funding strategy to deliver an initial construction phase (Phase 1), inside the available parameters, to provide operational benefits and expedite congestion relief in the corridor. Phase 1 of the project will add a new HOV/Express Lane between Auto Mall Parkway and SR 84. Final Design of the Phase 1 modified civil design package is currently underway.

Sponsor: Alameda CTC; Target Advertise–Summer 2017.

Construction Progress: The following six projects are in the construction phase. Although progress reports have cited this winter's inclement weather delaying construction activities such earthwork, striping, and paving, there is currently no significant overall schedule delay reported due to the weather.

- 1. Telegraph Avenue Corridor Bus Rapid Transit (Project No. 1193.001):** AC Transit held a ground breaking ceremony on August 26 2016 for the third and final bid package. Construction activities in San Leandro is currently underway. Major construction is scheduled to begin in Oakland in February. This project is anticipated to complete construction in summer 2018.
- 2. Oakland Army Base Roadway Infrastructure (Project No. 1468.021):** The infrastructure improvements include the reconstruction, realignment and construction of local streets and roads, including Maritime Street, Burma Road, Wake Avenue, and Engineers Road. Other improvements also include appurtenant roadway facilities related to roadway drainage and access to adjacent properties within the intermodal facility boundaries, and utility facilities within the roadway corridor. These infrastructure improvements contribute to the

larger redevelopment improvements of the former Oakland Army Base area to develop a state-of-the-art intermodal facility to the benefit of the City, County and State. This project is anticipated to complete construction in fall 2018.

- 3. I-880 North Safety and Operational Improvements at 23rd - 29th (Project No. 1367.000):** This project will provide operational and safety improvements on I-880 at the existing overcrossings of 23rd and 29th Avenues in the City of Oakland. Improvements include replacement of the freeway overcrossing structures, safety improvements at the northbound on and off ramps and the freeway mainline. Alameda CTC as project sponsor, is providing construction management oversight in coordination with Caltrans. This project is anticipated to complete construction in fall 2018.
- 4. Route 84 Expressway Widening – South Segment (Project No. 1367.000):** This project involves widening a 2.4 mile section of State Route (SR) 84 (Isabel Avenue) from Ruby Hill Drive to Concannon Boulevard from two lanes to four lanes. Construction is anticipated to be completed in fall 2018.
- 5. Iron Horse Transit Route (Dougherty Road Widening) – (Project No. 1195.000):** The project will widen Dougherty Road from the northern boundary of the City of Dublin to the vicinity of Scarlett Drive from four to six lanes to accommodate buses and includes Class II bike lanes within the limits of the project to accommodate bicyclists. Construction began July 2016 and is anticipated to be completed in fall 2018.
- 6. BART Warm Springs Extension (Project No. 1188.000):** Revenue operations will commence upon completion of system testing.

Fiscal Impact: There is no fiscal impact.

Attachments

- A. Alameda CTC Capital Program Summary

Staff Contact

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

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Alameda CTC Capital Program Summary																	
Index	AlaCTC Project No.	Project Name	Project Sponsor	Implementation Method (Note 1)	Program (Note 2)	Current Phase (Note 3)	Construction Schedule (Note 4)		Project Funding Sources (\$ x million) (Note 5)								Total Funding (All Sources)
							Begin	End	Alameda CTC Administered Funds			Leveraged Funds					
									1986 MB (ACTA)	2000 MB (ACTIA)	2014 MBB ⁽⁶⁾	Federal	State	Regional	Other Local	Other	
54	1387.000	I-80 Integrated Corridor Mobility Project	Alameda CTC	PM	Prop 1B	Construction (SI)	Jun 2011	Sept 2016 ⁽⁶⁾	0.0	2.6	0.0	3.2	65.7	1.2	6.0	0.0	78.7
55	1373.003	I-580 Express (HOT) Lanes	Alameda CTC	PM	2000 MB	Construction (SI)	Jun 2014	Feb 2016 ⁽⁶⁾	0.0	30.0	0.0	8.5	0.0	4.1	10.8	1.7	55.0
56	1441.000	Congestion Relief, Local Bridge Seismic Safety	Alameda CTC	PRGM	2014 MBB	Various	TBD	TBD	0.0	0.0	3.0	0.0	0.0	0.0	0.0	0.0	3.0
57	1449.000	I-580 Local Interchange Improvement Program	Alameda CTC	PRGM	2014 MBB	Various	TBD	TBD	0.0	0.0	0.3	0.0	0.0	0.0	0.0	0.0	0.3
58	1457.000	Gap Closure on Three Major Trails	Alameda CTC	PRGM	2014 MBB	Various	TBD	TBD	0.0	0.0	0.6	0.0	0.0	0.0	0.0	0.0	0.6
59	1438.000	Railroad Corridor Right of Way Preservation and Track Improvements	Alameda CTC	PRGM	2014 MBB	Various	TBD	TBD	0.0	0.0	0.1	0.0	0.0	0.0	0.0	0.0	0.1
60	1434.000	BART Station Modernization and Capacity Program	Alameda CTC	PRGM	2014 MBB	Various	TBD	TBD	0.0	0.0	0.1	0.0	0.0	0.0	0.0	0.0	0.1
61	1436.000	Dumbarton Corridor Area Transportation Improvements	Alameda CTC	PRGM	2014 MBB	Various	TBD	TBD	0.0	0.0	0.1	0.0	0.0	0.0	0.0	0.0	0.1
62	1440.000	Capitol Corridor Service Expansion	Alameda CTC	PRGM	2014 MBB	Various	TBD	TBD	0.0	0.0	0.1	0.0	0.0	0.0	0.0	0.0	0.1
63	1442.000	Countywide Freight Corridors	Alameda CTC	PRGM	2014 MBB	Various	TBD	TBD	0.0	0.0	0.5	0.0	0.0	0.0	0.0	0.0	0.5
64	1455.000	I-880 Local Access and Safety Improvements	Alameda CTC	PRGM	2014 MBB	Various	TBD	TBD	0.0	0.0	0.3	0.0	0.0	0.0	0.0	0.0	0.3
65	1368.004	I-580 Eastbound HOV Lane - Segment 3 with Auxiliary Lane	Alameda CTC	PM	Prop 1B	Project Closeout	Nov 2012	Dec 2015	0.0	0.7	0.0	0.2	25.1	5.9	1.6	6.9	40.4
66	1372.004	I-580 Westbound HOV Lane - East Segment	Alameda CTC	PM	Prop 1B	Project Closeout	Nov 2012	Mar 2016	0.0	4.4	0.0	6.3	63.1	8.7	0.4	0.0	82.9
67	1372.005	I-580 Westbound HOV Lane - West Segment	Alameda CTC	PM	Prop 1B	Project Closeout	Oct 2012	Dec 2015	0.0	1.8	0.0	0.1	52.7	5.8	0.6	0.0	61.0
68	1255.000	East Bay Greenway (Coliseum BART to 85th Avenue)	Alameda CTC	PM	Other	Project Closeout	Jul 2013	Jan 2015	0.0	0.0	0.0	1.4	0.0	0.0	3.0	0.0	4.4
69	1378.000	Webster Street Smart Corridor	Alameda CTC	PM	Other	Project Closeout	Sep 2012	Jan 2016	0.0	0.0	0.0	0.6	0.0	0.0	1.2	0.0	1.8
70	1376.001	I-880 Southbound HOV Lane - South Segment	Alameda CTC	PM	Prop 1B	Project Closeout	Sep 2012	Dec 2015	0.0	0.9	0.0	5.1	52.8	0.0	11.0	0.0	69.8
71	1376.002	I-880 Southbound HOV Lane - North Segment	Alameda CTC	PM	Prop 1B	Project Closeout	Nov 2012	Mar 2015	0.0	0.3	0.0	2.7	29.8	0.0	3.9	0.0	36.7
72	1174.000	I-880/Mission Blvd (Route 262) Interchange Completion (Phase 1B)	Alameda CTC	PM	1986 MB	Project Closeout	Jul 2012	Mar 2015	3.5	0.0	0.0	3.8	64.3	0.0	23.3	57.3	152.2
73	1210.000	Route 84 Expressway - North Segment	Alameda CTC	PM	2000 MB	Project Closeout	Mar 2012	Jun 2014	0.0	20.5	0.0	0.0	16.1	0.0	0.0	0.0	36.6
74	1178.000	Route 238/Mission-Foothill-Jackson Corridor Improvement	Alameda CTC	PM	1986 MB	Project Closeout	July 2010	Jul 2013	80.0	0.0	0.0	0.0	0.0	0.0	14.0	6.5	100.5
75	1384.001	I-580 San Leandro Landscaping	Alameda CTC	PM	Other	Project Closeout	Jul 2012	May 2013	0.0	0.0	0.0	0.4	0.0	0.0	0.0	0.0	0.4
76	1364.004	I-680 Sunol Express Lanes - Southbound	Alameda CTC	PM	2000 MB	Project Closeout	Oct 2008	Apr 2012	0.0	19.7	0.0	5.4	8.0	0.0	8.0	0.0	41.1
77	1209.000	Isabel Avenue - Route 84/I-580 Interchange	Alameda CTC	PM	Prop 1B	Project Closeout	Jan 2009	Mar 2012	0.0	25.1	0.0	11.3	44.4	0.0	32.4	0.0	113.2
78	1198.000	I-580/Castro Valley Interchange Improvements (Note 6)	Alameda CTC	PM	2000 MB	Project Closeout	Jun 2008	Jun 2011	15.0	11.5	0.0	1.9	4.8	0.0	0.0	0.0	33.2
79	1371.000	I-580 Corridor Right of Way Preservation	Alameda CTC	PM	2000 MB	Project Closeout	N/A	N/A	0.0	3.0	0.0	0.0	4.7	111.0	0.0	0.0	118.7
80	1368.003	I-580 Corridor Environmental Mitigation	Alameda CTC	PM	Other	Project Closeout	N/A	N/A	0.0	0.0	0.0	0.0	0.0	2.3	0.0	0.0	2.3
81	1211.000	Dumbarton Corridor Improvements (Study Only)	San Mateo	PMO	2000 MB	Project Closeout	N/A	N/A	0.0	3.6	0.0	0.0	0.0	0.0	0.0	0.0	3.6
PROJECTS IN CLOSE OUT TOTAL									98.5	91.5	0.0	39.2	365.7	133.6	99.4	70.7	898.7
ACTIVE PROJECTS TOTAL									98.8	436.8	252.8	253.7	780.1	384.7	399.1	135.2	2,741.1
PROGRAM TOTAL									\$ 197.3	\$ 527.7	\$ 252.8	\$ 293.0	\$ 1,145.8	\$ 518.3	\$ 498.5	\$ 205.8	\$ 3,639.8

Notes:

1. Project Management (PM), Project Management Oversight (PMO), Program Management (PRGM)
2. Initiating programs are identified. "+" denotes those projects that are specifically named in more than one program.
3. The current phase shown is based on available information as of the date of this update. The Project Closeout phase indicates that construction is complete and the facility is in use by the public while project financial and other closeout requirements are being satisfied.
4. Construction schedules shown are subject to change based on project delivery activities. Begin Construction date shown is typically the expected contract award date.
5. The funding amounts shown are subject to change based on programming and allocation activities by various funding agencies other than the Alameda CTC.
6. End Construction dates for BART or AC Transit capital projects reflect the point at which revenue service is estimated to begin.
7. Project Closeout for the I-580/Castro Valley Interchange Improvements Project (612.0) includes a separate, follow on contract to fulfill a three-year plant maintenance obligation to Caltrans.
8. For named projects in the 2014 TEP, the Measure BB funding shown reflects only allocated funds. For all other projects with Measure BB funding, the amount shown reflects the programmed amount. Projects include Measure B and Measure BB funding and are included in both programs. Under "Other" funding source \$105M loan from 2000MB to be paid back from future toll revenues.



Memorandum

5.3

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

DATE: February 6, 2017

SUBJECT: I-680 Express Lanes (PN 1369.000): Approval of Construction Cooperative Agreement with the California Department of Transportation (Caltrans).

RECOMMENDATION: Approve and authorize the Executive Director to enter into a Cooperative Agreement with Caltrans for the construction phase of the I-680 Express Lanes project.

Summary

The I-680 Corridor in Alameda County (from I-580 to Route 237) is one of the most congested corridors in the Bay Area. In particular, the 9-mile segment of northbound I-680 from south of Auto Mall Parkway in Fremont to Route 84 near Pleasanton experiences substantial daily congestion and delays between the hours of 1:30 PM and 7:30 PM. Bottlenecks result in queues that are often four to six miles long with speeds of less than 10 miles per hour, creating essentially a standstill condition. In addition, in the southbound direction, congestion is currently observed at specific locations such as at the State Route 262 -Mission Boulevard (SR 262-Mission) and the Auto Mall Parkway exits.

Alameda CTC has identified two key components that will provide congestion relief for the corridor: (1) a northbound express carpool lane/High Occupancy Toll (HOT) lane from Route 237 in Santa Clara County to Route 84 in Pleasanton (phased implementation); (2) modification of the current limited access toll lanes along the southbound corridor to be converted to continuous access toll. Concurrently, Caltrans is implementing pavement rehabilitation improvements along northbound I-680 between Auto Mall Parkway and Koopman Road.

In consideration of available funding and to achieve maximum cost efficiency, avoid multiple construction contracts and minimize extended inconvenience to the traveling public, Alameda CTC and Caltrans have partnered to deliver the I-680 Express Lanes Project through the design and construction phases. The Project, as designed to be constructed, includes four key components (1) a new High Occupancy Vehicle (HOV)/express lane from south of Auto Mall Parkway to SR 84 (I-680 Northbound Express Lane Phase 1 Modified); (2) modification of the current limited access toll lanes along the southbound corridor from Andrade Road to SR 262 -Mission to be converted to continuous access toll; (3) rehabilitation improvements along northbound I-680 between Auto Mall Parkway and Koopman Road; and (4) integration of the southbound and northbound toll collection system.

The Project is in the final stages of design and obtaining right-of-way and permit clearances. It is anticipated that the project will be advertised in June 2017.

The total construction cost of the combined improvements is \$169.5 million which is funded by \$38.2 million in State Highway Operation and Protection Program (SHOPP), \$13.9 State Traffic Congestion Relief Program (TCRP), and \$117.4 million in 2000 Measure B/2014 Measure BB (as shown in Table 1).

Caltrans will advertise, award, and administer (AAA) the construction of the Project. A cooperative agreement is required between the Alameda CTC and Caltrans to document roles, responsibilities and financial commitments of both agencies for construction implementation of the combined improvements described above for the construction phase of the Project.

Background

Express lanes along the I-680 Corridor are included in both the 2000 Measure B (MB) and 2014 Measure BB (MBB) Capital Programs. I-680 corridor has long been a critical element of the Alameda County transportation network, and has recently moved up the list of the most congested corridors in the Bay Area. The emerging congestion and operational deterioration of this major interstate freeway through Alameda County has markedly increased delays, created major cut-through traffic on neighborhood streets, increasing congestion on local roadways, slowed the movement of goods and freight, worsened air quality, and negatively affected the quality of life of commuters and residents.

Currently, there is heavy afternoon congestion on I-680 northbound from Scotts Creek Boulevard to Andrade Road. Traffic studies have confirmed that this heavy congestion is caused by two bottleneck locations affecting northbound I-680 between SR 237 and SR 84 on weekday afternoon/evening commutes between 1:30 PM and 7:30 PM. The first bottleneck is located near Washington Boulevard. The second is at the lane drop near the truck scales located between Sheridan Road and Andrade Road. The congestion on the freeway has spilled onto local streets that parallel the freeway causing significant congestion in the area. In addition, in the southbound direction, congestion is currently observed at specific locations such as at SR 262-Mission and the Auto Mall Parkway exits.

Alameda CTC has identified two key components that will provide congestion relief for the corridor: (1) a northbound express carpool lane/High Occupancy Toll (HOT) lane from Route 237 in Santa Clara County to Route 84 in Pleasanton (I-680 Northbound Express Lane Project); (2) modification of the current limited access toll lanes along the southbound corridor to be converted to continuous access toll (I-680 Southbound Lane Conversion Project). Concurrently, Caltrans is implementing pavement rehabilitation improvements along northbound I-680 between Auto Mall Parkway and Koopman Road (I-680 Rehabilitation Improvements Project).

In consideration of the available project funding and to achieve maximum cost efficiency, avoid multiple construction contracts and minimize extended inconvenience to the traveling public, Alameda CTC and Caltrans have partnered to deliver the

following individual projects as one combined I-680 Express Lanes Project through the design and construction phases.

I-680 Northbound Express Lane: This project will widen I-680 from SR 237 in Santa Clara County to SR 84 in Alameda County and construct a 14-mile long northbound HOV/express lane facility in the corridor. The project is intended to provide a number of benefits including: 1) enhanced mobility by reducing traffic congestion; 2) reduced travel time and improved travel reliability; and 3) reduced congestion-related accidents; thereby enhancing safety. The express lane facility will leverage available HOV lane capacity by offering solo drivers the option to pay a toll to access the lane. Regular carpool and carpool eligible users will continue to use the lane at no cost.

The Project Approval and Environmental Document (PA&ED) for the project was completed in July 2015. The approved Environmental Document and Project Report included studies and analysis for both the full project limits (SR 237 to SR 84) and the initial Phase 1 Modified limits from south of Auto Mall Parkway to SR 84. The initial phase of the project – I-680 Northbound Phase 1 Modified, will add a new HOV/express lane from south of Auto Mall Parkway to SR 84, eliminate the two bottlenecks, and alleviate the congestion on the freeway and local streets.

I-680 Southbound Conversion Project: This project will convert the current limited access toll lanes along the southbound corridor from Andrade Road to SR 262 -Mission to continuous access toll lanes. This modification will improve overall freeway operations and eliminate congestion currently observed at specific locations such as at the SR 262-Mission and the Auto Mall Parkway exits.

I-680 Rehabilitation Improvements Project: This project, sponsored by Caltrans, will implement pavement rehabilitation improvements along northbound I-680 between the Auto Mall Parkway and Koopman Road.

Alameda CTC is the implementing agency for the design, right-of-way acquisition, and utility relocation phases of the I-680 Express Lanes Project. Caltrans will AAA the construction contract for the Project.

The project milestone schedule for the combined improvements is as follows:

- Complete Final Design (PS&E): April 2017
- Construction advertisement: June 2017
- Construction Contract Award: Late 2017
- Construction Complete: Late 2019
- Lane Opening: Late 2019 – Early 2020

The total construction cost of the combined improvements is \$169.5 million which is funded by \$38.2 million in State Highway Operation and Protection Program (SHOPP), \$13.9 State Traffic Congestion Relief Program (TCRP), and \$117.4 million in 2000 MB/2014 MBB (as shown in Table 1).

TABLE1: FUNDING SUMMARY (x \$1,000)						
SOURCE	FUNDING PARTNER	FUND TYPE	CONSTRUCTION SUPPORT		CONSTR. CAPITAL	TOTAL
			ALAMEDA CTC	CALTRANS	CALTRANS	
State	CALTRANS	SHOPP		\$4,200	\$34,000	\$38,200
State	CALTRANS	TCRP		\$13,874	\$0	\$13,874
Local	ALAMEDA CTC	2000 MB/2014 MBB	\$6,440		\$111,000*	\$117,440
Total			\$6,440	\$18,074	\$145,000	\$169,514

* Total amount dependent upon construction capital bid results and not-to-exceed \$120 million.

The proposed cooperative agreement, provided as Attachment A, establishes the roles, responsibilities, and funding obligations between Alameda CTC and Caltrans for the construction phase of the Project and is required to move the Project forward to construction.

Staff recommends that the Commission authorize the Executive Director to enter into the construction phase cooperative agreement for the I-680 Express Lanes.

Fiscal Impact: The recommended action will result in the encumbrance and subsequent expenditure of up to \$120 million of allocated 2000 MB/2014 MBB funds over approximately three years of construction starting with fiscal year 2017/18. This budget is included in the appropriate project funding plans and will be included in the FY 2017/2018 Capital Program Budget.

Attachments

- A. Draft Cooperative Agreement 04-2632

Staff Contact

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

COOPERATIVE AGREEMENT COVER SHEET

Work Description

On I-680 from SR-262 (Mission Boulevard) in Fremont to north of the I-680/84 Interchange in Alameda County. Construct HOV/Express Lane and pavement rehabilitation on northbound I-680 and convert southbound I-680 Express Lane from controlled access to continuous access configuration.

Contact Information

CALTRANS

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ALAMEDA COUNTY TRANSPORTATION COMMISSION

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 CEQA Lead Agency 3

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Please note:

1. Caltrans administered funds must be expended proportionally with all other funds. All project funds must be shown in the Funding Summary. Local funds committed to the project cannot be omitted from the funding summary.
2. ALAMEDA CTC'S R/W Support work is not covered by the Spending Summary.

Draft 1/20/17

COOPERATIVE AGREEMENT

This AGREEMENT, effective on _____, is between the State of California, acting through its Department of Transportation, referred to as CALTRANS, and:

Alameda County Transportation Commission, a California joint powers authority, referred to hereinafter as ALAMEDA CTC.

RECITALS

1. PARTNERS are authorized to enter into a cooperative agreement for improvements to the state highway system (SHS) per the California Streets and Highways Code sections 114 and 130.
2. For the purpose of this AGREEMENT, *on I-680 from SR-262 (Mission Boulevard) in Fremont to north of the I-680/84 Interchange in Alameda County. Construct HOV/Express Lane and pavement rehabilitation on northbound I-680 and convert southbound I-680 Express Lane from controlled access to continuous access configuration*, will be referred to hereinafter as PROJECT. The project scope of work is defined in the PROJECT initiation and approval documents (e.g. Project Study Report, Permit Engineering Evaluation Report, or Project Report).
3. All responsibilities assigned in this AGREEMENT to complete the following PROJECT COMPONENTS will be referred to hereinafter as OBLIGATIONS:
 - CONSTRUCTION SUPPORT
 - CONSTRUCTION CAPITAL
4. This AGREEMENT is separate from and does not modify or replace any other cooperative agreement or memorandum of understanding between PARTNERS regarding the PROJECT.

5. The following work associated with this PROJECT has been completed or is in progress:
 - CALTRANS approved the Environmental Impact Report on July 28, 2015 (Cooperative Agreement No. 04-2568).
 - CALTRANS approved the Environmental Assessment with Finding of No Significant Impact (FONSI) on July 28, 2015 (Cooperative Agreement No. 04-2568).
 - CALTRANS is developing the R/W Certification by March 1, 2017.
 - ALAMEDA CTC is developing the Plans, Specifications and Estimate by March 1, 2017.
 - CALTRANS completed the Project Initiation Document on August 29, 2016 (Cooperative Agreement No. 04-2613).
 - CALTRANS completed the Project Report on July 29, 2015 (Cooperative Agreement No. 04-2568).
6. In this AGREEMENT capitalized words represent defined terms, initialisms, or acronyms.
7. PARTNERS hereby set forth the terms, covenants, and conditions of this AGREEMENT, under which they will accomplish OBLIGATIONS.

RESPONSIBILITIES

Sponsorship

8. CALTRANS and ALAMEDA CTC will co-SPONSOR the PROJECT COMPONENT included in this AGREEMENT in the following percentages.

CALTRANS 27%

ALAMEDA CTC 73%

Funding

9. FUNDING PARTNERS, funding sources, funding limits, spending limits, and invoicing/payment details are documented in the FUNDING SUMMARY. The FUNDING SUMMARY is incorporated and made an express part of this AGREEMENT.

PARTNERS will execute a new FUNDING SUMMARY each time the funding details change. The FUNDING SUMMARY will be executed by a legally authorized representative of the respective PARTNERS. The most current fully executed FUNDING SUMMARY supersedes any previous FUNDING SUMMARY created for this AGREEMENT.

Replacement of the FUNDING SUMMARY will not require an amendment to the body of this AGREEMENT unless the funding changes require it.

10. PARTNERS will not incur costs beyond the funding commitments in this AGREEMENT.
11. Unless otherwise documented in the FUNDING SUMMARY, all fund types contributed to a PROJECT COMPONENT will be spent proportionately within that PROJECT COMPONENT.
12. Unless otherwise documented in the FUNDING SUMMARY, any savings recognized within a PROJECT COMPONENT will be credited or reimbursed, when allowed by policy or law, in proportion to the amount contributed to that PROJECT COMPONENT by each fund type.
13. All costs incurred for WORK except those that are specifically excluded in this AGREEMENT are OBLIGATIONS COSTS. OBLIGATIONS COSTS are to be paid from the funds shown in the FUNDING SUMMARY. Costs that are not OBLIGATIONS COSTS are to be paid by the PARTNER incurring the costs from funds that are outside the scope of this AGREEMENT.

Implementing Agency

14. CALTRANS is the IMPLEMENTING AGENCY for CONSTRUCTION.
15. Any PARTNER responsible for completing WORK shall make its personnel and consultants that prepare WORK available to help resolve WORK-related problems and changes for the entire duration of the PROJECT including PROJECT COMPONENT work that may occur under separate agreements.

CEQA/NEPA Lead Agency

16. CALTRANS is the CEQA Lead Agency for the PROJECT.
17. CALTRANS is the NEPA Lead Agency for the PROJECT.

Environmental Permits, Approvals and Agreements

18. PARTNERS will comply with the commitments and conditions set forth in the environmental documentation, environmental permits, approvals, and applicable agreements as those commitments and conditions apply to each PARTNER's responsibilities in this AGREEMENT.
19. ALAMEDA CTC will fund, develop and execute a new landscaping agreement upon completion of PROJECT.

20. Unless otherwise assigned in this AGREEMENT, the IMPLEMENTING AGENCY for a PROJECT COMPONENT is responsible for all PROJECT COMPONENT WORK associated with coordinating, obtaining, implementing, renewing, and amending the PROJECT permits, agreements, and approvals whether they are identified in the planned project scope of work or become necessary in the course of completing the PROJECT.
21. The PROJECT requires the following environmental requirements/approvals:

ENVIRONMENTAL PERMITS/REQUIREMENTS
Incidental Take Permit – California Department of Fish and Wildlife
1602 California Department of Fish and Wildlife
Federal Endangered Species Act Consultation

Construction

22. As IMPLEMENTING AGENCY for CONSTRUCTION, CALTRANS is responsible for all CONSTRUCTION SUPPORT WORK except those CONSTRUCTION SUPPORT activities and responsibilities that are assigned to another PARTNER in this AGREEMENT and those activities that may be specifically excluded.
23. Physical and legal possession of right-of-way must be completed prior to construction advertisement, unless PARTNERS mutually agree to other arrangements in writing. Right of way conveyances must be completed prior to OBLIGATION COMPLETION, unless PARTNERS mutually agree to other arrangements in writing.
24. CALTRANS will advertise, open bids, award, and approve the construction contract in accordance with the California Public Contract Code and the California Labor Code. By accepting responsibility to advertise and award the construction contract, CALTRANS also accepts responsibility to administer the construction contract.
25. CALTRANS and the local agency having land use jurisdiction adjacent to the project limits will develop and execute a new or amended maintenance agreement prior to OBLIGATION COMPLETION.
26. Upon OBLIGATION COMPLETION, ownership or title to all materials and equipment constructed or installed for the operations and/or maintenance of the SHS within SHS right-of-way as part of WORK become the property of CALTRANS.

CALTRANS will not accept ownership or title to any materials or equipment constructed or installed outside the SHS right-of-way.

Schedule

27. PARTNERS will manage the schedule for OBLIGATIONS through the work plan included in the PROJECT MANAGEMENT PLAN.

Additional Provisions

28. PARTNERS will perform all OBLIGATIONS in accordance with federal and California laws, regulations, and standards; FHWA STANDARDS; and CALTRANS STANDARDS.
29. Each PARTNER will ensure that personnel participating in OBLIGATIONS are appropriately qualified or licensed to perform the tasks assigned to them.
30. PARTNERS will invite each other to participate in the selection of any consultants who participate in OBLIGATIONS.
31. The IMPLEMENTING AGENCY for a PROJECT COMPONENT will coordinate, prepare, obtain, implement, renew, and amend any encroachment permits needed to complete the PROJECT COMPONENT WORK.
32. If any PARTNER discovers unanticipated cultural, archaeological, paleontological, or other protected resources during WORK, all WORK in that area will stop and that PARTNER will notify all PARTNERS within twenty-four (24) hours of discovery. WORK may only resume after a qualified professional has evaluated the nature and significance of the discovery and a plan is approved for its removal or protection.
33. PARTNERS will hold all administrative drafts and administrative final reports, studies, materials, and documentation relied upon, produced, created, or utilized for the PROJECT in confidence to the extent permitted by law and where applicable, the provisions of California Government Code section 6254.5(e) shall protect the confidentiality of such documents in the event that said documents are shared between PARTNERS.

PARTNERS will not distribute, release, or share said documents with anyone other than employees, agents, and consultants who require access to complete the PROJECT without the written consent of the PARTNER authorized to release them, unless required or authorized to do so by law.

34. If a PARTNER receives a public records request pertaining to OBLIGATIONS, that PARTNER will notify PARTNERS within five (5) working days of receipt and make PARTNERS aware of any disclosed public documents. PARTNERS will consult with each other prior to the release of any public documents related to the PROJECT.
35. If HM-1 or HM-2 is found during a PROJECT COMPONENT, the IMPLEMENTING AGENCY for that PROJECT COMPONENT will immediately notify PARTNERS.

36. CALTRANS, independent of the PROJECT, is responsible for any HM-1 found within the existing SHS right-of-way. CALTRANS will undertake, or cause to be undertaken, HM MANAGEMENT ACTIVITIES related to HM-1 with minimum impact to the PROJECT schedule.

The cost for HM MANAGEMENT ACTIVITIES related to HM-1 found within the existing SHS right-of-way is not an OBLIGATIONS COST and CALTRANS will pay, or cause to be paid, all costs for HM-1 ACTIVITIES.

37. If HM-1 is found within the PROJECT limits and outside the existing SHS right-of-way, responsibility for such HM-1 rests with the owner(s) of the parcel(s) on which the HM-1 is found. ALAMEDA CTC, in concert with the local agency having land use jurisdiction over the parcel(s), will ensure that HM MANAGEMENT ACTIVITIES related to HM-1 are undertaken with minimum impact to PROJECT schedule.

The costs for HM MANAGEMENT ACTIVITIES related to HM-1 found within the PROJECT limits and outside the existing SHS right-of-way are not an OBLIGATIONS COST and will be the responsibility of the owner(s) of the parcel(s) where the HM-1 is located.

38. If HM-2 is found within the PROJECT limits, the public agency responsible for the advertisement, award, and administration (AAA) of the PROJECT construction contract will be responsible for HM MANAGEMENT ACTIVITIES related to HM-2.
39. CALTRANS' acquisition or acceptance of title to any property on which any HM-1 or HM-2 is found will proceed in accordance with CALTRANS' policy on such acquisition.
40. The IMPLEMENTING AGENCY for each PROJECT COMPONENT will furnish PARTNERS with written monthly progress reports during the implementation of OBLIGATIONS in that component.
41. Any PARTNER that is responsible for completing OBLIGATIONS will accept, reject, compromise, settle, or litigate claims arising from those OBLIGATIONS.
42. PARTNERS will confer on any claim that may affect OBLIGATIONS or PARTNERS' liability or responsibility under this AGREEMENT in order to retain resolution possibilities for potential future claims. No PARTNER will prejudice the rights of another PARTNER until after PARTNERS confer on the claim.

43. If the PROJECT expends state or federal funds, each PARTNER will comply with the federal Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards of 2 CFR, Part 200. PARTNERS will ensure that any for-profit party hired to participate in the OBLIGATIONS will comply with the requirements in 48 CFR, Chapter 1, Part 31. When state or federal funds are expended on the PROJECT these principles and requirements apply to all funding types included in this AGREEMENT.
44. PARTNERS will maintain, and will ensure that any party hired by PARTNERS to participate in OBLIGATIONS will maintain, a financial management system that conforms to Generally Accepted Accounting Principles (GAAP), and that can properly accumulate and segregate incurred PROJECT costs and billings.
45. PARTNERS will maintain and make available to each other all OBLIGATIONS-related documents, including financial data, during the term of this AGREEMENT.

PARTNERS will retain all OBLIGATIONS-related records for three (3) years after the final voucher.

46. PARTNERS have the right to audit each other in accordance with generally accepted governmental audit standards.

CALTRANS, the state auditor, FHWA (if the PROJECT utilizes federal funds), and ALAMEDA CTC will have access to all OBLIGATIONS-related records of each PARTNER, and any party hired by a PARTNER to participate in OBLIGATIONS, for audit, examination, excerpt, or transcription.

The examination of any records will take place in the offices and locations where said records are generated and/or stored and will be accomplished during reasonable hours of operation. The auditing PARTNER will be permitted to make copies of any OBLIGATIONS-related records needed for the audit.

The audited PARTNER will review the draft audit, findings, and recommendations, and provide written comments within thirty (30) calendar days of receipt.

Upon completion of the final audit, PARTNERS have thirty (30) calendar days to refund or invoice as necessary in order to satisfy the obligation of the audit.

Any audit dispute not resolved by PARTNERS is subject to mediation. Mediation will follow the process described in the General Conditions section of this AGREEMENT.

47. If the PROJECT expends state or federal funds, each PARTNER will undergo an annual audit in accordance with the Single Audit Act and the federal Office of Management and Budget (OMB) Circular A-133.

48. If the PROJECT expends federal funds, any PARTNER that hires an A&E consultant to perform WORK on any part of the PROJECT will ensure that the procurement of the consultant and the consultant overhead costs are in accordance with Chapter 10 of the *Local Assistance Procedures Manual*.
49. If WORK stops for any reason, each PARTNER will continue to implement all of its applicable commitments and conditions included in the PROJECT environmental documentation, permits, agreements, or approvals that are in effect at the time that WORK stops, as they apply to each PARTNER's responsibilities in this AGREEMENT, in order to keep the PROJECT in environmental compliance until WORK resumes.
50. The cost of awards, judgments, or settlements generated by OBLIGATIONS is an OBLIGATIONS COST.
51. The cost of legal challenges to the environmental process or documentation is an OBLIGATIONS COSTS.
52. Fines, interest, or penalties levied against a PARTNER are not an OBLIGATIONS COST and will be paid, independent of OBLIGATIONS COST, by the PARTNER whose action or lack of action caused the levy.
53. The cost of any engineering support performed by CALTRANS includes all direct and applicable indirect costs. CALTRANS calculates indirect costs based solely on the type of funds used to pay support costs. State and federal funds administered by CALTRANS are subject to the current Program Functional Rate. All other funds are subject to the current Program Functional Rate and the current Administration Rate. The Program Functional Rate and Administration Rate are adjusted periodically.
54. If the WORK is funded with state or federal funds, any PARTY seeking CALTRANS reimbursement of indirect costs must submit an indirect cost rate proposal and central service cost allocation plan (if any) in accordance with 2 CFR, Part 200 and Chapter 5 of the Local Assistance Procedures Manual. These documents are to be submitted annually to Caltrans' Audits and Investigations for review and acceptance prior to CALTRANS' reimbursement of indirect costs.
55. If there are insufficient funds available in this AGREEMENT to place PROJECT right-of-way in a safe and operable condition, the appropriate IMPLEMENTING AGENCY will fund these activities until such time as PARTNERS amend this AGREEMENT.

That IMPLEMENTING AGENCY may request reimbursement for these costs during the amendment process.

GENERAL CONDITIONS

56. PARTNERS understand that this AGREEMENT is in accordance with and governed by the Constitution and laws of the State of California. This AGREEMENT will be enforceable in the State of California. Any PARTNER initiating legal action arising from this AGREEMENT will file and maintain that legal action in the Superior Court of the county in which the CALTRANS district office that is signatory to this AGREEMENT resides, or in the Superior Court of the county in which the PROJECT is physically located.
57. All CALTRANS' OBLIGATIONS under this AGREEMENT are subject to the appropriation of resources by the Legislature, the State Budget Act authority, and the allocation of funds by the California Transportation Commission.
58. Neither ALAMEDA CTC nor any officer or employee thereof is responsible for any injury, damage or liability occurring by reason of anything done or omitted to be done by CALTRANS, its contractors, sub-contractors, and/or its agents under or in connection with any work, authority, or jurisdiction conferred upon CALTRANS under this AGREEMENT. It is understood and agreed that CALTRANS, to the extent permitted by law, will defend, indemnify, and save harmless ALAMEDA CTC and all of its officers and employees from all claims, suits, or actions of every name, kind, and description brought forth under, but not limited to, tortious, contractual, inverse condemnation, or other theories and assertions of liability occurring by reason of anything done or omitted to be done by CALTRANS, its contractors, sub-contractors, and/or its agents under this AGREEMENT.
59. Neither CALTRANS nor any officer or employee thereof is responsible for any injury, damage, or liability occurring by reason of anything done or omitted to be done by ALAMEDA CTC, its contractors, sub-contractors, and/or its agents under or in connection with any work, authority, or jurisdiction conferred upon ALAMEDA CTC under this AGREEMENT. It is understood and agreed that ALAMEDA CTC, to the extent permitted by law, will defend, indemnify, and save harmless CALTRANS and all of its officers and employees from all claims, suits, or actions of every name, kind, and description brought forth under, but not limited to, tortious, contractual, inverse condemnation, or other theories and assertions of liability occurring by reason of anything done or omitted to be done by ALAMEDA CTC, its contractors, sub-contractors, and/or its agents under this AGREEMENT.
60. PARTNERS do not intend this AGREEMENT to create a third party beneficiary or define duties, obligations, or rights in parties not signatory to this AGREEMENT. PARTNERS do not intend this AGREEMENT to affect their legal liability by imposing any standard of care for fulfilling OBLIGATIONS different from the standards imposed by law.
61. PARTNERS will not assign or attempt to assign OBLIGATIONS to parties not signatory to this AGREEMENT without an amendment to this AGREEMENT.

62. ALAMEDA CTC will not interpret any ambiguity contained in this AGREEMENT against CALTRANS. ALAMEDA CTC waives the provisions of California Civil Code section 1654.

A waiver of a PARTNER's performance under this AGREEMENT will not constitute a continuous waiver of any other provision.

63. A delay or omission to exercise a right or power due to a default does not negate the use of that right or power in the future when deemed necessary.
64. If any PARTNER defaults in its OBLIGATIONS, a non-defaulting PARTNER will request in writing that the default be remedied within thirty (30) calendar days. If the defaulting PARTNER fails to do so, the non-defaulting PARTNER may initiate dispute resolution.
65. PARTNERS will first attempt to resolve AGREEMENT disputes at the PROJECT team level. If they cannot resolve the dispute themselves, the CALTRANS district director and the executive officer of ALAMEDA CTC will attempt to negotiate a resolution. If PARTNERS do not reach a resolution, PARTNERS' legal counsel will initiate mediation. PARTNERS agree to participate in mediation in good faith and will share equally in its costs.

Neither the dispute nor the mediation process relieves PARTNERS from full and timely performance of OBLIGATIONS in accordance with the terms of this AGREEMENT. However, if any PARTNER stops fulfilling OBLIGATIONS, any other PARTNER may seek equitable relief to ensure that OBLIGATIONS continue.

Except for equitable relief, no PARTNER may file a civil complaint until after mediation, or forty-five (45) calendar days after filing the written mediation request, whichever occurs first.

PARTNERS will file any civil complaints in the Superior Court of the county in which the CALTRANS district office signatory to this AGREEMENT resides or in the Superior Court of the county in which the PROJECT is physically located.

66. PARTNERS maintain the ability to pursue alternative or additional dispute remedies if a previously selected remedy does not achieve resolution.
67. If any provisions in this AGREEMENT are found by a court of competent jurisdiction to be, or are in fact, illegal, inoperative, or unenforceable, those provisions do not render any or all other AGREEMENT provisions invalid, inoperative, or unenforceable, and those provisions will be automatically severed from this AGREEMENT.
68. If during performance of WORK additional activities or environmental documentation is necessary to keep the PROJECT in environmental compliance, PARTNERS will amend this AGREEMENT to include completion of those additional tasks.

69. Except as otherwise provided in the AGREEMENT, PARTNERS will execute a formal written amendment if there are any changes to OBLIGATIONS.
70. When WORK performed on the PROJECT is done under contract and falls within the Labor Code section 1720(a)(1) definition of "public works" in that it is construction, alteration, demolition, installation, or repair; or maintenance work under Labor Code section 1771, PARTNERS shall conform to the provisions of Labor Code sections 1720 through 1815, and all applicable provisions of California Code of Regulations found in Title 8, Division 1, Chapter 8, Subchapter 3, Articles 1-7. PARTNERS shall include prevailing wage requirements in contracts for public work and require contractors to include the same prevailing wage requirements in all subcontracts. Work performed by a PARTNER's own employees is exempt from the Labor Code's Prevailing Wage requirements.
71. If WORK is paid for, in whole or part, with federal funds and is of the type of work subject to federal prevailing wage requirements, PARTNERS shall conform to the provisions of the Davis-Bacon and Related Acts, 40 U.S.C. § 276(a).

When applicable, PARTNERS shall include federal prevailing wage requirements in contracts for public work. WORK performed by a PARTNER's employees is exempt from federal prevailing wage requirements.

72. PARTNERS agree to sign a CLOSURE STATEMENT to terminate this AGREEMENT. However, all indemnification, document retention, audit, claims, environmental commitment, legal challenge, maintenance and ownership articles will remain in effect until terminated or modified in writing by mutual agreement or expire by the statute of limitations.
73. PARTNERS intend this AGREEMENT to be their final expression that supersedes any oral understanding or writings pertaining to the OBLIGATIONS. The requirements of this AGREEMENT shall preside over any conflicting requirements in any documents that are made an express part of this AGREEMENT.

DEFINITIONS

AGREEMENT – This agreement including any attachments, exhibits, and amendments.

CALTRANS STANDARDS – CALTRANS policies and procedures, including, but not limited to, the guidance provided in the Project Development Procedures Manual (PDPM) and the CALTRANS Workplan Standards Guide for the Delivery of Capital Projects (WSG) [which contains the CALTRANS Work Breakdown Structure (WBS) and was previously known as the WBS Guide] and is available at <http://www.dot.ca.gov/hq/projmgmt/guidance.htm>.

CEQA (California Environmental Quality Act) – The act (California Public Resources Code, sections 21000 et seq.) that requires state and local agencies to identify the significant environmental impacts of their actions and to avoid or mitigate those significant impacts, if feasible.

CFR (Code of Federal Regulations) – The general and permanent rules published in the Federal Register by the executive departments and agencies of the federal government.

CONSTRUCTION – See PROJECT COMPONENT.

CONSTRUCTION CAPITAL – See PROJECT COMPONENT.

CONSTRUCTION SUPPORT – See PROJECT COMPONENT.

CLOSURE STATEMENT – A document signed by PARTNERS that verifies the completion of all OBLIGATIONS included in this AGREEMENT and in all amendments to this AGREEMENT.

FHWA – Federal Highway Administration.

FHWA STANDARDS – FHWA regulations, policies and procedures, including, but not limited to, the guidance provided at www.fhwa.dot.gov/topics.htm.

FUNDING PARTNER – A PARTNER that commits funds in this AGREEMENT to fulfill OBLIGATIONS. A FUNDING PARTNER accepts the responsibility to provide the funds it commits in this Agreement.

FUNDING SUMMARY – An executed document that names FUNDING PARTNER(S), includes a FUNDING TABLE, SPENDING SUMMARY, deposit amounts, and invoicing and payment methods.

FUNDING TABLE – The table that designates funding sources, types of funds, and the PROJECT COMPONENT in which the funds are to be spent. Funds listed on the FUNDING TABLE are “not-to-exceed” amounts for each FUNDING PARTNER.

GAAP (Generally Accepted Accounting Principles) – Uniform minimum standards and guidelines for financial accounting and reporting issued by the Federal Accounting Standards Advisory Board that serve to achieve some level of standardization. See <http://www.fasab.gov/accepted.html>.

HM-1 – Hazardous material (including, but not limited to, hazardous waste) that may require removal and disposal pursuant to federal or state law whether it is disturbed by the PROJECT or not.

HM-2 – Hazardous material (including, but not limited to, hazardous waste) that may require removal and disposal pursuant to federal or state law only if disturbed by the PROJECT.

HM MANAGEMENT ACTIVITIES – Management activities related to either HM-1 or HM-2 including, without limitation, any necessary manifest requirements and disposal facility designations.

IMPLEMENTING AGENCY – The PARTNER responsible for managing the scope, cost, and schedule of a PROJECT COMPONENT to ensure the completion of that component.

NEPA (National Environmental Policy Act of 1969) – This federal act establishes a national policy for the environment and a process to disclose the adverse impacts of projects with a federal nexus.

OBLIGATIONS – All WORK responsibilities and their associated costs.

OBLIGATION COMPLETION – PARTNERS have fulfilled all OBLIGATIONS included in this AGREEMENT and have signed a CLOSURE STATEMENT.

OBLIGATIONS COST(S) – The cost(s) to complete the responsibilities assigned in this AGREEMENT. Costs that are specifically excluded in this AGREEMENT or that are not incurred in the performance of the responsibilities in this AGREEMENT are not OBLIGATIONS COSTS.

OBLIGATIONS COSTS are to be paid from the funds shown in the FUNDING SUMMARY. Costs that are not OBLIGATIONS COSTS are to be paid by the party that incurs the cost from funds that are outside the scope of this AGREEMENT.

PARTNER – Any individual signatory party to this AGREEMENT.

PARTNERS – The term that collectively references all of the signatory agencies to this AGREEMENT. This term only describes the relationship between these agencies to work together to achieve a mutually beneficial goal. It is not used in the traditional legal sense in which one PARTNER's individual actions legally bind the other PARTNER.

PROJECT COMPONENT – A distinct portion of the planning and project development process of a capital project as outlined in California Government Code, section 14529(b).

- **PID (Project Initiation Document)** – The work required to deliver the project initiation document for the **PROJECT** in accordance with **CALTRANS STANDARDS**.
- **PA&ED (Project Approval and Environmental Document)** – The work required to deliver the project approval and environmental documentation for the **PROJECT** in accordance with **CALTRANS STANDARDS**.
- **PS&E (Plans, Specifications, and Estimate)** – The work required to deliver the plans, specifications, and estimate for the **PROJECT** in accordance with **CALTRANS STANDARDS**.
- **R/W (Right of Way)** – The project components for the purpose of acquiring real property interests for the **PROJECT** in accordance with **CALTRANS STANDARDS**.
 - **R/W (Right of Way) SUPPORT** – The work required to obtain all property interests for the **PROJECT**.
 - **R/W (Right of Way) CAPITAL** – The funds for acquisition of property rights for the **PROJECT**.
- **CONSTRUCTION** – The project components for the purpose of completing the construction of the **PROJECT** in accordance with **CALTRANS STANDARDS**.
 - **CONSTRUCTION SUPPORT** – The work required for the administration, acceptance, and final documentation of the construction contract for the **PROJECT**.
 - **CONSTRUCTION CAPITAL** – The funds for the construction contract.

PROJECT MANAGEMENT PLAN – A group of documents used to guide the **PROJECT**'s execution and control throughout that project's lifecycle.

QMP (Quality Management Plan) – An integral part of the **PROJECT MANAGEMENT PLAN** that describes **IMPLEMENTING AGENCY**'s quality policy and how it will be used.

SHS (State Highway System) – All highways, right-of-way, and related facilities acquired, laid out, constructed, improved, or maintained as a state highway pursuant to constitutional or legislative authorization.

SPENDING SUMMARY – A table that identifies the funds available for expenditure by each **PARTNER**. The table shows the maximum reimbursable expenditure for each **PARTNER** in each **PROJECT COMPONENT**.

SPONSOR – Any **PARTNER** that accepts the responsibility to establish scope of the **PROJECT** and the obligation to secure financial resources to fund the **PROJECT COMPONENTS** in this **AGREEMENT**. A **SPONSOR** is responsible for adjusting the **PROJECT** scope to match committed funds or securing additional funds to fully fund the **PROJECT COMPONENTS** in this **AGREEMENT**. If this **AGREEMENT** has more than one **SPONSOR**, funding adjustments will be made by percentage (as outlined in Responsibilities). Scope adjustments must be developed through the project development process and must be approved by **CALTRANS** as the owner/operator of the **SHS**.

WORK – All efforts to complete the **OBLIGATIONS** included in this **AGREEMENT** as described by the activities in the **CALTRANS** Workplan Standards Guide for the Delivery of Capital Projects (**WSG**).

SIGNATURES

PARTNERS are empowered by California Streets and Highways Code section 114 and 130 to enter into this AGREEMENT and have delegated to the undersigned the authority to execute this AGREEMENT on behalf of the respective agencies and covenants to have followed all the necessary legal requirements to validly execute this AGREEMENT.

Signatories may execute this AGREEMENT through individual signature pages provided that each signature is an original. This AGREEMENT is not fully executed until all original signatures are attached.

**STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION**

Helena (Lenka) Culik-Caro
Deputy District Director, Design

Certified as to funds:

Jeffrey Armstrong
District Budget Manager

HQ Accounting

**ALAMEDA COUNTY
TRANSPORTATION COMMISSION**

Arthur Dao
Executive Director

Attest:

Trinity Nguyen
Director of Project Delivery

Approved as to form and procedure:

Wendel, Rosen, Black & Dean, Llp
Legal Counsel for Alameda CTC

FUNDING SUMMARY NO. 02

		<u>FUNDING TABLE</u>					v. 2
		<u>IMPLEMENTING</u>	<u>CALTRANS</u>				
		<u>AGENCY →</u>	CONST. SUPPORT		CONST. CAPITAL		TOTALS
Source	FUNDING PARTNER	Fund Type	CALTRANS	ALAMEDA CTC	CALTRANS ⁽²⁾	ALAMEDA CTC	
State	CALTRANS	SHOPP	\$4,200,000	\$0	\$34,000,000	\$0	\$38,200,000
State	CALTRANS	TCRP	\$13,874,000	\$0	\$0	\$0	\$13,874,000
Local	Alameda CTC	Local (Measure)	\$0	\$6,440,000	\$0	\$111,000,000	\$117,440,000
Totals			\$18,074,000	\$6,440,000	\$34,000,000	\$111,000,000	\$169,514,000

Note:

1) Alameda CTC's future landscaping project costs are not included in Funding Table.

2) Funding shown subject to approval by the California Transportation Commission.

<u>SPENDING SUMMARY</u>				
Fund Type	CONST. SUPPORT		CONST. CAPITAL	TOTALS
	<u>CALTRANS</u>	<u>ALAMEDA CTC</u>	<u>CALTRANS</u>	
State Funds				
SHOPP	\$4,200,000	\$0	\$25,360,000	\$29,560,000
TCRP	\$13,874,000	\$0	\$0	\$13,874,000
Local (Measure)		\$6,440,000	\$111,000,000	\$117,440,000
Totals	\$18,074,000	\$6,440,000	\$136,360,000	\$160,874,000

Note:

- 1) Alameda CTC's future landscaping project costs are not included in Spending Summary.

Funding

1. In accordance with the Caltrans Federal-Aid Project Funding Guidelines, PARTNERS must obtain approval from the Federal Highway Administration prior to any PROJECT funding changes that that will change the federal share of funds.

Invoicing and Payment

2. PARTNERS will invoice for funds where the SPENDING SUMMARY shows that one PARTNER provides funds for use by another PARTNER. PARTNERS will pay invoices within forty-five (45) calendar days of receipt of invoice when not paying with Electronic Funds Transfer (EFT). When paying with EFT, ALAMEDA CTC will pay invoices within five (5) calendar days of receipt of invoice.
3. If ALAMEDA CTC has received EFT certification from CALTRANS then ALAMEDA CTC will use the EFT mechanism and follow all EFT procedures to pay all invoices issued from CALTRANS.

CONSTRUCTION SUPPORT

4. No invoicing or reimbursement will occur for the CONSTRUCTION SUPPORT PROJECT COMPONENT.

CONSTRUCTION CAPITAL

5. Invoicing or reimbursement will occur for the CONSTRUCTION CAPITAL PROJECT COMPONENT.

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DATE: February 6, 2017

SUBJECT: I-580 Express Lanes Operations (PN 1373.002): Approve contract amendment to Professional Services Agreement and A13-0092 with Electronic Transaction Consultants Corporation.

RECOMMENDATION: Approve and authorize the Executive Director to execute Amendment No. 4 to Professional Services Agreement No. A13-0092 with Electronic Transaction Consultants Corporation for an additional amount of \$750,000 for a total not-to-exceed budget of \$4,887,500 and extend the term of the Agreement to December 31, 2017 for additional scope of services necessary for operating the I-580 Express Lanes.

Summary

The Alameda CTC is the project sponsor of the I-580 Corridor Express Lanes located in the Tri-Valley corridor through the cities of Dublin, Pleasanton, and Livermore. The I-580 Corridor Express Lanes opened to traffic on February 19 and 22, 2016 in the eastbound and westbound directions and are currently in operation.

System operations and maintenance may require modifications to accommodate unforeseen issues, adapt to changing usage of the system, improve and optimize overall operations, and make unforeseen maintenance repairs. The contract with Electronic Transaction Consultants Corporation (ETCC) includes an On-Call Services task for such items. However, due to the extensive need for license plate image review related to trip information, additional budget is needed to allow for necessary system modifications to be designed and implemented.

The recommended action would increase the contract not-to-exceed amount as shown in Table A of this report and allow ETCC to design and implement system modifications that would improve efficiency and reduce long-term system maintenance costs.

Background

The I-580 Corridor Express Lanes, extending from Hacienda Drive to Greenville Road in the eastbound direction and from Greenville Road to San Ramon Road/Foothill Road in the westbound direction, were opened to traffic on February 19 and 22, 2016 in the eastbound and westbound directions, respectively. Motorists using the I-580 Express Lanes facility enjoy travel time savings and travel reliability benefits because the express lanes optimize corridor capacity by providing an alternative choice to drivers. Single

occupancy vehicles (SOVs) may choose to pay a toll and travel within the express lanes, while carpool, clean-air vehicles, motorcycles, and transit vehicles enjoy the benefits of toll-free travel in the express lanes.

In 2009, under a competitive selection process, ETCC was selected by Alameda CTC to develop and design software and hardware, procure and install toll equipment, test and open the toll system. This included interfacing with the Bay Area Toll Authority (BATA) and the California Department of Transportation (Caltrans) as well as the general public, and providing warranty period services for a restricted access express lane in the eastbound direction. Upon opening, the eastbound and westbound express lanes became a single operating system.

During the first 10 months of operations, several system modifications were identified as necessary to improve operational efficiencies and reduce long-term maintenance costs. In addition, staff and ETCC are developing further modifications to reduce manual image review costs, which are currently much higher than had been forecasted. These modifications are not flaws covered by the system warranty but rather improvements requested by Alameda CTC.

Implementation of system modifications typically require four to six months for software development and testing prior to deployment, thus any on-call services task order issued now may not be completed prior to the current agreement expiration date of June 30, 2016. Therefore, staff recommends extending the agreement term until December 31, 2017. This agreement would run in parallel with a new agreement anticipated to be established for operations and maintenance services beginning July 1, 2017.

The proposed amendment is for a value of \$750,000 for a contract total not-to-exceed amount of \$4,887,500 and would be funded with toll revenues. Staff will negotiate the cost of each on-call services task order with ETCC based on the level of effort required to conduct the additional work scope. Table A below summarizes the contract actions related to Agreement No. A13-0092.

TABLE B - Summary of Agreement No. A13-0092			
Agreement Status	Work Description	Value	Total Contract Not-to-Exceed Value
Original Agreement with ETCC (A13-0092) <i>July 2013</i>	System integration for near continuous access implementation, including system interaction with regional customer service center.	\$2,764,405	\$2,764,405
Amendment No. 1 <i>September 2014</i>	Include new scope for automated toll violation enforcement, spare parts and	\$533,095	\$3,297,500

	warranty period services. Time extension to November 30, 2016.		
Amendment No. 2 <i>July 2015</i>	Include scope to address changed construction sequencing and image review.	\$40,000	\$3,337,500
Amendment No. 3 <i>June 2016</i>	Additional manual image review. Time extension from November 30, 2016 to June 30, 2017.	\$800,000	\$4,137,500
Proposed Amendment No. 4 (This Agenda Item)	Operational Modifications and Support. Time extension from June 30, 2017 to December 31, 2017.	\$750,000	\$4,887,500
Total Amended Agreement Not-to-Exceed Amount			\$4,887,500

Levine Act Statement: ETCC did not report a conflict in accordance with the Levine Act.

Fiscal Impact: The fiscal impact of approving this item is \$750,000. The action will encumber toll revenue funds to be used for subsequent expenditure. This budget will be included in the FY 2016-2017 I-580 mid-year operations budget update.

Staff Contact

[Liz Rutman](#), Express Lane Operations and Maintenance

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