

# Memorandum

To: CHAIR AND COMMISSIONERS  
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: June 22-23, 2011

Reference No.: 2.1c.(10e)  
Action Item

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Subject: **PROPOSITION 1B LETTER OF NO PREJUDICE**  
**RESOLUTION LONP1B-A-1011-20**

## **RECOMMENDATION:**

The California Department of Transportation recommends the California Transportation Commission (Commission) approve a Letter of No Prejudice (LONP), authorized under Assembly Bill (AB) 672, for the Route 10 Citrus Avenue Interchange Reconstruction project (PPNO 0138G) in San Bernardino County.

## **ISSUE:**

The Route 10 Citrus Avenue Interchange Reconstruction project proposes to replace the existing four lane overcrossing over Route 10 with a seven lane structure, add one additional lane to all four ramps, and widen the existing Citrus Avenue structure over the Union Pacific Railroad.

The project is programmed in the Trade Corridor Improvement Funds (TCIF) program with \$23,600,000 for Construction Capital. Due to limited Proposition 1B Bond sales, this project was placed on the Delivered But Not Allocated List in May 2011. The San Bernardino Associated Governments (SANBAG) is planning to award this project by August 2011. Therefore, SANBAG is requesting AB 672 authority to substitute TCIF funds with \$23,600,000 in locally-controlled Congestion Mitigation and Air Quality and Regional Surface Transportation funds. The SANBAG Board approved this funding commitment on May 4, 2011.

## **BACKGROUND**

Government Code Section 14556.33 allows an applicant agency that is either a regional or local entity to seek approval of a LONP. If approved by the Commission, the LONP allows the applicant agency to expend its own funds for any component of the transportation project, and seek allocation and reimbursement from the Trade Corridor Improvement Funds in the future.

## **RESOLUTION LONP1B-A-1011-20**

Resolved, with all conditions stipulated still in effect, the California Transportation Commission hereby approves a Letter of No Prejudice (LONP) of \$23,600,000 for the Route 10 Citrus Avenue Interchange Reconstruction project (PPNO 0138G) programmed in, or otherwise funded from, the Proposition 1B Trade Corridor Improvement (TCIF); and

Be it Further Resolved, that San Bernardino Associated Governments (SANBAG) understands that they proceed at their own risk, as reimbursement is dependent on future availability of TCIF funding; and

Be it Further Resolved, that the project should be ready to proceed to contract award once the LONP is approved; and

Be it Further Resolved, that SANBAG shall report to the California Department of Transportation within four months following LONP approval on progress in executing agreements and third-party contracts needed to execute the work.