

# Memorandum

To: CHAIR AND COMMISSIONERS  
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: December 5-6, 2012

Reference No.: 2.1c.(7a)  
Action Item

From: NORMA ORTEGA  
Chief Financial Officer

Prepared by: William D. Bronte  
Chief  
Division of Rail

Subject: **HIGHWAY-RAILROAD CROSSING SAFETY ACCOUNT PROJECT BASELINE  
AMENDMENT  
RESOLUTION GS1B-P-1213-04, AMENDING RESOLUTION GS1B-P-1112-06**

## **RECOMMENDATION:**

The California Department of Transportation recommends the California Transportation Commission (Commission) approve a baseline agreement amendment for the Nogales Street Grade Separation project (Project), a Proposition 1B Highway Railroad Crossing Safety Account (HRCSA) project, located in the city of Industry.

## **ISSUE:**

Alameda Corridor-East Construction Authority (ACE) is requesting an amendment to the baseline agreement for the Nogales Street Grade Separation HRCSA project to update the schedule and funding plan for the Project.

## **BACKGROUND:**

ACE was awarded \$25,600,000 in HRCSA funds by the Commission at its June 2010 meeting. An allocation for the Project was approved by the Commission at its April 2012 meeting.

Several factors have delayed the Project. First, some property needed to be acquired through the eminent domain process. Next, the Authorization to Proceed was not approved until September 19, 2012, which was later than anticipated. Finally, during Design it was discovered that additional utilities would need to be relocated. Because of this combination of factors, the construction award date will be changed from July 2012 to December 2012.

The total cost of the Project has increased by \$18,739,000, from \$85,708,000 to \$104,447,000. Right of Way costs have increased by \$10,391,000, from \$27,809,000 to \$38,200,000, because of the costs associated with the eminent domain process. There are also increased costs to Design and Construction due to the additional utility relocation. Design has increased by \$1,368,000, from \$3,173,000 to \$4,541,000; Construction has increased by \$6,980,000, from \$54,726,000 to \$61,706,000.

ACE is responsible for the design revisions and utility relocation. To fund the increased project costs \$13,739,000 in Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users funds and \$5,000,000 of Section 190 funds have been added to the Project. There is no change to scope or benefits received.

**RESOLUTION GS1B-P-1213-04:**

Be it Resolved, that the California Transportation Commission does hereby amend the Proposition 1B HRCSA Program baseline agreement for the Nogales Street Grade Separation project, in accordance with the changes described above and illustrated below.

| BASELINE<br>(numbers in thousands) |      |           |  |                    |                   |                   |
|------------------------------------|------|-----------|--|--------------------|-------------------|-------------------|
| Dst                                | Cnty | Nominator | Project Title                              | Const Start        | Total Proj Cost   | HRCSA Aprovd      |
| 07                                 | LA   | ACE       | <del>Nogales Street Grade Separation</del> | <del>June-12</del> | <del>85,708</del> | <del>25,600</del> |
| 07                                 | LA   | ACE       | Nogales Street Grade Separation            | Dec-12             | 104,447           | 25,600            |