

Memorandum

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To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: October 8, 2014

Reference No.: 2.1a.(2)/2.6e.
Action Item

From: NORMA ORTEGA
Chief Financial Officer

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Division of Transportation
Programming

Subject: **TRAFFIC CONGESTION RELIEF PROGRAM / PROJECT AMENDMENT AND
ALLOCATION AMENDMENT
RESOLUTION TAA-14-03, AMENDING RESOLUTION TAA-12-02
RESOLUTION TFP-14-05, AMENDING RESOLUTION TFP-08-06**

RECOMMENDATION:

The California Department of Transportation (Department) recommends the California Transportation Commission (Commission) amend Traffic Congestion Relief Program (TCRP) Project 1.1 BART to San Jose; extend BART from Fremont to Warm Springs project in Alameda County and re-allocate.

ISSUE:

The Santa Clara Valley Transportation Authority (VTA) and the San Francisco Bay Area Rapid Transit (BART) are requesting to amend TCRP Project 1.1 – BART to San Jose; extend BART from Fremont to Warm Springs to update the project schedule and to re-allocate \$2,036,000 for construction in previously allocated but unspent funds.

BACKGROUND:

At its May 2009 meeting, the Commission approved Resolutions TAA-12-02 and TFP-08-06 which re-programmed and re-allocated \$3,500,000 of TCRP funds from Plans, Specifications, and Estimate (Design) to Construction. TCRP funds are available for expenditures for five years. Out of the total allocated amount, \$2,036,000 remains unspent. These unspent funds were not drawn due to an under-run of the contract for which the funds were planned to be used. BART did not act in a timely manner to shift these funds to another active construction contract. BART is now proposing to shift these funds to the Line, Track, Station, and Systems Design-Build contract which is under construction and is scheduled to be completed by December 2015.

The approval of this request to re-allocate the unspent TCRP funds will allow BART to utilize these unspent to complete this contract. The revised contract completion schedule is tabulated on the following page.

| Phase | Existing Completion Date | Proposed Completion Date |
|--------------|--------------------------|--------------------------|
| Construction | May 2014 | Dec 2015 |

RESOLUTION TAA-14-03 and Resolution TFP-14-05:

Resolved, with all conditions stipulated still in effect, that the California Transportation Commission hereby revises TCRP Project 1.1 to reflect the changes described above; and

Be it further Resolved, that the California Transportation Commission hereby approves a corresponding allocation amendment transferring previously allocated funds in accordance with the attached vote box; and

Be it further Resolved that the project(s), as component phases or in their entirety, appear under Government Code Section 14556.40(a) and are entitled to participate in this allocation.

Reimbursement of eligible costs is subject to the policies, restrictions and assurances as set forth in the Commission's policy for allocating, monitoring, and auditing TCRP projects, and is governed by the terms and conditions of the Fund Transfer Agreement, Program Supplement or Cooperative Agreement, and subsequent amendments to the same if required, as executed between the Implementing Agency and the Department.

Attachment

2.6 Mass Transportation Financial Matters

| Project # Allocation Amount Implementing Agency District-County | BREF # and Project Description Description of Allocation | Item # Program Code | Total Allocation Amount |
|--|---|--|-------------------------------|
| 2.6e. Allocation Amendment – Traffic Congestion Relief Program | | Resolution TFP-14-05 Amending Resolution TFP-08-06 Resolution TAA-14-03 Amending Resolution TAA-12-02 | |
| 1 \$0 Bay Area Rapid Transit 04 - Alameda | Project #1.1 – BART to San Jose; extend BART from Fremont to Warm Springs. <u>Amend TFP-08-06 to re-allocate \$2,036,000 for Construction. No change to the overall amount previously allocated.</u> <u>Output/Outcome:</u> Construct BART extension from Fremont to Warm Springs. This is a Tier 1 project | Chapter 91 of the Statutes of 2000 899-3007 30.10.710.010 | \$0 |