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Resolution G-99-32

**Memorandum of Understanding
Between the
California Transportation Commission, and
Alameda Corridor-east, Construction Authority
Regarding programming, Allocation of State Funds, and Implementing the ACE Project**

This memorandum of Understanding ("Memorandum") is entered into as of the ninth day of December 1999 by and between the California Transportation Commission (CTC) and the Alameda Corridor-East Construction Authority (ACE) of the San Gabriel Valley Council of Governments.

RECITALS

1. WHEREAS, in June, 1998 the CTC adopted a Resolution approving the 1998 State Transportation Improvement Program (STIP) including a provision that the ACE Project was included as one of four state funding priorities should surplus STIP funds become available; and
2. WHEREAS, subsequent to approving the 1998 STIP Resolution, with the passage of the Transportation Equity Act for the 21st Century (TEA-21), the CTC identified additional funds available for programming through an amendment to the 1998 STIP; and
3. WHEREAS, the ACE Construction Authority applied for 1998 STIP Augmentation discretionary funds for implementation of the Alameda Corridor-East project; and
4. WHEREAS, Caltrans and the Business, Transportation & Housing Agency submitted the 1998 STIP Augmentation Interregional Transportation Improvement Program (ITIP) proposing \$39.4 million for funding the Alameda Corridor-East project; and
5. WHEREAS, on July 14, 1999, the CTC programmed \$39 million of ITIP funds for grade separations in the ACE Project contingent upon:
 - The ACE Construction Authority shall conduct a workshop with the CTC and the Business Transportation & Housing Agency to discuss the scope, benefits, funding requirements and implementation schedule proposed for the ACE Project, and
 - The ACE Construction Authority shall develop and execute a Memorandum of Understanding with the CTC detailing how the STIP funds will be used within the context of the total ACE Project; and
6. WHEREAS, this Memorandum is intended to establish terms, conditions and responsibilities each agency has in capturing the objectives from the July 14th Commission meeting.

NOW, THEREFORE BE IT RESOLVED, that the CTC and the ACE Construction Authority do hereby agree as follows:

AGREEMENT:

1. The Commission:

- Expresses its support for completion of the ACE Project and for improving the entire Alameda Corridor-East from downtown Los Angeles through San Bernardino;
- Expects quarterly reports from ACE Construction Authority on its progress in building the Alameda Corridor-East Project;
- Agrees to allocate, upon proper application for these funds, \$39 million of ITIP funds for elements of the ACE Project that facilitate the interregional movement of people, vehicles and goods as described on Attachment A.

2. The ACE Construction Authority:

- Has all the powers necessary for planning, acquiring, leasing, owning, controlling, using, designing, procuring and building the ACE Project;
- Shall comply with all applicable state statutes, regulations, and guidelines relating to use of the state funds;
- Shall make reasonable progress in the design and construction of the project within the timetable imposed under the 1998 STIP amendment and summarized on Attachment A;
- Shall provide quarterly reports regarding the status of the ACE Project completion relative to the status of work as summarized in Attachment A;
- Shall conduct the financial studies, planning and engineering necessary for completion of the ACE Project;
- Is eligible to receive allocations of state funds for the project;
- Shall be dissolved upon completion of the project.

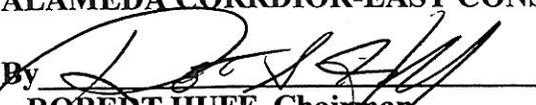
IN WITNESS THEREOF, the parties have caused this Memorandum to be authorized by a majority vote of the Commission and majority vote of the ACE Construction Authority Board and signed by the respective Chairman of each Board as on the dates indicated below.

CALIFORNIA TRANSPORTATION COMMISSION

By 
EDWARD SYLVESTER, Chairman

12/16/99 date

ALAMEDA CORRIDOR-EAST CONSTRUCTION AUTHORITY

By 
ROBERT HUFF, Chairman

12/20/99 date