

**Metropolitan Transportation Commission
Programming and Allocations Committee**

May 11, 2022

Agenda Item 2b - 22-0664

Regional Measure 2 (RM2) and Regional Measure 3 (RM3) Capital Programs: Semi-Annual Update

Subject:

Semi-annual update on the progress of projects that have received Regional Measure 2 (RM2) capital funds and projects issued Regional Measure 3 (RM3) Letters of No Prejudice (LONPs).

Background:

RM2 Capital Program

RM2 was passed by the voters in March 2004 and the Commission began allocating funds in July 2004. Attached is the latest semiannual report for the RM2 capital program.

Allocation/Expenditure Status

The RM2 Capital Program has a total program amount of approximately \$1.6 billion. As of April 2022, MTC has approved \$1.58 billion in capital allocations, of which \$1.53 billion has been expended (96% of the total amount available).

Project Status

The majority of projects are completed or are on track and under construction. Staff continues to work with sponsors to move projects with remaining unallocated funds toward construction.

RM3 Capital Program

On October 14, 2020, the California Supreme Court granted review of the RM3 case, but deferred action until it decides an appeal for a related case, Zolly v City of Oakland, delaying resolution of the RM3 lawsuit and potential availability of the RM3 funds. The Zolly case was briefed in Spring 2021, and we are awaiting the Court's decision in that case. Although MTC has issued some LONPs to allow projects to progress with an alternative fund source while preserving eligibility for RM3 reimbursement if the funds are made available, other project sponsors do not have alternative funds available and are facing delays.

Twenty RM3 projects have been issued LONPs totaling \$568 million. Most projects with LONPs are proceeding with phases funded by the RM3 replacement source, including some projects under construction.

Issues:

None identified.

Recommendations:

Information

Attachments:

- Attachment A: RM2 Semi-Annual Report
- Attachment B: RM3 Letters of No Prejudice Summary



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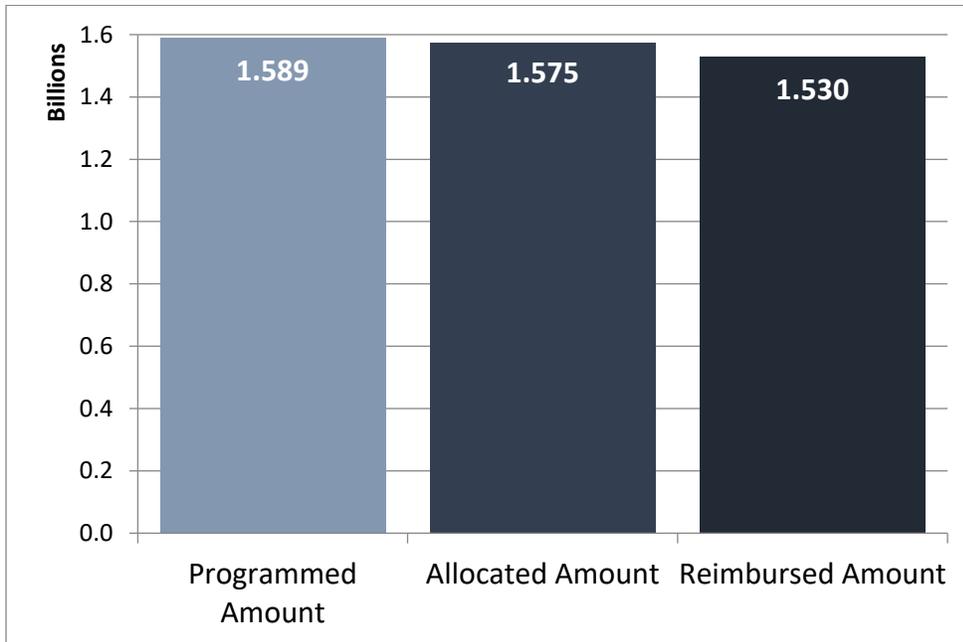
Regional Measure 2 (RM2) Capital Program Semi-Annual Update

This report summarizes the status of the RM2 capital program and highlights ongoing and recently completed RM2-funded projects.

Capital Program Summary

Of the \$1.59 billion RM2 capital program, 99% of these funds have been allocated to projects and 96% of the fund have been reimbursed.

Figure 1: RM2 Capital Program Summary



The remaining \$14 million not yet allocated includes the following projects:

- Express Bus South (Dumbarton) (\$5M)
- Bay Bridge Forward (\$3M)
- LAVTA Shared Autonomous Vehicle Pilot (\$2.5M)
- LAVTA Rapid Bus Stop Improvements (\$2M)
- BART/Muni Connection (\$1.5 M)

Staff are working with project sponsors to move these projects towards readiness for RM2 allocation. The \$45 million allocated but not yet reimbursed includes the following projects:

- Bay Bridge Forward (\$12M - includes funds from RM2 Project 29 and RM2 Project 38)
- Dublin/Pleasanton Parking Garage (\$7M)
- North South Greenway - Marin (\$5M)

- Clipper Next Generation (\$4M)
- Richmond Parkway Park & Ride (\$3M)
- AC Transit Bus Rapid Transit (\$2M)
- Blue Ribbon Task Force Initiatives (\$2M)
- Irvington BART Station (\$2M)
- Dumbarton Bus Replacement (\$2M)
- BART Extension to Warm Springs (\$2M)

Staff are working with project sponsors to track project progress and redirect project savings as appropriate. Most projects are on track to be completed as planned, with most ongoing projects under or entering construction or in closeout. Some projects are still recovering from COVID-19 related delays and cost increases. Staff will continue to monitor projects to assess and minimize risks, including project delays and funding shortfalls, and to provide opportunities for meaningful scope changes.

Project Highlights

This reporting period saw construction progress on the I-80/I-680/Hwy-12 Interchange project, advancement of design on Bay Bridge Forward projects, Irvington Station, and I-80 Express Lanes, and continued rollout of the Next Generation Clipper System. The Transbay Transit Center, East Bay BRT, and BART Warm Springs Extension projects continued to wrap up completed projects through closeout activities. After the announcement of a significant delay and cost increase last year, the Caltrain Electrification project is working to resolve a funding gap and continuing installation of the electrification infrastructure and delivery of electric trainsets. BART continues to work with the railcar manufacturer to resolve reliability issues and restart acceptance of vehicles for the Railcar Replacement project.

Look Ahead

Most remaining projects are in construction or starting construction within the next two years. Staff will continue to work with project sponsors to monitor ongoing projects, close out completed projects, and allocate remaining funds.

Regional Measure 3 (RM3) Capital Program Semi-Annual Update – Letters of No Prejudice (LONP)

20 projects have been issued LONPs **totaling \$568 million** to allow projects to progress with alternative fund sources while preserving eligibility for RM3 reimbursement if the funds are made available. The list of projects that have been issued an LONP is below.

RM3 Project Number	Sponsor	Project Title	LONP Phase	Amount (\$M)	Commission Approval Date
5.1	WETA	Mission Bay Ferry Landing	Construction	25.0	Mar-20
3.1	ACTC	Goods Movement GoPort 7th St Grade Separation	Construction	55.0	May-20
30	ACTC	I-680/SR-84 Interchange Reconstruction and SR-84 Expressway Widening	Construction	85.0	May-20
21	STA	I-80/I-680/SR-12 Interchange	Construction	16.7	Jul-20
25.1	TAM	US-101/I-580 Direct Connector	Planning/Env	5.6	Jul-20
7.1	SMART	SMART System Extension to Windsor and Healdsburg	Construction	5.0	Oct-20
20.1	TAM	US-101 Marin-Sonoma Narrows, Marin Segment	ROW	7.1	Dec-20
19.1	CCTA	I-680/SR-4 Interchange Improvement Phase 1 and 2A	Final Design	8.0	Feb-21
34.1	CCTA	Mokelumne Trail Bicycle/Pedestrian Overcrossing of SR-4	Construction	11.0	Feb-21
29.1	ACTC	SR-262 (Mission Blvd) Cross Connector	Environmental	10.0	Apr-21
22	STA	I-80 Westbound Truck Scales	PS&E	5.3	Apr-21
20.1	TAM	US-101 Marin-Sonoma Narrows	Construction	80.9	Apr-21
2.1	STA	I-80 Express Lanes in Solano County	Construction	70.4	Apr-21
26.1	NVTA	Vine Transit Maintenance Facility	Construction	20.0	Jun-21
2.2	BAIFA	I-80 Express Lanes in Solano County (Toll System)	Construction	31.3	Jul-21
2.3	ACTC	I-680 Southbound Express Lane in Alameda County	Construction	80.0	Sep-21
28	MTC	Next-Generation Clipper Transit Fare Payment System	PS&E/CON	30.0	Feb-22
18.1	SMCTA	Highway 101/State Route 92 Interchange: Area Improvements Project	ROW	0.025	Mar-22

RM3 Project Number	Sponsor	Project Title	LONP Phase	Amount (\$M)	Commission Approval Date
18.2	SMCTA	Highway 101/State Route 92 Interchange: Direct Connector Project	Environmental	2.0	Mar-22
27.1	NVTA	State Route 29 Improvement Project – Soscol Junction	Construction	20	Apr-22
Total				568.3	