

Date: November 15, 2023
W.I.: 1255
Referred by: PAC
Revised: 3/27/24-C; 7/24/24-C;
9/25/24-C; 02/26/25-C

ABSTRACT

Resolution No. 4614, Revised

This resolution approves the allocation of Regional Measure 3 funds for Ferry Enhancement Program, sponsored by Water Emergency Transportation Authority.

This Resolution includes the following attachments:

Attachment A – Allocation Summary

Attachment B – Conditions of Allocation

Attachment C – Project and Subproject Details, Funding Plan, and Schedule

Attachment D – RM3 Cash Flow Plan

This resolution allocates \$700,000 in RM3 funds to the Water Emergency Transportation Authority (WETA) for the Plans, Specifications, and Estimates (PS&E) phase of the Mission Bay Ferry Landing Project (RM3 Project #5.1).

This resolution was revised on March 27, 2024, to allocate \$841,000 in RM3 funds to WETA for the environmental studies and preliminary engineering phase (ENV/PE) of the Shoreside Electrical Program (RM3 Project #5.2).

This resolution was revised on July 24, 2024, to allocate \$3 million in RM3 funds to WETA for the Project Approval & Environmental Document stage (PA&ED) of the Berkeley Marina Ferry Facility Project (RM3 Project #5.3). This resolution was also revised to include the RM3 subproject numbers for each allocation.

This resolution was revised on September 25, 2024, to allocate \$18 million in RM3 funds to WETA for construction/procurement of Three 149-Passenger Electric Ferry Vessels Project (RM3 Project #5.4).

This resolution was revised on February 26, 2025, to allocate \$14.14 million in RM3 funds to WETA for construction/procurement of three 149-Passenger Electric Ferry Vessels (RM3

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MTC Resolution No. 4614

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Project #5.4). The project name, schedule, allocation #1 expiration date, and cash flow have also been updated as part of these revisions.

Further discussion of this action is contained in the Programming and Allocations Summary Sheets dated November 8, 2023, March 13, 2024, July 10, 2024, September 11, 2024, and February 12, 2025.

Date: November 15, 2023
W.I.: 1255
Referred by: PAC

RE: Approval of Allocation of Regional Measure 3 Funds for Ferry Enhancement Program,
sponsored by Water Emergency Transportation Authority

METROPOLITAN TRANSPORTATION COMMISSION
RESOLUTION NO. 4614

WHEREAS, the Metropolitan Transportation Commission (MTC) is the regional transportation planning agency for the San Francisco Bay Area pursuant to Government Code Section 66500 *et seq.*; and

WHEREAS, Streets and Highways Code Sections 30950 *et seq.* created the Bay Area Toll Authority (“BATA”) which is a public instrumentality governed by the same board as that governing MTC; and

WHEREAS, on June 5, 2018, a special election was held in the City and County of San Francisco, and the Counties of Alameda, Contra Costa, Marin, Napa, San Mateo, Santa Clara, Solano, and Sonoma (individually, each a “County” and, collectively, the “Counties”) to approve a toll increase of three dollars (\$3.00) phased in over time, including a one dollar (\$1.00) toll increase on January 1, 2019, a one dollar (\$1.00) toll increase on January 1, 2022, and a one dollar (\$1.00) toll increase on January 1, 2025, for vehicles traveling on the state-owned bridges located in the San Francisco Bay Area (“Regional Measure 3”); and

WHEREAS, on September 26, 2018, BATA adopted Resolution No. 126 accepting certified statements from the Registrar of Voters of the City and County of San Francisco and each of the Counties and observing that a majority of all voters voting on Regional Measure 3 (“RM3”) at such special election voted affirmatively for RM3; and

WHEREAS, RM3 establishes the RM3 Expenditure Plan and identifies specific capital projects and programs and operating programs eligible to receive RM3 funding as identified in Sections 30914.7(a) and (c) of the California Streets and Highways Code; and

WHEREAS, BATA shall fund the projects of the RM3 Expenditure Plan by bonding or transfers to MTC; and

ABSTRACT

MTC Resolution No. 4614

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WHEREAS, MTC adopted RM3 Policies and Procedures for the implementation of the RM3 Expenditure Plan, specifying the allocation criteria and project compliance requirements for RM3 funding (MTC Resolution No. 4404, Revised); and

WHEREAS, the Ferry Enhancement Program is identified as capital project number 5 under the RM3 expenditure plan and is eligible to receive RM3 funding as identified in Streets and Highways Code Sections 30914.7(a); and

WHEREAS, the Water Emergency Transportation Authority (WETA) is the project sponsors for the Program; and

WHEREAS, WETA has submitted a request for the allocation of RM3 funds for the Mission Bay Ferry Landing Project; and

WHEREAS, WETA has submitted an initial Project Report (IPR), as required pursuant to Streets and Highways Code Section 30914.7(d); and

WHEREAS, Attachment A to this resolution, attached hereto and incorporated herein as though set forth at length, lists the project and phase for which the WETA is requesting RM3 funding and the amount recommended for allocation by MTC staff; and

WHEREAS, Attachment B to this resolution, attached hereto and incorporated herein as though set forth at length, lists the required project specific conditions which must be met prior to execution of the allocation and any reimbursement of RM3 funds; and

WHEREAS, Attachment C to this resolution, attached hereto and incorporated herein as though set forth at length, includes MTC staff's review of WETA's IPR for this project; and

WHEREAS, Attachment D attached hereto and incorporated herein as though set forth at length, lists the cash flow of RM3 funds and complementary funding for the deliverable RM3 project segment or product; and

WHEREAS, the claimants to which funds are allocated under this resolution have certified that the projects and purposes listed and recorded in Attachment A are in compliance

with the requirements of the California Environmental Quality Act (Public Resources Code Section 21000 et seq.), and with the State Environmental Impact Report Guidelines (14 California Code of Regulations Section 15000 et seq.); now, therefore, be it

RESOLVED, that MTC approves MTC staff's review of WETA's IPR for this project as set forth in Attachment C; and, be it further

RESOLVED, that MTC approves the allocation and reimbursement of RM3 funds in accordance with the amount, reimbursement schedule, and allocation expiration dates for the phases and activities as set forth in Attachment A; and, be it further

RESOLVED, that the allocation and reimbursement of RM3 funds as set forth in Attachment A are conditioned upon WETA complying with the provisions of the RM3 Policies and Procedures as set forth at length in MTC Resolution No. 4404, Revised; and, be it further

RESOLVED, that the allocation and reimbursement of RM3 funds are further conditioned upon the project specific conditions set forth in attachment B; and, be it further

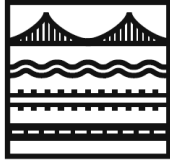
RESOLVED, that the allocation and reimbursement of RM3 funds as set forth in Attachment A are conditioned upon the availability and expenditure of any complementary funding as set forth in Attachment D; and, be it further

RESOLVED, that a certified copy of this resolution shall be forwarded to the project sponsor.

METROPOLITAN TRANSPORTATION COMMISSION

Alfredo Pedroza, Chair

The above resolution was entered into by the Metropolitan Transportation Commission at a duly called and noticed meeting held in San Francisco, California and at other remote locations, on November 15, 2023.



Regional Measure 3

Allocation of Funds

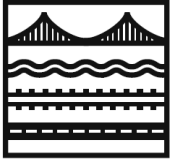
Allocation Summary

RM3 Project Number	5.4
Project Title	Three 149-Passenger Electric Ferry Vessels
Project Sponsor	Water Emergency Transportation Authority

Activities to be funded with Allocation #1:					
Construction of three (3) new small battery-electric vessels to support WETA's Rapid Electric Emission Free (REEF) Ferry Program.					
<i>On February 26, 2025, an additional allocation of \$14,141,000 was added to this scope due to receipt of higher bids than expected in September 2024. The original budget of \$31.4 million was not sufficient to deliver the project. The total project budget including this allocation is \$58.4 million. Based on the updated project schedule, the expiration date of allocation #1 was also extended.</i>					
Funding Information:					
Allocation Instruction No.	Approval Date	Phase	Reimbursement Year	Expiration Date	Allocation Amount
25461404	25-Sep-24	CON	FY 2024-25	30-Jun-30	\$ 18,000,000
25461405	26-Feb-25	CON	FY 2024-25	30-Jun-30	\$ 14,141,000

Cumulative Total - Allocation 1	\$ 18,000,000
Cumulative Total - Allocation 2	\$ 14,141,000

Cumulative Total - Project 5.4	\$ 32,141,000
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Regional Measure 3

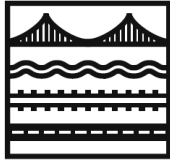
Allocation of Funds

Conditions of Allocation

RM3 Project Number	5.4
Project Title	Three 149-Passenger Electric Ferry Vessels
Project Sponsor	Water Emergency Transportation Authority

The allocation and reimbursement of RM3 funds for the above project are conditioned upon the following:

Conditions of Allocation #1	
This allocation is contingent upon completion of the following:	
1	None.

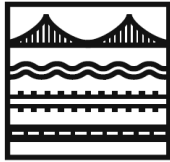


Regional Measure 3

Allocation of Funds

IPR Review (Project and Subproject Details, Funding Plan, and Schedule)

RM3 Project Number	5.4	
Project Title	Three 149-Passenger Electric Ferry Vessels	
Lead Sponsor(s)	Other Sponsor(s)	Implementing Agency
Water Emergency Transportation Authority		Water Emergency Transportation Authority
Legislated Project Description		RM3 Legislated Funding (in \$1,000s)
(5) Ferry Enhancement Program. Provide funding to purchase new vessels, upgrade and rehabilitate existing vessels, build facilities and landside improvements, and upgrade existing facilities. The project sponsor is the San Francisco Bay Area Water Emergency Transportation Authority. Three hundred million dollars (\$300,000,000).		\$300,000
Sponsor Programming and Allocation Request Action		
Approval of the Initial Project Report and Allocation Request by the WETA Board of Directors on 8/8/24 (WETA Resolution No. 2024-36). Approval of the second Initial Project Report and Allocation Request by the WETA Board of Directors on 1/16/25.		
Detailed Project/Subproject Description		
Construction of three (3) all-electric 149-passenger ferry vessels that will support WETA's Rapid Electric Emission Free (REEF) Ferry Program. The vessels will provide regular ferry service connecting Downtown San Francisco with neighborhoods in Mission Bay and Treasure Island. The vessels will use all-electric propulsion technology while utilizing newly developed shoreside infrastructure, including floats that will allow vessels to rapidly charge while the vessels are docked. <i>The bids WETA received from shipbuilders in September 2024 revealed that the original budget of \$31.4 million was not sufficient to deliver the project due to US shipbuilding industry impacted by pandemic-related inflation and higher demand for shipyard services. On December 12, 2024, SF Bay Ferry awarded the construction contract to All American Marine and increased the total project budget to \$58.4 million. A second RM3 allocation for \$14,141,000 is necessary to fund construction of this project.</i>		



Regional Measure 3

Allocation of Funds

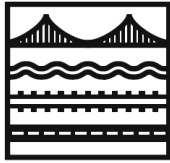
IPR Review (Project and Subproject Details, Funding Plan, and Schedule)

RM3 Project Number	5.4
Project Title	Three 149-Passenger Electric Ferry Vessels
Project Sponsor	Water Emergency Transportation Authority

Project Funding Plan

Project Schedule

Phase	Funding Source	Committed? (Yes/No)	Total Amount (\$1,000s)	Start	End
ENV/PE					
			\$ -		
PSE	TIRCP	Yes	\$ 240	1-Oct-23	1-Dec-24
	FTA	Yes	\$ 240		
			\$ 480		
ROW					
CON	RM3	Yes	\$ 32,141	1-Dec-24	30-Jun-30
	TIRCP	Yes	\$ 8,950		
	FTA	Yes	\$ 14,714		
	RM1	Yes	\$ 2,121		
			\$ 57,926		
	Capital Funding Total		\$ 58,406		



Regional Measure 3

Allocation of Funds

Cash Flow Plan

RM3 Project Number	5.4
Project Title	Three 149-Passenger Electric Ferry Vessels
Project Sponsor	Water Emergency Transportation Authority

Cash Flow Plan for RM3 Deliverable Segment(s) - Funding by planned year of expenditure

Funding Source	Phase	Prior	2024-25	2025-26	2026-27	2027-28	2028-29	Future committed	Total Amount (\$ thousands)
									\$ -
									\$ -
									\$ -
ENV/PE Subtotal		\$ -	\$ -	\$ -	\$ -	\$ -		\$ -	\$ -
TIRCP	PSE								\$ -
FTA	PSE	\$ 163	\$ 76						\$ 240
RM1	PSE	\$ 221	\$ 19						\$ 240
PSE Subtotal		\$ 385	\$ 95	\$ -	\$ -	\$ -		\$ -	\$ 480
									\$ -
ROW Subtotal		\$ -	\$ -	\$ -	\$ -	\$ -		\$ -	\$ -
RM3	CON		\$ 3,946	\$ 3,332	\$ 8,655	\$ 7,300	\$ 7,982	\$ 927	\$ 32,141
TIRCP	CON		\$ 1,099	\$ 928	\$ 2,410	\$ 2,033	\$ 2,223	\$ 258	\$ 8,950
FTA	CON		\$ 1,806	\$ 1,525	\$ 3,962	\$ 3,342	\$ 3,654	\$ 424	\$ 14,714
RM1	CON		\$ 260	\$ 220	\$ 571	\$ 482	\$ 527	\$ 61	\$ 2,122
CON Subtotal		\$ -	\$ 7,111	\$ 6,005	\$ 15,598	\$ 13,158	\$ 14,385	\$ 1,670	\$ 57,927
RM 3 Funding Subtotal		\$ -	\$ 3,946	\$ 3,332	\$ 8,655	\$ 7,300	\$ 7,982	\$ 927	\$ 32,141
Capital Funding Total		\$ 385	\$ 7,206	\$ 6,005	\$ 15,598	\$ 13,158	\$ 14,385	\$ 1,670	\$ 58,407