

**Bay Area Infrastructure Finance Authority
(BAIFA)**

April 26, 2023

Agenda Item 3e - 23-0505

**Cooperative Agreement Amendment – Funding for I-880 Capital Preservation
Maintenance Project**

Subject:

A request to amend BAIFA’s cooperative agreement with Caltrans to define the cost share for overruns for the Alameda I-880 Capital Preventative Maintenance pavement rehabilitation project subject to BAIFA budget approval.

Background:

In December 2018, BAIFA entered into an operations and maintenance (O&M) agreement with Caltrans covering BAIFA’s express lanes facility as required by statute. The agreement defines each agency’s responsibilities for performing and funding O&M and rehabilitation work.

Generally, BAIFA owns and is fully responsible for toll system assets and any civil asset that exists for the sole purpose of supporting express lanes tolling. Caltrans owns the roadway, including the lane used as the express lane but BAIFA is responsible for the cost of maintaining and rehabilitating the express lane pavement and adjacent shoulder. The O&M agreement requires BAIFA contributions to rehabilitation work be memorialized in separate cooperative agreements.

In November 2022, BAIFA entered into a cooperative agreement with Caltrans to contribute an amount not to exceed \$8,800,000 plus a contingency to be held by BAIFA of \$900,000 for the Alameda I-880 Capital Preventative Maintenance pavement rehabilitation project.

At the January 2023 California Transportation Commission (CTC) meeting, the CTC’s motion to allocate SHOPP funds to Caltrans for the pavement rehabilitation project included a requirement that BAIFA and Caltrans amend the cooperative agreement to define the cost share for overruns exceeding the current budget.

The amendment would define BAIFA’s contribution for cost overruns as the full share of cost for Express Lane items identified in the BAIFA/Caltrans Operations and Maintenance cooperative agreement, which is generally considered 20% of this project’s cost, where the

project is the pavement rehabilitation across the I-880 Express Lane and four general purpose lanes in each of the northbound and southbound directions.

Issues:

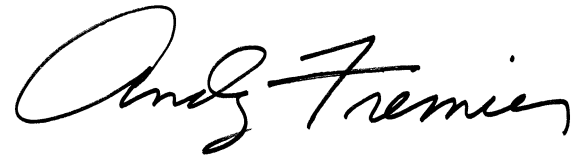
None

Recommendations:

That the Authority authorize an amendment to the cooperative agreement with Caltrans that defines the cost share for overruns for the Alameda I-880 Capital Preventative Maintenance pavement rehabilitation project subject to BAIFA budget approval.

Attachments:

- Authority Approval Sheet



Andrew B. Fremier

Request for Authority Approval

Summary of Proposed Cooperative Agreement Amendment

Work Item No.: 6864

Agency: Caltrans

Work Project Title: Funding Agreement for I-880 Capital Preservation Maintenance Project

Purpose of Project: Fund BAIFA's share of pavement rehabilitation project on I-880 in Alameda County

Brief Scope of Work: Pavement rehabilitation on I-880 in Alameda County from the Fremont Boulevard overcrossing south to the county line.

Project Cost Not to Exceed: \$8,800,000 with a BAIFA contingency of \$900,000

Funding Source: BAIFA toll funds

Fiscal Impact: N/A

Motion by Authority: That the Executive Director or designee is authorized to negotiate and enter into a cooperative agreement amendment with Caltrans as described above and in the BAIFA Summary Sheet dated April 26, 2023.

Authority:

Alfredo Pedroza, Chair

Approved: April 26, 2023