

Metropolitan Transportation Commission Programming and Allocations Committee

December 9, 2015

Agenda Item 2g

MTC Resolution No. 3649, Revised

- Subject:** Allocation of \$750,000 in Regional Measure 2 (RM2) Capital funds for the construction phase of the Central Marin Ferry Connection Multi-Use Pathway project.
- Background:** The Transportation Authority of Marin (TAM) requests allocation of \$750,000 in RM2 funds for the construction phase of the Central Marin Ferry Connection Multi-Use Pathway (CMFC) project. The CMFC project will construct a bicycle and pedestrian path across Sir Francis Drake Boulevard in Larkspur, connecting the Larkspur Ferry Terminal with the planned Larkspur Passenger Rail Station and the Cal Park Hill Multi-Use Path. MTC allocated \$6 million in RM2 funds in 2013 and 2014 for the construction of the project. The project also has Air District and federal funds.
- Construction on the pathway and overcrossing of Sir Francis Drake Boulevard started in 2014 and is nearing completion. Since construction started, the contractor encountered differing site conditions and environmental issues, resulting in over 40 contract change orders. Despite value engineering efforts to reduce the cost increase, a funding shortfall of \$750,000 remains. TAM requests the RM2 allocation to cover the funding shortfall and complete the project.
- Issues:**
1. TAM proposes the \$750,000 to come from RM2 Project 11.5, the North-South Greenway Gap Closure (NS Greenway) project. The NS Greenway project currently has \$19.8 million in RM2 funds reprogrammed in 2014 from the US-101 Greenbrae Interchange project. Recently, TAM has identified potential cost savings due to the elimination of retaining walls on the NS Greenway project, and is confident the NS Greenway project can be delivered with the remaining \$19.05 million in RM2 funds.
 2. MTC's RM2 Policies and Procedures do not allow for project costs incurred prior to the allocation date to be eligible for reimbursement. As this allocation is for cost increases and project close-out costs, staff recommends an exception to this policy to allow for costs incurred after November 1, 2015 to be eligible for reimbursement under this allocation.
- Recommendation:** Refer MTC Resolution No. 3649, Revised to the Commission for approval.
- Attachments:** MTC Resolution No. 3649, Revised.

Date: September 22, 2004
W.I.: 1255
Referred by: PAC
Revised: 04/27/05-C 07/27/05-C
11/02/05-DA 01/25/06-DA
05/24/06-DA 09/26/07-C
03/26/08-C 12/17/08-C
04/28/10-C 11/16/11-DA
06/27/12-DA 07/24/13-C
07/23/14-C 11/19/14-DA
07/22/15-DA 12/16/15-C

ABSTRACT

MTC Resolution No. 3649, Revised

This resolution approves the allocation of Regional Measure 2 funds for the U.S. 101 Greenbrae Interchange Improvements project sponsored and implemented by the Transportation Authority of Marin.

This resolution includes the following attachments:

Attachment A - Allocation Summary Sheet

Attachment B - Project Specific Conditions for Allocation Approval

Attachment C - MTC staff's review of the Transportation Authority of Marin's Initial Project Report (IPR) for this project

Attachment D - RM2 Deliverable/Useable Segment Cash Flow Plan

This resolution was amended on April 27, 2005 to allocate funds for the Sir Francis Drake Boulevard Widening project.

This resolution was amended on July 27, 2005 to allocate funds for the Cal Park Hill Tunnel Rehabilitation and Bikeway project.

This resolution was amended on November 2, 2005 to allocate \$270,000 in additional funds for the Sir Francis Drake Boulevard Widening project (#11.2) through Delegated Authority. The additional funding request is resultant of a cost increase on the project due to unexpected sharp rises in the price of asphalt. Some funds are being redirected from the planned project #11.4 (Ferry Access project) to help cover this increase. Attachments A-2 through D-2 provide more information on this allocation action.

ABSTRACT

MTC Resolution No. 3649, Revised

Page 2

This resolution was amended on January 25, 2006 to allocate \$225,000 in additional funds for the Sir Francis Drake Boulevard Widening project (#11.2) through Delegated Authority. The additional funding request is resultant of a cost increase on the project due to a contracting issue. A new subcontractor has been hired and resulting in a cost increase. The funds are being redirected from the planned project #11.1 (Greenbrae Interchange project) to help cover this increase. Attachments A-2 through D-2 provide more information on this allocation action.

This resolution was revised on May 24, 2006 through Delegated Authority to allocate \$1 million to the Cal Park Hill Tunnel Rehabilitation and Bikeway project.

This resolution was revised on September 26, 2007 through Commission Action to allocate \$2 million in RM2 funds for the environmental phase of the Central Marin Ferry Connection project.

This resolution was revised on March 26, 2008 through Commission Action to allocation \$1 million in RM2 funds for the construction phase of the Cal Park Hill Tunnel Rehabilitation, Phase A project.

This resolution was revised on December 17, 2008 through Commission Action to allocate \$4.4 million in RM2 funds for the environmental and preliminary engineering phases of Project 11.1, US-101 Greenbrae Improvements.

This resolution was revised on April 28, 2010 through Commission Action to allocate \$2.892 million in RM2 funds for the construction phase of Project 11.3, Cal Park Hill Tunnel Rehabilitation project.

This resolution was revised on November 16, 2011 through Delegated Authority to allocate \$1 million in RM2 funds for the final design phase of Project 11.4, Central Marin Ferry Connection Multi-Use Pathway project.

This resolution was revised on June 27, 2012 through Delegated Authority to allocate \$1 million in RM2 funds for the environmental and preliminary engineering phase of Project 11.1, US-101 Greenbrae Improvements.

ABSTRACT

MTC Resolution No. 3649, Revised

Page 3

This resolution was revised on July 24, 2013 through Commission Action to allocate \$5.86 million in RM2 funds for the construction phase of Project 11.4, Central Marin Ferry Connection Multi-Use Pathway project.

This resolution was revised on July 23, 2014 through Commission Action to allocate \$2.6 million in RM2 funds for the environmental and preliminary engineering phase of Project 11.5, North-South Greenway Gap Closure project.

This resolution was revised on November 19, 2014 through Delegated Authority to rescind \$127,966.40 from the design phase of Project 11.4, Central Marin Ferry Connection Multi-Use Pathway project, and allocate \$127,966.40 to the construction phase of Project 11.4.

This resolution was revised on July 22, 2015 through Delegated Authority to rescind \$1,066 from Project 11.1, US-101 Greenbrae Interchange Improvements due to cost savings.

This resolution was revised on December 16, 2015 through Commission Action to allocate \$750,000 to Project 11.4, Central Marin Ferry Connection Multi-Use Pathway.

Additional discussion of this allocation is contained in the Executive Director's memorandum to the MTC Programming and Allocations Committee dated September 8, 2004, April 13, 2005, July 13, 2005, and December 10, 2008, and the Programming and Allocation Committee Summary Sheet dated September 12, 2007, March 5, 2008, April 14, 2010, July 10, 2013, July 9, 2014, and December 9, 2015.

Date: September 22, 2004
W.I.: 1255
Referred by: PAC

Re: Approval of Allocation of Regional Measure 2 funds for the U.S. 101 Greenbrae Interchange Improvements

METROPOLITAN TRANSPORTATION COMMISSION
RESOLUTION No. 3649

WHEREAS, pursuant to Government Code Section 66500 *et seq.*, the Metropolitan Transportation Commission (“MTC”) is the regional transportation planning agency for the San Francisco Bay Area; 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 March 2, 2004, voters approved Regional Measure 2, increasing the toll for all vehicles on the seven state-owned toll bridges in the San Francisco Bay Area by \$1.00, with this extra dollar funding various transportation projects within the region that have been determined to reduce congestion or to make improvements to travel in the toll bridge corridors, as identified in SB 916 (Chapter 715, Statutes of 2004), commonly referred as Regional Measure 2 (“RM2”); and

WHEREAS, RM2 establishes the Regional Traffic Relief Plan and lists specific capital projects and programs and transit operating assistance eligible to receive RM2 funding as identified in Streets and Highways Code Sections 30914(c) & (d); and

WHEREAS, RM2 assigns administrative duties and responsibilities for the implementation of the Regional Traffic Relief Plan to MTC; and

WHEREAS, BATA shall fund the projects of the Regional Traffic Relief Plan by transferring RM2 authorized funds to MTC; and

WHEREAS, MTC adopted policies and procedures for the implementation of the Regional Measure 2 Regional Traffic Relief Plan on June 23, 2004, specifying the allocation criteria and project compliance requirements for RM2 funding (MTC Resolution No. 3636); and

WHEREAS, the Transportation Authority of Marin serves as the Marin County Congestion Management Agency and is an eligible project sponsor; and

WHEREAS, the Transportation Authority of Marin has submitted a request for the allocation of RM 2 funds for the U.S. 101 Greenbrae Interchange Improvements project; and

WHEREAS, U.S. 101 Greenbrae Interchange Improvements is identified as capital project number 11 under RM 2 and is eligible to receive RM 2 funding as identified in Streets and Highways Code Sections 30914(c); and

WHEREAS, the Transportation Authority of Marin has submitted an Initial Project Report (“IPR”), as required pursuant to Streets and Highway Code Section 30914(e), to MTC for review and approval; 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 Transportation Authority of Marin is requesting RM2 funding and the reimbursement schedule and 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 RM2 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 the Transportation Authority of Marin’s Initial Project Report (IPR) for this project; and

WHEREAS, Attachment D attached hereto and incorporated herein as though set forth at length, lists the cash flow of RM2 funds and complementary funding for the deliverable/useable RM2 project segment; now, therefore be it

RESOLVED, that MTC approves MTC staff’s review of the Transportation Authority of Marin’s IPR for this project as set forth in Attachment C; and be it further

RESOLVED, that MTC approves the allocation and reimbursement of RM2 funds in accordance with the amount and reimbursement schedule for the phase, and activities as set forth in Attachment A; and, be it further

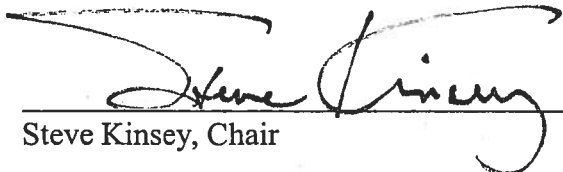
RESOLVED, that the allocation and reimbursement of RM2 funds as set forth in Attachment A are conditioned upon the Transportation Authority of Marin complying with the provisions of the Regional Measure 2 Regional Traffic Relief Plan Policy and Procedures as set forth in length in MTC Resolution 3636; and be it further

RESOLVED, that the allocation and reimbursement of RM2 funds are further conditioned upon the project specific conditions as set forth in Attachment B; and, be it further

RESOLVED, that the allocation and reimbursement of RM2 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


Steve Kinsey, Chair

The above resolution was entered into by the Metropolitan Transportation Commission at the regular meeting of the Commission held in Oakland, California, on September 22, 2004.

REGIONAL MEASURE 2 PROGRAM Allocation of Funds

Project Title: Central Marin Ferry Connection Multi-Use Pathway
Sponsor: Transportation Authority of Marin
Project Number: 11.4

Allocation No. 11.4-1					
Activities to be funded with Allocation #1:					
Allocation will fund the environmental and preliminary engineering phases for the Central Marin Ferry Connection project, Phase A. This includes linking existing multi-use pathways south of the Corte Madera Creek to the Cal Park Hill Multi-Use Pathway, providing improved access to the Larkspur Ferry Terminal. This phase will also study a crossing of the Corte Madera Creek by either a new bridge structure or widening the US-101 northbound off-ramp, and other access improvements. An environmental document will be prepared for Phase A.					
Funding Information for Allocation #1:					
Allocation Instruction No.	Approval Date	Amount	Phase	Reimbursement Year	Cumulative Total To Date
08364908	26-Sep-07	\$ 2,000,000	ENV	FY 2007-08	\$ 2,000,000

Allocation No. 11.4-2					
Activities to be funded with Allocation #2:					
Allocation will fund the final design for the Central Marin Ferry Connection Multi-Use Pathway project. Note: Due to cost savings, \$127,966.40 was rescinded from Allocation No. 12364912 and transferred to construction.					
Funding Information for Allocation #2:					
Allocation Instruction No.	Approval Date	Amount	Phase	Reimbursement Year	Cumulative Total To Date
12364912	16-Nov-11	\$ 1,000,000	PS&E	FY 2011-12	\$ 3,000,000
12364912	19-Nov-14	\$ (127,966.40)	PS&E	FY 2011-12	\$ 2,872,034

Allocation No. 11.4-3					
Activities to be funded with Allocation #3:					
Allocation will fund the construction of the Central Marin Ferry Connection Multi-Use Pathway project. Note: Due to cost savings in design, \$127,966.40 was rescinded from design and transferred to construction under Allocation No. 15364916.					
Funding Information for Allocation #2:					
Allocation Instruction No.	Approval Date	Amount	Phase	Reimbursement Year	Cumulative Total To Date
14364914	24-Jul-13	\$ 5,860,000	CON	FY 2013-14	\$ 8,732,034
15364916	19-Nov-14	\$ 127,966	CON	FY 2014-15	\$ 8,860,000

Allocation No. 11.4-4					
Activities to be funded with Allocation #4:					
Allocation will fund the construction increase of the Central Marin Ferry Connection Multi-Use Pathway project.					
Funding Information for Allocation #2:					
Allocation Instruction No.	Approval Date	Amount	Phase	Reimbursement Year	Cumulative Total To Date
16364917	16-Dec-15	\$ 750,000	CON	FY 2015-16	\$ 9,610,000

REGIONAL MEASURE 2 PROGRAM Project Specific Conditions

Project Title: Central Marin Ferry Connection Multi-Use Pathway
Sponsor: Transportation Authority of Marin
Project Number: 11.4

The allocation and reimbursement of RM2 funds for the above project are conditioned upon the following :

1. Approval of the allocation package by the Transportation Authority of Marin Board of Directors. The allocation package consists of the Initial Project Report (IPR), resolution of project compliance, environmental clearance documentation, and opinion of legal counsel.
2. The Transportation Authority of Marin may invoice MTC for eligible expenses as frequently as monthly, in accordance with the cash flow plan.
3. Allocation No. 16364917 may be used for construction close-out invoices, including for invoices in which activity occurred prior to the allocation date, but no earlier than November 1, 2015.

RM2 Project Number: 11.4 Central Marin Ferry Connection Multi-Use Pathway

Lead Sponsor Transportation Authority of Marin	Other Sponsors(s) N/A	Implementing Agency (if applicable) Marin County
Legislated Project Description Greenbrae Interchange/Larkspur Ferry Access Improvements. Provide enhanced regional and local access around the Greenbrae Interchange to reduce traffic congestion and provide multimodal access to the Richmond-San Rafael Bridge and Larkspur Ferry Terminal		
RM2 Legislated Funding (in \$1,000) Total Overall Funding: \$43,500 11.1 U.S. 101 Greenbrae Interchange Improvements (\$8,923) 11.2 Sir Francis Drake Blvd. Widening (\$825) 11.3 Cal Park Hill Tunnel Rehabilitation and Class 1 Bikeway (\$5,092) 11.4 Central Marin Ferry Access Improvement (\$9,610) 11.5 North-South Greenway Gap Closure Project (\$19,050)		Total Estimated Project Cost (in \$1,000) \$17,738
Project Purpose and Description This project provides an important multi-modal commute and recreational connection to the Larkspur Ferry. The project will construct a bicycle and pedestrian path across Sir Francis Drake Boulevard in Larkspur, connecting the Larkspur Ferry Terminal with the planned Larkspur Passenger Rail Station and the newly constructed Cal Park Hill Multi-Use Path. The project has been planned to be compatible with a future unfunded project that will cross the Corte Madera Creek ultimately connecting the CMFC Project with existing pathways located at the intersection of Old Redwood Highway and Wornum Drive, further closing the existing "gap" in the non-motorized transportation network.		
Funding Description Committed Funds: \$17.7 million is committed from RM2, Regional Bike/Ped Funding, TFCA (Air District), and Federal Funds. Uncommitted Funds: None. Operating Capacity: Ongoing maintenance will be done by the County of Marin and the City of Larkspur.		

Overall Project Cost and Schedule

Phase	Scope	Start	End	Cost (in \$1,000)
1	Final Environmental Document (CEQA)	12/2007	09/2010	\$2,000
2	Plans, Specifications and Estimates	12/2011	06/2013	\$2,435
3	Right-of-Way	N/A	N/A	\$0
4	Construction	01/2014	12/2015	\$13,303
Total:				\$17,738

Total Project Funding Plan: Committed and Uncommitted Sources

(Amounts Escalated in Thousands)

Project Title	Central Marin Ferry Connection Multi-Use Pathway					Project No. 11.4				
Lead Sponsor	Transportation Authority of Marin									

Fund Source	Phase	Prior	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14+	Total
Committed										
RM2	ENV			2,000						2,000
CMAQ (RBP)	PSE					1,410				1,410
RM2	PSE						872			872
TFCA	PSE							153		153
TFCA	CON								165	165
RM2	CON								6,738	6,738
Non Motorized Pilot Prog	CON							3,200	1,500	4,700
CMAQ (RBP)	CON							1,500		1,500
Other Local	CON								200	200
Total:		0	0	2,000	0	1,410	872	4,853	8,603	17,738
Uncommitted										
										0
										0
										0
Total:		0	0	0	0	0	0	0	0	0
Total Project Committed and Uncommitted										
		Prior	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14+	Total
Total:		0	0	2,000	0	1,410	872	4,853	8,603	17,738

REGIONAL MEASURE 2 PROGRAM Project Cash Flow Plan

Project Title: Central Marin Ferry Connection Multi-Use Pathway
Sponsor: Transportation Authority of Marin
RM2 Project Number: 11.4

RM2 Project #11.4	PRIOR	FY 2007-08	FY 2008-09	FY 2009-10	FY 2010-11	FY 2011-12	FY 2012-13+	TOTAL
RM2 Funds Total	-	2,000,000	-	-	-	872,034	6,737,966	9,610,000
Environmental (ENV)	0	2,000,000	0	0	0	0	0	2,000,000
RM2		2,000,000						2,000,000
								0
								0
								0
Final Design (PS&E)	0	0	0	0	1,410,000	872,034	153,000	2,435,034
CMAQ (RBP)					1,410,000			1,410,000
RM2						872,034		872,034
TFCA							153,000	153,000
								0
Right of Way	0	0	0	0	0	0	0	0
								0
								0
								0
								0
Construction	0	0	0	0	0	0	13,302,966	13,302,966
RM2							6,737,966	6,737,966
TFCA and Other Local							365,000	365,000
Non-Motorized Pilot Program							4,700,000	4,700,000
CMAQ (RBP)							1,500,000	1,500,000
TOTAL FUNDING								
Environmental	0	2,000,000	0	0	0	0	0	2,000,000
Final Design (PS&E)	0	0	0	0	1,410,000	872,034	153,000	2,435,034
Right of Way	0	0	0	0	0	0	0	0
Construction	0	0	0	0	0	0	13,302,966	13,302,966
PROJECT TOTAL	0	2,000,000	0	0	1,410,000	872,034	13,455,966	17,738,000