

Metropolitan Transportation Commission Programming and Allocations Committee

June 13, 2018

Agenda Item 2b

MTC Resolution No. 3649, Revised

Subject: Allocation of \$3 million in Regional Measure 2 funds to the Transportation Authority of Marin (TAM) for the San Rafael Multi-Use Pathway segment of the North-South Greenway project.

Background: Regional Measure 2 (RM2), as amended by MTC Resolution No. 3801, Revised, includes about \$19 million for bicycle and pedestrian connectivity improvements to the Larkspur Ferry Terminal in Marin County. The Transportation Authority of Marin (TAM) has identified the North-South Greenway to use this \$19 million. The Greenway project originally included two sections – the northern segment, from Sir Francis Drake Blvd. to Redwood Highway; and the southern segment, from Redwood Highway to Wornum Drive. The northern segment is cleared environmentally and is in the final design phase, while the southern segment is still in the environmental phase. With this request, TAM proposes to add the San Rafael segment as part of the project. The San Rafael segment would construct a multi-use pathway from 2nd to Andersen in San Rafael, closing the gap between the Larkspur Ferry Terminal and the San Rafael Transit Center.

The proposed allocation of \$3 million in RM2 funds is consistent with the Commission's action in March 2018, reserving this amount for the San Rafael multi-use pathway. The funds are re-directed from the southern segment, which is not fully funded. The San Rafael multi-use pathway segment is environmentally cleared and has received all permits, and construction will begin later this summer in conjunction with construction of the SMART Larkspur extension in the same area and by the same contractors. The project partners have secured \$4.6 million for this segment, which includes RM2 and local funds from TAM, the Bay Area Air Quality Management District (Air District), San Rafael, Marin County, and a prior contribution from MTC. The City of San Rafael is managing the project, and TAM will pass through the RM2 funds to them.

Issues: The costs on the San Rafael multi-use pathway segment have increased in part due to the higher cost of steel. The City's priority is to complete the pathway adjacent to the Sonoma Marin Area Rail Transit District's (SMART's) tracks (between Rice and Andersen Drive) to take advantage of concurrent construction logistics and economy of scale. The bid amount for this shortened section is \$4.6 million, not including a 20% contingency requested by SMART. The remaining section from Rice to 2nd remains unfunded, but pathway users may continue along Francisco Blvd. West to complete their journey. The project partners will examine future grant funding to complete the remaining section.

The funding plan for the funded construction segment is shown below:

Fund Source	Amount
Regional Measure 2 (this allocation)	\$3.0 million
MTC Prior Commitment	\$0.5 million
Local Partnership Program (SB 1/TAM)	\$0.5 million
Air District Grant	\$0.3 million
City of San Rafael	\$0.2 million
County of Marin	\$0.1 million
Total	\$4.6 million

The cost of constructing the northern segment of the Greenway is also expected to increase. TAM is working with Caltrans to minimize cost and schedule impacts as they work towards 100% final design. The southern segment of the Greenway remains underfunded. TAM is examining additional grant resources, including regional, Air District, and state grants, in order to fully-fund the southern segment.

Recommendation: Staff recommends referring MTC Resolution No. 3649, Revised, to the Commission for approval.

Attachments: Map of North-South Greenway Projects
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
08/31/16-DA 09/28/16-C
12/21/16-C 03/28/18-C
06/27/18-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

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(Ferry Access project) to help cover this increase. Attachments A-2 through D-2 provide more information on this allocation action.

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.

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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.

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.

This resolution was revised on August 31, 2016 through Delegated Authority to allocate \$500,000 to the final design phase of the northern segment of Project 11.5, North-South Greenway Gap Closure project.

This resolution was revised on September 28, 2016 through Commission Action to allocate \$1 million to the final design phase of the northern segment of Project 11.5, North-South Greenway Gap Closure project.

This resolution was revised on December 21, 2016 through Commission Action to reserve \$850,000 for right-of-way activities pending completion of environmental clearance, add conditions to future allocations for the right-of-way phase of the southern segment of Project 11.5, North-South Greenway Gap Closure project, and to revise the project funding plan.

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This resolution was revised on March 28, 2018 through Commission Action to allocate \$500,000 to the final design phase of the northern segment of Project 11.5, North-South Greenway Gap Closure project; allocate \$850,000 to the right-of-way phase of the southern segment of the same project, consistent with the reservation made on December 21, 2016; and reserve \$2.95 million for the construction of the Sonoma-Marín Area Rail Transit (SMART) Multi-Use Pathway from 2nd Street to Andersen Drive in San Rafael.

This resolution was revised on June 27, 2018 through Commission Action to allocate \$2.95 million in RM2 funds to TAM for the construction of the San Rafael multi-use pathway from 2nd Street to Andersen Drive, a new segment of Project 11.5, North-South Greenway Gap Closure project.

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, December 9, 2015, September 14, 2016, December 14, 2016, March 7, 2018, and June 13, 2018.

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

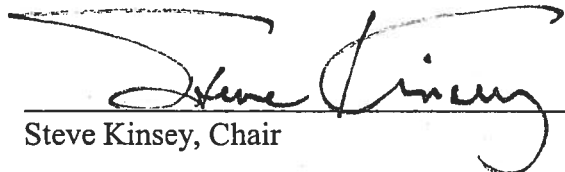
RESOLVED, that the allocation and reimbursement of RM2 funds as set forth in Attachment A are conditioned upon the Transportation Authority of Marin complying with the provisions of the Regional Measure 2 Regional Traffic Relief Plan Policy and Procedures as set forth in length in MTC Resolution 3636; 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: North-South Greenway Gap Closure Project
Sponsor: Transportation Authority of Marin
Project Number: 11.5

Allocation No. 11.5					
Activities to be funded with Allocation #1:					
Allocation will fund the environmental and preliminary engineering phases for the North-South Greenway Gap Closure Project, and a Property Title Search and Boundary Survey on behalf of the Sonoma-Marín Area Rail Transit District (SMART).					
Funding Information for Allocation #1:					
Allocation Instruction No.	Approval Date	Amount	Phase	Reimbursement Year	Cumulative Total To Date
15364915	23-Jul-14	\$ 2,600,000	ENV / PE	FY 2014-15	\$ 2,600,000

Allocation No. 11.5					
Activities to be funded with Allocation #2:					
Allocation will fund the final design phase for the northern segment of the North-South Greenway Gap Closure Project.					
Funding Information for Allocation #2:					
Allocation Instruction No.	Approval Date	Amount	Phase	Reimbursement Year	Cumulative Total To Date
17364918	31-Aug-16	\$ 500,000	PS&E	FY 2016-17	\$ 3,100,000
17364919	28-Sep-16	\$ 1,000,000	PS&E	FY 2016-17	\$ 4,100,000
18364920	28-Mar-18	\$ 500,000	PS&E	FY 2017-18	\$ 4,600,000

Allocation No. 11.5					
Activities to be funded with Allocation #3:					
Allocation will fund the right-of-way phase for the southern segment of the North-South Greenway Gap Closure Project, consistent with condition 2 made on December 21, 2016, and subject to the new condition listed in Attachment B-5.					
Funding Information for Allocation #3:					
Allocation Instruction No.	Approval Date	Amount	Phase	Reimbursement Year	Cumulative Total To Date
18364921	28-Mar-18	\$ 850,000	ROW	FY 2017-18	\$ 5,450,000

Allocation No. 11.5					
Activities to be funded with Allocation #4:					
Allocation will fund the construction phase of the San Rafael segment of the North-South Greenway Gap Closure Project (also known as the Sonoma Marin Area Rail Transit District (SMART) Multi-Use Path), consistent with conditions 1 and 2 made on March 28, 2018 listed in Attachment B-5.					
Funding Information for Allocation #4:					
Allocation Instruction No.	Approval Date	Amount	Phase	Reimbursement Year	Cumulative Total To Date
18364922	27-Jun-18	\$ 2,950,000	CON	FY 2017-18	\$ 8,400,000

REGIONAL MEASURE 2 PROGRAM Project Specific Conditions

Project Title: North-South Greenway Gap Closure Project
Sponsor: Transportation Authority of Marin
Project Number: 11.5

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

1. The Transportation Authority of Marin may invoice MTC for eligible expenses as frequently as monthly, in accordance with the cash flow plan.
2. The Transportation Authority of Marin and/or the County of Marin shall, prior to starting environmental work on the Greenway project, (1) commence a property title search and boundary survey of the SMART right-of-way within the project limits, and (2) commence work on a Memorandum of Understanding with SMART regarding the current and future use of the Greenway

The allocation and reimbursement of RM2 funds for future right-of-way allocations for the southern segment of the North-South Greenway, subject to future CEQA action, are conditioned upon the following (added December 21, 2016) :

1. Pending completion of the project's environmental review, TAM and the Marin County Bicycle Coalition are to acknowledge via letter or Board action that SMART may build a rail line on the SMART right of way in Corte Madera in the future, and at that time it may be necessary for SMART to remove that segment of the multi-use North-South Greenway path.
2. Pending completion of the project's environmental review, TAM and SMART agree to enter into a Memorandum of Understanding regarding payment to compensate for future lost lease revenues, future removal of the pathway in the event SMART extends rail south of Larkspur, and absolving SMART of responsibility for maintaining the multi-use pathway until such time as SMART is operating rail service in this segment. The MOU must be substantially complete before entering into final design for the pathway. In the event the pathway is removed for a rail extension in the future, SMART is to pay for removal using funds from this right-of-way payment. SMART shall not seek additional funds as compensation for the future path removal.
3. Any savings from the North-South Greenway project are to be applied to the permanent (not interim) relocation/facility for the San Rafael Transit Center.

The following reservation of funds and condition for the \$850,000 right-of-way allocation were added on March 28, 2018 as part of the allocation of funds to the North-South Greenway project on the same

1. Reservation of \$2.95 million of RM2 funds from the southern segment to the construction of the Sonoma-Marín Area Rail Transit (SMART) Multi-Use Pathway from 2nd Street to Andersen Drive in San Rafael.
2. Approval by SMART and TAM to indemnify and hold harmless MTC, its Commissioners, representatives, agents, and employees from and against all claims, injury, suits, demands, liability, losses, damages, and expenses, whether direct or indirect (including any and all costs and expenses in connection therewith), incurred by reason of any CEQA action, act or failure to act of SMART or TAM their officers, employees or agents, or subcontractors or any of them in connection with their performance of services under this allocation of RM2 funds. In the event any CEQA action stops the project, SMART and TAM agree to return such allocated funds to MTC for alternative allocation that shall be with the discretion of MTC.

RM2 Project Number: 11.5 North-South Greenway Gap Closure Project

Lead Sponsor Transportation Authority of Marin	Other Sponsors(s) N/A	Implementing Agency (if applicable) TAM / Marin County
Legislated Project Description 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 by extending a multi-use pathway from the vicinity of Wornum Drive to East Sir Francis Drake Blvd and the Cal Park Hill rail right-of-way, adding a new lane to East Sir Francis Drake Blvd., and rehabilitating the Cal Park Hill Rail Tunnel and right-of-way approaches for bicycle and pedestrian access to connect the San Rafael Transit Center with the 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) \$19,050
Project Purpose and Description The North-South Greenway Gap Closure project will create a new multi-use path connecting the existing paths at the intersection of Old Redwood Highway and Wornum Drive, with the pedestrian bridge over Sir Francis Drake Blvd (part of RM2 Project 11.4). The original scope contained two segments - a north and south segment. The North Segment will widen the US-101 northbound off-ramp over the Corte Madera Creek to accommodate bicycles and pedestrians, and extends the path south along Old Redwood Highway to the existing pedestrian overcrossing of US-101. The South Segment will connect with the improvements proposed in the North Segment along Old Redwood Highway, then traverse east to the SMART railroad right-of-way. In June 2018, TAM added the segment of the Greenway in San Rafael (between 2nd and Andersen) to close the gap to the San Rafael Transit Center. The project will close gaps in the multi-use path system, and improve connections among the Ferry Terminal, local and regional transit services, and existing multi-use paths.		
Funding Description Committed Funds: \$19.8 million is committed from RM2 Funds. Uncommitted Funds: None. Operating Capacity: Ongoing maintenance will be done by the County of Marin through a pending Inter-Agency Cooperative Agreement.		

Overall Project Cost and Schedule

Phase	Scope	Start	End	Cost (in \$1,000)
1	Final Environmental Document (CEQA)	09/2014	01/2019	\$3,300
2	Plans, Specifications and Estimates	09/2016	12/2019	\$3,200
3	Right-of-Way	01/2017	12/2019	\$1,450
4	Construction	06/2018	06/2020	\$13,420
Total:				\$21,370

Total Project Funding Plan: Committed and Uncommitted Sources

(Amounts Escalated in Thousands)

Project Title	North-South Greenway Gap Closure Project					Project No. 11.5				
Lead Sponsor	Transportation Authority of Marin									

Fund Source	Phase	Prior	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20+	Total
Committed										
RM2	ENV			2,600						2,600
Other Local	ENV						700			700
RM2	PSE					1,500	500	1,200		3,200
RM2	ROW						850	600		1,450
RM2	CON						2,950	8,820		11,770
Other Local	CON						1,650			1,650
										0
										0
Total:		0	0	2,600	0	1,500	6,650	10,620	0	21,370
Uncommitted										
										0
										0
										0
Total:		0	0	0	0	0	0	0	0	0
Total Project Committed and Uncommitted										
		Prior	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20+	Total
Total:		0	0	2,600	0	1,500	6,650	10,620	0	21,370

REGIONAL MEASURE 2 PROGRAM Project Cash Flow Plan

Project Title: North-South Greenway Gap Closure Project
Sponsor: Transportation Authority of Marin
RM2 Project Number: 11.5

RM2 Project #11.5	PRIOR	FY 2013-14	FY 2014-15	FY 2015-16	FY 2016-17	FY 2017-18	FY 2018-19+	TOTAL
RM2 Funds Total	-	-	2,600,000	-	1,500,000	4,300,000	-	8,400,000
Environmental (ENV)	0	0	2,600,000	0	0	700,000	0	3,300,000
RM2			2,600,000					2,600,000
Other Local Funds						700,000		700,000
								0
								0
Final Design (PS&E)	0	0	0	0	1,500,000	500,000	0	2,000,000
RM2					1,500,000			1,500,000
RM2						500,000		500,000
								0
								0
Right of Way	0	0	0	0	0	850,000	0	850,000
RM2						850,000		850,000
								0
								0
								0
Construction	0	0	0	0	0	4,600,000	0	4,600,000
RM2						2,950,000		2,950,000
Other Local Funds						1,650,000		1,650,000
								0
								0
TOTAL FUNDING								
Environmental	0	0	2,600,000	0	0	700,000	0	3,300,000
Final Design (PS&E)	0	0	0	0	1,500,000	500,000	0	2,000,000
Right of Way	0	0	0	0	0	850,000	0	850,000
Construction	0	0	0	0	0	4,600,000	0	4,600,000
PROJECT TOTAL	0	0	2,600,000	0	1,500,000	6,650,000	0	10,750,000