

**Metropolitan Transportation Commission
Programming and Allocations Committee**

November 10, 2021

Agenda Item 2b - 21-1299

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 October 2020, MTC has approved \$1.57 billion in capital allocations, of which \$1.52 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. Highlights of the attached report include the completion of the I-680 Southbound Express Lane Conversion, construction progress on the I-80/I-680/SR-12 interchange, and allocation of unspent funds to new projects, including funds reprogrammed through the 2020 public hearing. This report also notes the pause in delivery of BART railcars and cost increase and delay on the Caltrain Electrification Project.

Staff continues to work with sponsors to move projects with remaining unallocated funds toward construction.

Last year, MTC staff identified \$19 million in project savings and other unused funds and took steps to identify new investments and redirect the funds. In November 2020, MTC held a public hearing to redirect \$663,000 in RM2 funds and modify project descriptions to allow for a total of \$12 million in new investments for Bay Bridge Forward projects, Dumbarton Forward projects,

and transit recovery initiatives. Re-programmed funds for Bay Bridge Forward and transit recovery have since been allocated to their respective projects.

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. This announcement further delays resolution of the lawsuit and potential availability of the RM3 funds. While 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, others do not have alternative funds available and are facing delays.

Sixteen RM3 projects have been issued LONPs totaling \$516 million. Most projects with LONPs are in design, with some entering construction.

Issues:

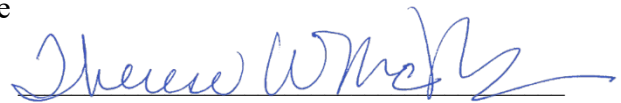
None identified.

Recommendations:

Information

Attachments:

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



Therese W. McMillan