

**Metropolitan Transportation Commission
Programming and Allocations Committee**

September 13, 2023

Agenda Item 2g - 23-1085

MTC Resolution No. 4584, Revised. Allocation of \$5 million in Regional Measure 3 (RM3) capital funds to Central Contra Costa Transit Authority (CCCTA)

Subject:

Recommended allocation of a total \$5 million in RM3 capital funds to Central Contra Costa Transit Authority (North Bay Transit Access Improvements: County Connection Bus Replacements Project).

Background:

Bay Area voters approved Regional Measure 3 (RM3) on June 5, 2018, and on December 19, 2018, the Bay Area Toll Authority (BATA) adopted a toll schedule phasing in the resulting toll increase. BATA implemented the first and second dollars of the toll increase on January 1, 2019 and January 1, 2022, respectively.

MTC Resolution No. 4404, Revised, establishes policies and procedures to guide the delivery of capital projects funded by RM3. The overall RM3 capital expenditure program in statute is listed in Attachment A, including Commission-programmed subprojects, Letters of No Prejudice (LONPs), and allocations.

Litigation challenging RM3 was resolved in January 2023. BATA subsequently released the toll funds held in escrow and terminated the escrow agreement in March 2023. Prior to the release of funds from escrow, MTC approved LONPs for 21 projects, allowing those projects to proceed with local funds in place of the RM3 funds while preserving eligibility for reimbursement with RM3 funds when they became available.

In May 2023, the Commission directed staff to begin collecting RM3 allocation requests, starting with projects that have LONPs and have begun expending funds. Initial allocations were made in June 2023.

In June, commissioners requested a “look ahead” of future RM3 allocations and expenditure needs to better understand the impact on BATA financing plans and on the availability of funds. Staff continues to analyze projected cash flow needs, and to evaluate the best way to share this information given that project plans are often evolving, especially for those projects in earlier

stages of development. Staff will work to share a summary of this information with Committee members in the Fall.

September RM3 Allocation Recommendation

Staff recommend approval of \$5 million in RM3 allocations to North Bay Transit Access Improvements: County Connection Bus Replacements Project. A summary of this request is included in Attachment B, and further detail is found in its allocating resolution.

Project Sponsor	RM3 Proj. # / MTC Res. No.	Project Title	LONP Amount (\$millions)	Allocation Request Amount (\$millions)
CCCTA	#26.3 4584	North Bay Transit Access Improvements: County Connection Bus Replacements Project	-	\$5
Total			-	\$5

Issues:


The North Bay Transit Access Improvements: County Connection Bus Replacements Project also requires board approval by Contra Costa Transportation Authority (CCTA), under its authority for project selection delegated by MTC via MTC Resolution No. 4411, Revised, and by CCCTA for the allocation request and Initial Project Report. The CCCTA and CCTA Boards of Directors meetings to review and approve the CCCTA Resolution No. 2024-05 are scheduled for 9/13/23 and 9/28/23, respectively. This allocation is conditioned accordingly.

Recommendations:

Refer MTC Resolution No. 4584, Revised, to the Commission for approval.

Attachments:

- Attachment A: RM3 Capital Expenditure Plan Tracker
- Attachment B: RM3 Allocation Project Summaries
- MTC Resolution No. 4584, Revised


Andrew B. Fremier

Regional Measure 3 Capital Expenditure Plan (with Current-Month Proposed Allocations in Bold)

Project No.	Project Title ^{1,2}	Funding Amount (\$M)	Project Sponsor/ Implementing Agency ^{1,2}	LONP Issued ³ (\$M)	Allocated Amount ⁴ (\$M)	Allocating Resolution	Most Recent Allocation Date ⁴
1	BART Expansion Cars	\$ 500	BART				
2	Bay Area Corridor Express Lanes	\$ 300	MTC				
2.1	<i>I-80 Express Lanes in Solano County</i>		STA	\$ 70.4	\$ 70.4	4591	6/26/2023
2.2	<i>I-80 Express Lanes in Solano County (Toll System)</i>	\$ 85	BAIFA	\$ 31.3	\$ 14.6	4592	6/26/2023
2.3	<i>I-80 Southbound Express Lanes in Alameda County</i>	\$ 80	ACTC	\$ 80.0	\$ 80.0	4597	7/26/2023
2.4	<i>US 101 Express Lanes: I-380 to Santa Clara County Line</i>	\$ 75	SMCTA				
2.X	<i>Reserve</i>	\$ 60	ACTC				
3	Goods Movement and Mitigation	\$ 160	MTC/ACTC				
3.1	<i>GoPort 7th St Grade Separation East</i>	\$ 55	ACTC	\$ 55.0	\$ 55.0	4598	7/26/2023
3.2	<i>Railroad Safety Enhancement Program</i>	\$ 25	ACTC				
3.3	<i>Neighborhood and Railroad Safety Improvements Near the Port of Oakland</i>	\$ 55	City of Oakland				
3.X	<i>Remaining GoPort projects</i>	\$ 25					
4	San Francisco Bay Trail / Safe Routes to Transit	\$ 150	MTC				
5	Ferry Enhancement Program	\$ 300	WETA				
5.1	<i>Mission Bay Ferry Landing</i>	\$ 25	WETA	\$ 25.0			
6	BART to San Jose Phase 2	\$ 375	VTA				
7	Sonoma-Marin Area Rail Transit (SMART)	\$ 40	SMART	\$ 5.0			
8	Capitol Corridor	\$ 90	CCJPA				
9	Caltrain Downtown Extension	\$ 325	MTC/tbd				
10	Muni Fleet Expansion & Facilities	\$ 140	SFMTA				
11	Core Capacity Transit Improvements	\$ 140	MTC/ACTC/AC Transit				
12	AC Transit Rapid Bus Corridor Improvements	\$ 100	AC Transit/ACTC				
13	Transbay Rail Crossing	\$ 50	BART				
14	Tri-Valley Transit Access Improvements	\$ 100	MTC /tbd				
15	Eastridge to BART Regional Connector	\$ 130	VTA		\$ 130.0	4596	7/26/2023
16	San Jose Diridon Station	\$ 100	VTA	\$ 30.0			

Regional Measure 3 Capital Expenditure Plan (with Current-Month Proposed Allocations in Bold)

Project No.	Project Title ^{1,2}	Funding Amount (\$M)	Project Sponsor/ Implementing Agency ^{1,2}	LONP Issued ³ (\$M)	Allocated Amount ⁴ (\$M)	Allocating Resolution	Most Recent Allocation Date ⁴
17	Dumbarton Corridor Improvements	\$ 130	BATA/ACTC/ SMCTD/SMCTA				
18	Highway 101/ State Route 92 Interchange	\$ 50	C/CAG/ SMCTA				
18.1	<i>101/92 Area Improvements Project</i>		SMCTA	\$ 0.025			
18.2	<i>101/92 Direct Connector Project</i>		SMCTA	\$ 2.0	\$ 2.0	4599	7/26/2023
19	Contra Costa I-680/SR-4 Interchange Improvements	\$ 210	CCTA				
19.1	I-680/SR-4 Interchange Improvement Phase 1 and 2A	\$ 8	CCTA	\$ 8.0	\$ 13.0	4586	6/26/2023
20	Highway 101-Marin/Sonoma Narrows	\$ 120	TAM/SCTA				
20.1	<i>Marin Segment</i>	\$ 88	TAM	\$ 88.0	\$ 88.0	4593	6/26/2023
21	Solano County I-80/I-680/SR-12 Interchange Project	\$ 150	STA	\$ 18.6	\$ 1.9	4594	6/26/2023
22	Interstate 80 Westbound Truck Scales	\$ 105	STA	\$ 5.3	\$ 30.7	4595	6/26/2023
23	State Route 37 Improvements	\$ 100	TAM/NVTA/STA/SCTA				
23.1	<i>SR 37 and Fairgrounds Drive Interchange</i>	\$ 15	STA		\$ 15.0	4602	7/26/2023
23.2	<i>Interim Segment B - PAED & PS&E</i>	\$ 20	SCTA				
23.3	<i>Hwy 37/121 Improvements - PAED</i>	\$ 4	SCTA				
23.4	<i>Segments A1 & A2 Levee Study</i>	3	TAM				
23.5	<i>Segment A & B Improvements</i>	\$ 58	SCTA/TAM				
24	San Rafael Transit Center	\$ 30	GGBHTD				
25	Richmond-San Rafael Bridge Access Improvements	\$ 210	BATA/CCTA/TAM				
25.1	<i>US-101/I-580 Direct Connector</i>	\$ 135	TAM	\$ 5.6			
25.X	<i>Projects in Contra Costa County</i>	\$ 75	BATA/CCTA				
26	North Bay Transit Improvements	\$ 100	MTC				
26.1	<i>Vine Transit Maintenance Facility</i>	\$ 20	NVTA	\$ 20.0	\$ 20.0	4584	6/26/2023
26.2	<i>Solano Rail Hub</i>	\$ 2	STA		\$ 2.0	4584	7/26/2023
26.3	County Connection Bus Replacements	\$ 5	CCCTA		\$ 5.0	4584	9/27/2023
26.X	<i>Solano Projects TBD</i>	\$ 18	STA				
26.X	<i>Contra Costa Projects TBD</i>	\$ 15	CCTA				
26.X	<i>Sonoma Projects TBD</i>	\$ 20	SCTA				

Regional Measure 3 Capital Expenditure Plan (with Current-Month Proposed Allocations in Bold)

Project No.	Project Title ^{1,2}	Funding Amount (\$M)	Project Sponsor/ Implementing Agency ^{1,2}	LONP Issued ³ (\$M)	Allocated Amount ⁴ (\$M)	Allocating Resolution	Most Recent Allocation Date ⁴
<i>26.X</i>	<i>Marin Projects TBD</i>	\$ 20	TAM				
27	State Route 29	\$ 20	NVTA	\$ 20.0	\$ 20.0	4583	6/26/2023
28	Next-Generation Clipper Transit Fare Payment System	\$ 50	MTC	\$ 30.0			
29	I-680/I-880/Route 262 Freeway Connector	\$ 15	ACTC	\$ 10.0	\$ 10.0	4601	7/26/2023
30	I-680/SR 84 Interchange Reconstruction Project	\$ 85	ACTC	\$ 85.0	\$ 85.0	4600	7/26/2023
31	I-80 Transit Improvements	\$ 25	CCTA				
32	Byron Highway Vasco Road Airport Connector	\$ 10	CCTA				
33	Vasco Road Safety Improvements	\$ 15	CCTA				
34	East Contra Costa County Transit Intermodal Center	\$ 15	CCTA				
<i>34.1</i>	<i>Mokelumne Trail Bicycle/Pedestrian Overcrossing of SR-4</i>	\$ 13	CCTA	\$ 13.0	\$ 13.0	4585	6/26/2023
35	I-680 Transit Improvements	\$ 10	CCTA				
Total		\$ 4,450		\$ 602.1	\$ 655.6		

Notes

- 1 For full legislated project description and project sponsor language, please refer to California Streets and Highways Code Section 30914.7, https://leginfo.ca.gov/faces/codes_displaySection.xhtml?lawCode=SHC§ionNum=30914.7.
- 2 Sub-projects are indicated with shading. Sub-project designation has been made under MTC Res. No. 4411 for MTC/BATA/BAIFA sponsored programmatic categories, and/or under MTC Res. No. 4412 for LONPs, and/or in allocating resolutions. Project 23 subprojects are as agreed upon by SR 37 Policy Committee, which includes representatives from the four project sponsor county transportation authorities.
- 3 LONPs have been issued under MTC Res. No. 4412
- 4 Inclusive of current month requests, which are indicated in **bold font**.

September 2023 Recommended RM3 Allocation – Project Summary

CCTA - North Bay Transit Access Improvements: County Connection Bus Replacements Project (\$5 million)

The Central Contra Costa Transit Authority (CCCTA) is requesting \$5 million for construction of the County Connection Bus Replacements Project, which will provide match funding to replace forty 40-foot buses as well as related equipment and infrastructure. The total project costs are \$26.6 million, and its main funding sources are Federal Transit Administration Section 5307 Urbanized Area and Section 5339 Buses and Bus Facilities funds, programmed through the Transit Capital Priorities program. Per its Initial Project Report, the construction phase for this project is expected to be completed during FY 24-25.

This project falls within RM3 Project 26, North Bay Transit Access Improvements, which is one of six RM3 programmatic categories subject to further programming by MTC. RM3 provides a total of \$100 million in toll funds for transit improvements, including but not limited to vehicles, facilities, and access to transit facilities, benefiting the Counties of Marin, Sonoma, Napa, Solano, and Contra Costa. MTC is the listed project sponsor, and eligible applicants are any transit operator providing service in the five counties. CCCTA is an eligible transit operator.

In June 2021, MTC programmed the RM3 North Bay Transit Access Improvements program to the five County Transportation Agencies (CTAs) by splitting the funding equally. Each county was programmed \$20 million and MTC delegated project selection to each CTA for their county's share of the funds. The remaining RM3 capital funding for Contra Costa County after this recommended allocation will be \$15 million.

Date: June 28, 2023
W.I.: 1255
Referred by: PAC
Revised: 07/26/23-C
09/27/23-C

ABSTRACT

Resolution No. 4584, Revised

This resolution approves the allocation of Regional Measure 3 funds for North Bay Transit Access Improvements, sponsored by the Metropolitan Transportation Commission and implemented by transit operators in the Counties of Contra Costa, Marin, Napa, Solano, and Sonoma.

This Resolution includes the following attachments:

- Attachment A – Allocation Summary and Conditions of Allocation
- Attachment B – Project and Subproject Details
- Attachment C – Project Funding Plan and Schedule
- Attachment D – RM3 Deliverable Segment/Product Cash Flow Plan

This resolution allocates \$20 million in RM3 funds to the Napa Valley Transportation Authority for construction of the Vine Transit Maintenance Facility.

This resolution was revised on July 26, 2023 to allocate \$2 million in RM3 funds to the Solano Transportation Authority for the environmental phase of the Solano Rail Hub.

This resolution was revised on September 27, 2023 to allocate \$5 million in RM3 funds to the Central Contra Costa Transit Authority (CCCTA) for the County Connection Bus Replacements Project.

Further discussion of these actions is contained in the Programming and Allocations Summary Sheets dated June 14, 2023, July 12, 2023, and September 13, 2023.

Date: June 28, 2023
W.I.: 1255
Referred by: PAC

RE: Approval of Allocation of Regional Measure 3 Funds for North Bay Transit Access Improvements.

METROPOLITAN TRANSPORTATION COMMISSION
RESOLUTION NO. 4584

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

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); and

WHEREAS, the North Bay Transit Access Improvements Program is identified as capital project number 26 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, MTC has approved the programming of North Bay Transit Access Improvements funds to eligible implementing agencies for projects listed in MTC Resolution No. 4411, Revised; and

WHEREAS, MTC approved a Letter of No Prejudice (LONP) through MTC Resolution No. 4412 on June 23, 2021 allowing the eligible RM3 scope as identified in the LONP to proceed while the implementing agency retained eligibility for reimbursement of RM3 funds up to the amount identified in the LONP; and

WHEREAS, each implementing agency will submit a request for the allocation of RM3 funds for their eligible project to MTC for review and approval for each project allocation request; and

WHEREAS, each implementing agency will submit an initial Project Report (IPR), as required pursuant to Streets and Highways Code Section 30914.7(d) to MTC for review and approval for each project allocation request; 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 implementing agency 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 the implementing agency'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 the implementing agency'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 each implementing agency 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

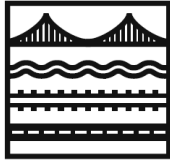
RESOLVED, that a certified copy of this resolution shall be forwarded to the project sponsor.

METROPOLITAN TRANSPORTATION COMMISSION

A handwritten signature in black ink, consisting of a large, stylized 'A' followed by a long horizontal line extending to the right.

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 June 26, 2023.



Regional Measure 3 Allocation of Funds Allocation Summary

RM3 Project Number	26.3
Project Title	County Connection Bus Replacements Project
Project Sponsor	Central Contra Costa Transit Authority (CCCTA)

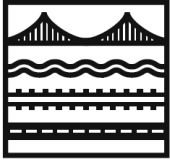
Activities to be funded with Allocation #1:
Match funding to replace forty 40-foot buses as well as related equipment and infrastructure, including ITS equipment, radios, bike racks, and operator barriers.

Funding Information:

Allocation Instruction No.	Approval Date	Phase	Reimbursement Year	Expiration Date	Allocation Amount
24458403	27-Sep-23	CON	FY2023-24	30-Jun-24	\$ 5,000,000

Cumulative Total - Allocation 1	\$ 5,000,000
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Cumulative Total - Project 26.3	\$ 5,000,000
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Regional Measure 3

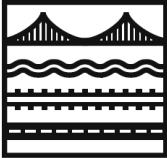
Allocation of Funds

Conditions of Allocation

RM3 Project Number	26.3
Project Title	County Connection Bus Replacements Project
Project Sponsor	Central Contra Costa Transit Authority (CCCTA)

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

Conditions of Allocation #1	
1	This allocation is conditioned on approval of North Bay Transit Access Improvements programming by CCTA Board of Directors.
2	This allocation is conditioned on approval of RM3 allocation request and board resolution by CCCTA Board of Directors.



Regional Measure 3

Allocation of Funds

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

RM3 Project Number	26.3	
Project Title	County Connection Bus Replacements Project	
Lead Sponsor(s)	Other Sponsor(s)	Implementing Agency
Central Contra Costa Transit Authority		CCCTA
Legislated Project Description	RM3 Legislated Funding (in \$1,000s)	
(26) Provide funding for transit improvements, including, but not limited to, bus capital projects, including vehicles, transit facilities, and access to transit facilities, benefiting the Counties of Marin, Sonoma, Napa, Solano, and Contra Costa. Priority shall be given to projects that are fully funded, ready for construction, and serving rail transit or transit service that operates primarily on existing or fully funded high-occupancy vehicle lanes.	\$5,000	
Sponsor Programming and Allocation Request Action		
This allocation is conditioned on both approval of North Bay Transit Access Improvements programming by CCTA Board of Directors, and on approval of RM3 allocation request and board resolution by CCCTA Board of Directors. These board actions are scheduled for 9/13/23 and 9/28/23 (CCCTA Resolution No. 2024-05), respectively.		
Detailed Project/Subproject Description		
Match funding to replace forty 40-foot buses as well as related equipment and infrastructure.		



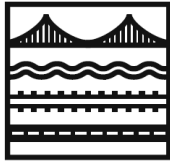
Regional Measure 3

Allocation of Funds

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

RM3 Project Number	26.3
Project Title	County Connection Bus Replacements Project
Project Sponsor	Central Contra Costa Transit Authority (CCCTA)

Project Funding Plan				Project Schedule	
Phase	Funding Source	Committed? (Yes/No)	Total Amount (\$1,000s)	Start	End
ENV					
	ENV Subtotal				
PSE					
	PSE Subtotal		\$ -		
ROW			-		
	ROW Subtotal		\$ -		
CON	RM-3	yes	\$ 5,000	Apr-23	Oct-23
	FY22 FTA 5307	yes	\$ 17,136		
	FY22 FTA 5339	yes	\$ 912		
	PTMISEA	yes	\$ 1,919		
	AB 664 (Bridge Toll)	yes	\$ 731		
	TDA Capital	yes	\$ 935		
	CON Subtotal		\$ 26,633		
Capital Funding Total		\$ 26,633			



Regional Measure 3 Allocation of Funds Cash Flow Plan

RM3 Project Number	26.3
Project Title	County Connection Bus Replacements Project
Project Sponsor	Central Contra Costa Transit Authority (CCCTA)

RM3 Cash Flow Plan by Phase - Funding by planned year of expenditure

Funding Source	Phase	Prior	2022-23	2023-24	2024-25	2025-26	Future committed	Total Amount (\$ thousands)
								\$ -
								\$ -
								\$ -
ENV Subtotal		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
								\$ -
								\$ -
PSE Subtotal		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
								\$ -
								\$ -
ROW Subtotal		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
RM-3	CON			\$ 5,000				\$ 5,000
FY22 FTA 5307	CON			\$ 17,136				\$ 17,136
FY22 FTA 5339	CON			\$ 912				\$ 912
PTMISEA	CON		\$ 1,919					
AB 664 (Bridge T	CON		\$ 731					\$ 731
TDA Capital	CON		\$ 446	\$ 489				\$ 935
CON Subtotal		\$ -	\$ 3,096	\$ 23,537	\$ -	\$ -	\$ -	\$ 26,633
RM 3 Funding Subtotal		\$ -	\$ -	\$ 5,000	\$ -	\$ -	\$ -	\$ 5,000
Capital Funding Total		\$ -	\$ 3,096	\$ 23,537	\$ -	\$ -	\$ -	\$ 26,633