

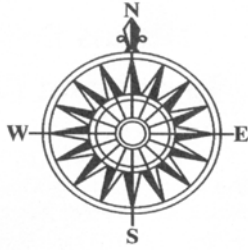
SCTA Sonoma
County
Transportation
Authority

Keeping Sonoma County Moving

SCTA MEETING AGENDA PACKET

**Monday, January 31, 2005
3:15 p.m.**

**Sonoma County
Permit & Resource Management Department
2550 Ventura Avenue
Santa Rosa, California**



Board of Directors - Special Meeting

Directors

Paul Kelley, Chair
Sonoma County

Robert Jehn, V. Chair
Cloverdale

Steve Allen
Windsor

Bob Blanchard
Santa Rosa

Stanley Cohen
Sonoma

Patricia Gilardi
Cotati

Mike Healy
Petaluma

Linda Kelley
Sebastopol

Mike Kerns
Sonoma County

Jake Mackenzie
Rohnert Park

Lisa Schaffner
Healdsburg

Tim Smith
Sonoma County

SCTA Staff

Suzanne Wilford
Executive Director

Janet Spilman
Sr. Transportation Planner

Elijah Henley
Sr. Transportation Planner

Marge Franco
Executive Assistant

520 Mendocino Avenue
Suite 240
Santa Rosa, CA 95401
PH: 707-565-5373
FAX: 707-565-5370

AGENDA

January 31, 2005 – 3:15 p.m.

Sonoma County Permit & Resource Management Department
Planning Commission Hearing Room - 2550 Ventura Avenue, Santa Rosa, California

ITEM

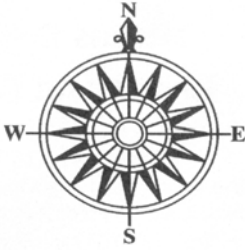
- I.** Public Comment
- II.** Consent Item – **ACTION**
 - A. Minutes of the January 10, 2004 Meeting*
 - B. Resolution of Appreciation*
- III.** Reports – **INFORMATION/ACTION**
 - A. SCTA Staff Report
 - 1. Revised CAC Roster*
 - 2. Update on Hwy 101 – Route 12 to Steele GARVEE
 - 3. Update on Hwy 101 – Wilfred Avenue
- IV.** Reauthorization of TEA-21 – Update – **DISCUSSION/ACTION**
 - A. Highway 101 Earmark Requests*
 - B. SMART Earmark Request*
 - C. Bike Route Earmark Request*
- V.** Measure M Strategic Plan & Organizational Issues – **DISCUSSION/ACTION**
 - A. Financial Advisor Selection and Contract Approval
 - B. Job Descriptions
 - C. Mission, Vision, and Objectives from the CTP*
 - D. Project Information Sheet*
 - E. List of Policy Questions*
 - F. Caltrans/SCTA MOU Concept*
 - G. Next Steps
- VI.** Other Business/Director Announcements – **DISCUSSION**
- VII.** Adjourn – **ACTION**

* Materials attached

The next **SCTA** meeting will be held **February 14, 2005**.

DISABLED ACCOMMODATION: If you have a disability that requires the agenda materials to be in an alternate format or that requires an interpreter or other person to assist you while attending this meeting, please contact SCTA at least 72 hours prior to the meeting to ensure arrangements for accommodation.

Copies of the full agenda packet are available at: <http://www.sonoma-county.org/scta>



SCTA BOARD OF DIRECTORS MEETING MINUTES
January 10, 2005 – 3:15 p.m.

ATTENDEES	ROLL CALL	ATTENDEES	ROLL CALL
Chair Kelley	<input checked="" type="checkbox"/>		
Vice Chair Jehn	<input checked="" type="checkbox"/>	Alternate Brigham	
Director Allen	<input checked="" type="checkbox"/>	Alternate	
Director Blanchard	<input checked="" type="checkbox"/>	Alternate	
Director Cohen	<input checked="" type="checkbox"/>	Alternate Barnett	
Director Gilardi	<input checked="" type="checkbox"/>	Alternate Orchard	
Director Healy	<input checked="" type="checkbox"/>	Alternate Canevaro	
Director Kelley	<input checked="" type="checkbox"/>	Alternate Litwin	
Director Kerns	<input checked="" type="checkbox"/>		
Director Schaffner	<input checked="" type="checkbox"/>	Alternate McGuire	
Director Smith	<input checked="" type="checkbox"/>		
Director Vidak-Martinez	<input checked="" type="checkbox"/>	Alternate MacKenzie	

SCTA Staff present: Wilford, Spilman, and Franco.

Mr. Tanner presented his views on traffic congestion problems in the county for the last 5 years in a copy of an email addressed to SCTA staff. Mr. Tanner requested the Authority review his document stating that he would be available to answer any questions.

ITEM

I. Public Comment

II. Consent Item – **ACTION**

- A. Minutes of the November 8, 2004 Meeting
- B. Resolution of Appreciation for retiring Director Joe Costello
- C. FY 03/04 SCTA Annual Report
- D. SCTA Meeting Schedule for 2005

Director Jehn moved for the approval of the consent items with a second from Director Kerns. The consent calendar was approved unanimously with a correction to be made to the SCTA Meeting Schedule for 2005 by removing the December meeting date.

III. SCTA Reorganization/Election of Officers* - **DISCUSSION/ACTION**

Chair Kelley addressed the directors on the duties of the Authority to appoint a chair and vice-chair each year.

Director Allen nominated Director Paul Kelley as Chair, with a second by Director Healy. The appointment passed unanimously.

Director Kerns nominated Director Jehn for Vice-Chair, with a second by Director Schaffner. The appointment passed unanimously.

Chair Kelley reported that there is an Executive Committee, with the Chair and the Vice-Chair as well as two other members and an alternate. Chair Kelley announced that he would like to continue the Executive Committee appointments with Director Schaffner and Director Kerns, with Director Blanchard as the alternate. These appointments passed unanimously.

IV. Reports – **INFORMATION/ACTION**

A. Executive Committee Report

Chair Kelley reported that the Executive Committee did not meet today but did meet on December 14, 2004. The Executive Committee got together after the results were known on Measure M to start preparation on the strategic plan as it relates to item VI on the agenda today.

B. SMART Report

Ms. Hames conveyed her appreciation of the SCTA Board for all the hard work in passing Measure M. At the December SMART Board of Directors meeting Ms. Wilford was officially thanked as a key individual in keeping the SMART project on track.

Ms. Hames reported that they are working hard to get the EIR/EIS document out this spring. SMART is currently in negotiations with the FTA because it is a joint EIR/EIS document. FTA has to approve every piece of the document before it can be released as a joint document.

The next SMART Board of Directors meeting will be held in Petaluma on January 19, 2005.

C. SCTA Staff Report

1. Bay Area Partnership Activities
 - a. Release of Transportation 2030 & Comment Letter

Ms. Wilford announced that MTC released their Regional Transportation Plan – *Transportation 2030* last month.

Ms. Spilman drafted a comment letter that was submitted tentatively to MTC. We want to make sure the Board concurred with the comments before the letter is officially submitted to MTC. There are some technical corrections that we are requesting be made and also some acknowledgements about the policy statements included in the document. This letter is included in the agenda packet under item IV.C.1.a and we are asking for consideration of approval to submit this letter formally to MTC.

Director Smith moved the approval that the letter is fine to send to MTC with a second by Director Schaffner. The motion passed unanimously.

b. Save Proposition 42 Coalition

Ms. Wilford reported that a coalition has been formed with the private sector as well as public sector agencies that are involved with transportation policy and funding - it is called the Save Prop 42 Coalition. The Governor announced his budget today and he has proposed to suspend Proposition 42. This will result in \$1.3 billion in transportation funding being diverted from transportation to the General Fund. This is the third year in a row that Proposition 42 has been suspended. It is our understanding that the suspension is a loan. There will be a 15-year payback without interest starting in FY2006/07. There is also a proposal in the budget to create a firewall to protect transportation funding from future borrowing that would go into effect in FY2007/08.

The Save Prop 42 coalition is going to continue to lobby the legislature. There is an \$8 billion deficit and \$1.3 billion of it will likely come from transportation. Attached to the staff report are tables that show the amount that will be lost to each jurisdiction in the Bay Area.

There will not be any money going into the STIP and there have not been any projects in the last three years. The question in our strategic planning process with Measure M will be, what if anything, will we be able to cobble together and what risks will the SCTA be willing to take with this sales tax revenue with the hope of future payback of state funds. Those will be discussions will need to take place over the next few months.

Ms. Wilford stated that staff is still pursuing GARVEE Bonds with the CTC in regards to the 12 to Steele project. There is still an outside chance of that unless the Indian Gaming revenues become available.

c. Local Streets & Roads Committee

Ms. Wilford thanked all of the public works departments for completing the survey that the Local Streets & Roads Committee had submitted to all the cities. The surveys were submitted on time to MTC.

Mr. Moshier, Chairman of the Local Streets & Roads Committee announced that he also appreciated the work done and reported that Sonoma County was the only county that had 100% participation.

d. Bay Bridge Update

Ms. Wilford stated that included in the agenda packet is a lengthy staff report that explains the State's decision to move forward with the skyway viaduct version of the bridge. There is a need for the Legislature to approve that because it is in statute that it will be a self anchored suspension bridge. The funding issues have still not been resolved. There are good arguments to be made on both sides as to whether it is a self-anchored suspension bridge or the skyway. There are risks associated with both options. The State and Caltrans have opted to go with the skyway, MTC is still supportive of the self-anchored suspension bridge. The battle will go to the Legislature this session and the issue will be where is the money going to come from?

2. SCTA Committee Reports
a. Proposed Committee Structure

Ms. Wilford proposed that the SCTA consider amending the committee structure to bring back the planning directors. An organizational chart is included in the agenda packet for reference.

Over the years SCTA has taken on more responsibilities that are tied to land use decision-making and involve decisions that happen in local jurisdictions related to land use - whether it's the development of our travel demand model or dealing with SMART growth issues or managing the TLC/HIP program for MTC.

A significant amount of work is taking place now where we are really reliant upon communicating regularly with the planning departments in each of the jurisdictions.

Back in 1990 the Technical Advisory Committee was formed with the planning directors and the public works directors and they were to meet monthly and advise the SCTA. After a short period of time the planning directors determined it was primarily project focused, focused on funding and less on planning and after a while the attendance declined. In talking with the staff, the planning directors, and the public works departments on the TAC now, as well as the transit operators, we came up with the concept of not eliminating the TAC as it was originally created but having two committees under the TAC. One that would look at planning issues, one that would look at projects and programming issues.

The intent is that the existing TAC that meets regularly now would be the Projects and Programming Technical Advisory Committee. They would continue to do what they are presently doing but we would have a more formal planning directors meeting on a regular basis so that we can take information to them, understand what is happening in various jurisdictions and they could provide advice and recommendations to the full SCTA on those issues.

The other component to this committee restructuring is two name changes and they were not meant to be substantive in terms of

changing responsibilities but rather to better illustrate what the committee discusses. The Countywide Bicycle Advisory Committee would add the word Pedestrian to their title because we also deal with pedestrian related issues and projects in that committee. The Paratransit Coordinating Committee would add the word Transit to that committees title because they cover both transit and paratransit issues. In no way is that meant to take away the authority or policy making of any of the jurisdictions that have transit operations. That is not what we do currently and is not what is being proposed under this structure.

The transit component of the TAC would remain in the TAC as well. The proposal today is to get direction from the Board if they concur that they would like to see the planning directors brought back into the TAC process then we could further discuss how best to do that.

Chair Kelley indicated that the Authority agrees with the concept of a planning TAC function as part of the TAC and the committee restructure as proposed sounds good with the caveat of sending it back to the staff and the TAC to come up with guidelines and functions so that it does not hurt the effectiveness of the current TAC.

Director Healy mentioned that he had asked that for the current composition of the Citizens Advisory Committee. He noticed that none of the cities have input to the membership. There are five vacancies and he would like to see the Authority or the cities to appoint members to this group.

Mr. Anderson, Chair of the Citizens Advisory Committee pointed out that the five appointees are combined appointees of the Supervisors and the Cities within. It is a geographic delineation, not appointments made by each of five Supervisors.

Chair Kelley stated that we would talk much more about the Citizens Advisory Committee as it relates to Measure M oversight.

The proposed committee restructure was approved and passed unanimously.

b. CBAC – Regional Bike Program

Ms. Spilman reported that MTC has created a new program called Regional Bicycle and Pedestrian Program to fund the construction of the Regional Bicycle Network and regionally significant pedestrian projects. A regional call for projects went out at the end of last September. Staff has been working with each jurisdiction to come up with a list of projects.

Staff is requesting that the Authority review the list of projects and if approved direct staff to submit this list of projects to MTC for consideration.

The recommendation to direct staff to submit this list to MTC was approved and passed unanimously.

c. PCC – 2004 Transit Forum Report

Ms. Spilman reported that the Transit Forum was held for the third time in September 2004. The ParaTransit Coordinating Committee and the Citizens Advisory Committee hosted this forum. It was somewhat sparsely attended but it was a very active and interested audience. They raised similar issues that have been raised at other transit forums. However, it was skewed more towards fixed route transit than paratransit. This has been the case each year. Even though these members are paratransit riders they have an interest in fixed route transit. This has prompted the decision to rename the Paratransit Coordinating Committee to the Transit Paratransit Coordinating Committee.

This forum was successful in that it raised issues that could be dealt with directly at the Transit Forum. A copy of the Transit Forum is attached to the Agenda.

Ms. Spilman thanked Bob Anderson, Chair of the Citizens Advisory Committee and Dennis Battenberg, Chair of the PCC, for hosting the Transit Forum.

d. CAC & TAC – Measure M Delivery & Oversight

V. Update on Caltrans Projects – DISCUSSION/ACTION

A. Highway 101 and State Route 116 Updates

Mr. Akkawi announced that he has replaced Mr. Bermudez as the Project Manager for Sonoma and Marin County as Mr. Bermudez has been promoted to Deputy District Director of Maintenance.

Mr. Akkawi reported that Caltrans held a public hearing on November 17, 2004 for Sonoma 116. The deadline for public comments ended December 15, 2004. Caltrans is in the process of responding to these comments and anticipates having the final approved document by August of 2005.

The Steele Lane Interchange modifications are at Caltrans Headquarters in Sacramento and it is anticipated that it will be ready to list and will be advertised at the end of February, assuming funding.

Route 12 to Steele Lane, this mainline HOV project will be advertised as soon as the funds are available. CTC has delayed their decision until March 2005.

Caltrans is waiting for a biological opinion to come back from the U.S. Fish Wildlife Services (USFWS) on Wilfred Avenue. They are short staffed and we had anticipated having it in December 2004 to have a final approved document by December. It most likely won't happen soon. It is number 8 on the Caltrans list. Caltrans will provide people to assist in expediting the document.

Ms. Wilford clarified that staff is meeting tomorrow with Caltrans staff to talk about what the alternatives are. Right now the Wilfred document is waiting on the biological opinion before it can be finalized. The other two 101 projects that Parsons is doing the environmental reports for will be waiting as well. Parsons is not as far along as the Wilfred project is so it is not holding up their schedule. But the longer it takes the more potential there is that those projects could be delayed. The USFWS has told Caltrans that they do not have enough people to do this. We are meeting tomorrow to talk to Caltrans about what that means and whether Caltrans or SCTA need to come up with resources and how long does it take. Also if we do a biological opinion does USFWS have time to review it if they are short staffed? We will get back to the Board on this issue next month.

Mr. Akkawi reported that Caltrans received comments from the PUC related to Wilfred Avenue. The PUC does not like more than three lanes at the grade intersection on the Interchange. When the Alternative was selected it was not an issue because there were no trains running on the track. Now with SMART the PUC anticipates future activity on the tracks. The City of Rohnert Park will hold a city council meeting tomorrow and Caltrans will present the revised alternative with traffic analysis.

The Southbound Route 101/116 Separation Bridge Replacement is in construction.

The Rohnert Park Expressway Park and Ride Lot and Southbound Ramp are about 50% complete. The southbound ramp was paved but is too wet for striping.

Route 101 Replacement Highway Planting package was sent to Headquarters on November 19, 2004 and is waiting for funding.

The environmental studies and evaluation are ongoing for Route 116 Roadway Rehabilitation Project between Cotati and Sebastopol. Caltrans was hoping that the USFWS would allow us to infer presence for the California Tiger Salamander. The USFWS will not allow surveys for the California Tiger Salamander (CTS) to be conducted at this time as they are looking into developing standards for surveying the CTS.

Mr. Moshier stated that his staff is currently conducting CTS surveys and offered his staff to assist the SCTA staff with surveying the California Tiger Salamander.

B. Route 12 to Steele – GARVEE Bond Option

C. Parsons Monthly Report and Schedule

The Parsons monthly reports and schedule are included in the agenda packet for review.

VI. Measure M Strategic Plan & Organizational Issues – DISCUSSION/ACTION

A. Final Measure M Results

Ms. Wilford pointed out that a spreadsheet of the voting results were included in the agenda packet that shows the breakdown of the votes in the various districts in the County.

Ms. Wilford presented a map on the projector that visually displays the 2004 Voting results of Measure M. Ms. Wilford also toggled between maps in comparing the 2004 election results for Measure M to the 2000 election results for Measure B and Measure C. Visibly seen is a marked difference in support in the unincorporated areas and the areas along the corridor for Measure M.

B. Board of Equalization Requirements

Ms. Wilford reported that with the passage of Measure M SCTA is required to contract with the California State Board of Equalization in setting up the administrative agreements to collect the tax and send SCTA the revenues.

Resolution 2005-002 is included in the agenda packet that needs to be amended to reflect the correct one-quarter of one percent sales tax. A revised resolution with the correction was provided to the Directors. Staff is seeking adoption of the required agreements to submit to the Board of Equalization, including Resolution 2005-002 and the agreement for preparation to administer and operate the transaction and use tax.

Director Kerns moved for adoption Resolution 2005-002 with a second by Director Healy. Resolution 2005-002 was approved and passed unanimously.

The Board approved unanimously giving the Executive Director authority to sign the agreement for preparation to administer and operate the district transactions and use tax.

C. 2005 Measure M Strategic Plan Process

Ms. Wilford reported that the purpose of this staff report is to start laying out the basis for which the strategic plan will be put together. The expenditure plan for Measure M requires that the SCTA develop a strategic plan by July 1, 2005 and update it at least every five years during the term of the expenditure plan.

The strategic plan is meant to further delve into the revenue forecasts for the first five years and examine the project priorities for those first five years.

Staff worked with the TAC, CAC, and the Executive Committee putting together an outline of issues that relate to the sales tax implementation and an approach with feedback from the Board today.

Ms. Wilford reviewed each of the items listed in the outline of issues related to sales tax implementation and project delivery that is included in the agenda packet.

Ms. Wilford stated that the 2005 Measure M Strategic Plan has three components; strategy, finance, and implementation. Ms. Wilford reviewed each of the components of the strategic plan.

Staff is proposing that the strategic plan be coordinated with SCTA staff and with the committees, the Technical Advisory Committee, Citizens Advisory Committee, Countywide Bicycle Committee, and the Paratransit Coordinating Committee. Staff would work on bringing information back to the SCTA Board in regard to what those components will look like over the next few months with a draft plan in mid-April 2005.

The finance component will be happening concurrently. The purpose of the finance component is to outline what the revenue forecast will be, what bonding scenarios may be appropriate, what cash flow needs would be and an examination in more detail what projects will be ready to go and what their needs will be over that first five years.

The proposal is that a Financial Advisor be brought on board immediately to assist with this effort to give us the best understanding on how to manage the funds and manage the cash flow. The Executive Committee provided direction to staff in December to issue a Request For Qualifications that went out and the responses are due on January 20, 2005.

Pending approval from the Board staff is seeking direction to allow staff to negotiate with a financial advisor. Staff would bring back to the Board in February 2005 a contract for final approval to hire a financial advisor.

The Implementation component is related to the details such as what are the cooperative agreements going to look like, what are the incentives going to be used for the project sponsors, what are the audit requirements going to be, all of the mechanistic issues related to actually delivering projects.

Staff would like to outline all of those in the strategic plan process and work with the Technical Advisory Committee. Staff is proposing that this be done in-house and are estimating \$20,000 and \$30,000 needed for legal services to ensure that the contracts are drawn up properly and include everything necessary.

The goal would be to have a draft of the strategic plan at the April 11, 2005 SCTA meeting. A final draft would be brought back to the Board in May 2005 with final approval at the June 13, 2005 meeting in order to meet the July 1, 2005 deadline for approval of the plan.

The schedule was put together with the idea that workshops or additional Board meetings may be needed. The first SCTA Board workshop is scheduled to for January 31, 2005 if the Board deems it necessary.

D. Staffing and Consultant Strategy for Implementation

Ms. Wilford presented her staffing and consulting strategy on the proposed organization chart. This organization chart would add four

positions over a two-year period. The proposal that was made to the Executive Committee is that given the workload that Measure M is going to require we should separate the existing position of The Deputy Director Programming & Projects into two Deputy level positions: Deputy of Program Management & Project Control and Deputy of Capital Projects.

Both of the positions are vacant and need to be filled in the very near future. The third Deputy position would be a promotion from an existing Senior Planner position to Deputy of Planning & Public Outreach.

The Senior Planner and the Executive Assistant on the chart would remain the same. We would also bring on a second Administrative Support position and thus creating two new positions as phase one of the staffing plan. Phase two would take place in a year and would add two positions for Associate Planners and/or Associate Engineers to help with delivery of projects.

Ms. Wilford stated that she is currently working on the job descriptions. This is conceptually the direction the SCTA needs to take in order to deliver the projects and continue to maintain the workload that we have presently.

Ms. Wilford pointed out that the Request for Qualifications for Financial and Investment Advisor Services is in the agenda packet.

Chair Kelley communicated that he would push hard to get the strategic plan done as quickly as possible and therefore supports the aggressive schedule.

The recommendation related to the outline of issues, the RFQ for Financial Advisor Services, the January 31, 2005 Workshop, the two-phased staff planning and to provide direction to the Executive Director to start working on it, come up with job descriptions, costs and salaries passed unanimously.

VII. 2005 SCTA Overall Work Program – DISCUSSION/ACTION

Ms. Wilford gave a brief overview of the 2005 SCTA Overall Work Program. Staff is asking the Authority to consider adopting the proposed 2005 Overall Work Program.

The program was approved and passed unanimously.

VIII. 2005 SCTA Legislative Program – DISCUSSION/ACTION

Ms. Wilford provided a background overview of the SCTA Legislative Program. Ms. Wilford stated that the proposed program is similar to past legislative programs with additional detail on policy issues that the SCTA may want to consider as part of their Legislative Program.

Ms. Wilford pointed out what is new to this year's program.

Support legislation to authorize county based or regional vehicle registration fees for specific transportation purposes.

The next item that is new is changing the regional gas tax that MTC has the authority to place on the ballot from a tax to a user fee, which would then change the vote requirement if it were put on the ballot region wide.

The other item is supporting the cap for administrative fee charged by the Board of Equalization.

The last item is about project delivery and the California Performance Review and Rescue Transportation. The program supports conceptually that it is good that the State is looking at reorganization and streamlining efforts.

Chair Kelley commented that he was not sure that he would like to expend energy in reducing the vote requirement to 55% since statewide the two-thirds vote was pretty successful. The BOE administrative fee cap issue would be huge and he does not have a problem with capping it. Chair Kelley stated that he would be a little hesitant with putting a Vehicle Registration Fee on our Legislative Program.

The 2005 SCTA Legislative Program was approved with the removal of the vehicle registration fees and the reduced vote requirement to 55% from the program. The 2005 SCTA Legislative Program passed unanimously.

IX. Update on Proposed Graton Rancheria Casino – DISCUSSION/ACTION

Ms. Wilford reported that staff received a response today from the Governor's office and will continue to monitor the issue.

X. Other Business/Director Announcements – DISCUSSION

There were none.

XI. Adjourn – ACTION

The meeting adjourned at 5:20 P.M.

Respectfully submitted,
Marge Franco
Executive Assistant

Resolution No. 2005-003

Sonoma County Transportation Authority
Santa Rosa, California

February 14, 2005

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE SONOMA COUNTY
TRANSPORTATION AUTHORITY, COUNTY OF SONOMA, STATE OF
CALIFORNIA, EXPRESSING APPRECIATION FOR THE SERVICE OF VICKI
VIDAK-MARTINEZ ON THE SONOMA COUNTY TRANSPORTATION
AUTHORITY**

WHEREAS, Vicki Vidak-Martinez has served as a Member of the Board of Directors of the Sonoma County Transportation Authority since 2004; and

WHEREAS, Vicki Vidak-Martinez has served the Sonoma County Transportation Authority with dedication, integrity, thoughtfulness; and

WHEREAS, Vicki Vidak-Martinez has advocated for critical projects in Rohnert Park including Highway 101 and Wilfred Avenue improvements, local street improvements and bike routes; and

WHEREAS, during her tenure with the Sonoma County Transportation Authority, Vicki Vidak-Martinez has promoted the importance of providing adequate infrastructure to all the residents of Sonoma County; has been a strong voice for highway improvements, local street maintenance and passenger rail; and has been a supporter of multi-modal solutions to our transportation problems.

NOW, THEREFORE, BE IT RESOLVED that the Sonoma County Transportation Authority does hereby express its appreciation for the service given by Vicki Vidak-Martinez.

THE FOREGOING RESOLUTION was adopted by acclamation of the Sonoma County Transportation Authority this tenth day of January, two thousand and five.

Chair Paul Kelley

Vice Chair Robert Jehn

Director Steve Allen

Director Bob Blanchard

Director Stanley Cohen

Director Patricia Gilardi

Director Mike Healy

Director Linda Kelley

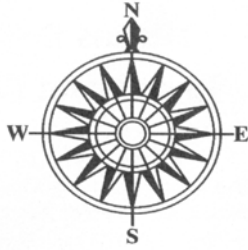
Director Mike Kerns

Director Jake Mackenzie

Director Lisa Schaffner

Director Tim Smith

WHEREUPON the Chair declared the above and foregoing resolution duly adopted, and **SO ORDERED**.



**CITIZENS ADVISORY COMMITTEE
MEMBERSHIP ROSTER**

Organization	Name
Builders Exchange	Vacancy
Central Labor Council	H. K. Pang
Farm Bureau	Vacancy
League of Women Voters	Willard Richards
North Bay Association of Realtors	Kathy Hayes
Paratransit Coordinating Committee	Dennis Battenberg
Santa Rosa Chamber of Commerce	John McHugh
Senior Community Liaison	Dusty Rhodes
Sierra Club	Don Sanders
Sonoma County Conservation Council	Len Swenson
Sonoma County Manufacturers Group	Barry Weitzenberg
Sonoma County Taxpayers Association	Vacancy
Sonoma County Alliance	Dennis Harter
Transportation & Land Use Coalition	George Ellman, Vice Chair
United Winegrowers	Bob Anderson, Chair
1st District	Vacancy
2nd District	Linda Branscomb
3rd District	Jack Macy
4th District	Vacancy
5th District	Maddy Hirshfield

**THE SONOMA COUNTY
TRANSPORTATION AUTHORITY
CITIZENS ADVISORY COMMITTEE**

The Sonoma County Transportation Authority's Citizens Advisory Committee developed out of a desire by the SCTA to ensure that the citizen's of Sonoma County are represented in decisions made by the SCTA. The Citizens Advisory Committee was purposely designed to capture the opinions of a very diverse spectrum of interest groups within the County.

FORMATION OF THE CAC

In September 1991 the SCTA passed Resolution No. 91-007 forming the Citizens Advisory Committee, also referred to as the CAC. This committee developed from an ongoing need for input from Sonoma County's citizens and a desire to formalize public participation in the review and programming functions of the SCTA.

MEMBERSHIP OF THE CAC

The CAC is composed of fifteen members from specified special interest groups and five members from the public-at-large.

Members representing special interest groups are chosen by those groups. The following organizations have representatives on the CAC:

- Sonoma County Alliance
- Santa Rosa Chamber of Commerce
- Builders Association
- Sierra Club
- Sonoma County Conservation Council
- League of Women Voters
- Paratransit Coordinating Committee
- Farm Bureau
- Sonoma County Transportation Coalition

- Sonoma County Taxpayers Association
- United Wine Growers Association
- Central Labor Council
- Sonoma County Manufacturers Group
- Sonoma County Board of Realtors
- One member representing the senior community is also chosen.
- Five members at-large are chosen from five different supervisorial districts.

The SCTA members from both incorporated and unincorporated areas within each region appoint the citizen-at-large representing their jurisdiction.

FUNCTIONS OF THE CAC

The primary function of the CAC is to review projects, policy statements and decisions, funding programs, and any other policy matter acted on by the SCTA and to provide input and recommendations for the SCTA's decision making process. The CAC has also been active in attempting to promote Countywide planning and have worked to develop a Countywide Transportation Plan document.

MEETINGS: TIME AND PLACE

The CAC meets on the last Monday of every month at 4:00 p.m. in the afternoon. The meetings are held in the SCTA Conference Room, 520 Mendocino Avenue, Suite 240, Santa Rosa, CA 95401.

FOR MORE INFORMATION

For more information on the CAC please contact:

Sonoma County Transportation Authority
520 Mendocino Avenue, Suite 240
Santa Rosa, CA 95401

PH: (707) 565-5373
FAX: (707) 565-5370

**TRANSPORTATION PROJECT EVALUATION CRITERIA – 109TH CONGRESS,
COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,
Subcommittee on Highways and Transit**

1. Name and Congressional District of the primary Member of Congress sponsoring the project.

Congresswoman Lynn Woolsey, 6th District, California

2. Other Members supporting the project.

To be determined.

3. If the project is a highway project, identify the State or other qualified recipient responsible for carrying out the project.

California Department of Transportation (Caltrans)

4. If the project is a transit project, please identify the project sponsor (must be an eligible recipient of Federal transit funds).

Not applicable.

5. Please categorize the project. (Check one)

Highway or bridge **XXX** Intermodal facility (passenger) _____

Transit rail new start _____ Intermodal facility (freight) _____

Bus, bus equipment, or bus facility _____ Bicycle & Pedestrian _____

Other (please identify) _____

6. Is the project eligible for the use of Federal-aid highway or transit funds under Title 23 or Title 49 of the United States Code?

Yes.

7. If the project is a highway or bridge project, is it on the National Highway System?

Yes.

8. Briefly describe the total project.

The Marin/Sonoma Narrows project is a 17 mile congestion relief and safety improvement project on Highway 101. The project includes adding a carpool (HOV) lane in each direction, improving safety by limiting direct access, and building a continuous bicycle/pedestrian path. The project will strive to minimize environmental impacts by staying within the existing right-of-way as much as possible.

9. Is it part of a larger system of projects?

Yes. Highway 101 in Sonoma and Marin Counties has been divided into seven phases for widening and improvement. The Narrows represents the final phase.

10. What is the total estimated cost of the project?

The total estimated project cost is \$450 Million, including environmental review, engineering, right of way, project support and construction. The project currently has \$50.8 Million in funding for project development (environmental, design, right-of-way, project support).

11. Please identify the specific segment for which project funding is being sought, including terminus points.

Construction funding is being sought and the project limits are from Highway 37 in Novato north to Old Redwood Highway in Petaluma.

12. What dollar amount are you requesting in the authorization for this project or segment of a project?

\$60 Million.

13. What is the proposed schedule and status of work on the project?

EIR/EIS	2006
Design & Right-of-Way	2007
Construction	2009

14. What is the current stage of development of the project? (If the project is a transit new start, please specify whether the project is in alternative analysis, preliminary engineering, final design, has been issued a record of decision, under environmental review, or already has a current full funding grant agreement.)

The EIR/EIS is underway and a draft document is due in 2006. Funding has been secured for environmental, design/engineering, right-of-way and project support. Sonoma County will be contributing \$35 Million to the construction of the project from local sales tax funding.

15. Will the requested funding for the project be obligated within the next six years?

Yes - 2009.

16. Is the project part of the State's long-range plan?

Yes.

17. Is the project included in the metropolitan and/or State Transportation Improvement Program(s)?

Yes, it is included in the 2004 Regional Transportation Improvement Program (RTIP) and in the State (Inter-regional) Transportation Improvement Program (ITIP).

18. Is the project considered by the State and/or regional transportation officials as critical to their needs? Please provide a letter of support from these officials, and if you cannot, explain why not.

Yes. The project has been the recipient of state discretionary funding on three separate occasions and is listed as a Focus Route in California's 1998 Interregional Transportation Strategic Plan. The project is also included in the 2005 Regional Transportation Plan and the 2002 Key Transportation Corridors in the Bay Area Region. The Narrows has been designated an inter-regional route of significance by the state and was ranked as the 4th most congested highway in the Bay Area in 2000.

19. Does the project have national or regional significance? Describe.

Yes. The Narrows on Highway 101 is a nationally and regionally significant highway linking the Bay Area and Oregon via the Redwood Coast. It is a key route for the movement of goods as well as people. The Narrows is the gateway from the Bay Area to all points north.

Sonoma & Marin Counties have funded or are planning to fund, with State and local money, over \$520 million in improvements to Highway 101. The Narrows project will fill a gap in HOV lanes between the two counties.

20. Has the proposed project encountered, or is it likely to encounter, any significant opposition or other obstacles based on environmental or other types of concerns? If yes, please describe.

This project has been under consideration for over a decade. Throughout that period there has been concern about the impacts to the environment and growth, but as a result of an exhaustive public process during the EIR/EIS phase most, if not all, issues have been resolved. It is the stated goal of the project to minimize the environmental impacts and promote transit and bicycle/pedestrian activities as elements of the project.

21. Describe the economic, environmental, congestion mitigation, and safety benefits associated with completion of the project.

At present, the Narrows is not built to freeway standards and has direct ingress and egress. This makes for an extremely unsafe roadway that has a very high accident rate. This project is also subject to significant congestion as a result of a bottleneck in the northbound direction – this negatively impacts air quality as well as travel times. With the congestion comes an impact to the movement of goods.

Peak hour delays are approximately 15 minutes. Truck traffic accounts for 7.5% of the average daily travel and the Narrows is a designated route for truck travel. The Narrows operates at a Level of Service F.

Conversion of this expressway section of the highway to freeway status will reduce congestion, promote the use of express buses and carpools, provide operational improvements, and greatly enhance safety and the movement of goods.

22. Has the project already received funding through the State's federal-aid highway or transit formula apportionments or from other Federal, State, local, or private funds? If yes, how much and from what source?

Yes, the project has received STIP funding (\$21 million), state funding through TCRP (\$21 million) and a federal earmark in TEA-21 (\$8.8 million). Sonoma County is contributing \$35 million in local sales tax funds to this project as well.

23. Has the project received funding in a previous authorization act?

Yes, Transportation Equity Act for the 21st Century (TEA-21).

24. If the project has received funding in a previous authorization act, please cite the act(s) and amount(s) authorized.

Transportation Equity Act for the 21st Century (TEA-21), 1998, \$8.8 Million.

25. Has the project received funding in a previous appropriations act?

Yes.

26. If the project has received funding in a previous appropriations act, please cite the act(s) and amount(s) appropriated.

FY2004/4005 Appropriations Bill for \$1 million.

27. If the Committee on Transportation and Infrastructure chose to fund this project, please provide a description of the project as you would like it to appear in the bill.

Highway 101 improvements in Marin and Sonoma Counties for the project from Highway 37 in Novato north to Old Redwood Highway in Petaluma.

TRANSPORTATION PROJECT EVALUATION CRITERIA – 109TH CONGRESS
COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,
Subcommittee on Highways and Transit

1. Name and Congressional District of the primary Member of Congress sponsoring the project.

Congressman Mike Thompson, 1st District, California

2. Other Members supporting the project.

To be determined.

3. If the project is a highway project, identify the State or other qualified recipient responsible for carrying out the project.

California Department of Transportation (Caltrans)

4. If the project is a transit project, please identify the project sponsor (must be an eligible recipient of Federal transit funds).

Not applicable.

5. Please categorize the project. (Check one)

Highway or bridge **XXX** _____ Intermodal facility (passenger) _____

Transit rail new start _____ Intermodal facility (freight) _____

Bus, bus equipment, or bus facility _____ Bicycle & Pedestrian _____

Other (please identify) _____

6. Is the project eligible for the use of Federal-aid highway or transit funds under Title 23 or Title 49 of the United States Code?

Yes.

7. If the project is a highway or bridge project, is it on the National Highway System?

Yes.

8. Briefly describe the total project.

This project represents the fourth phase of widening on Highway 101 in Sonoma County. The project includes adding a carpool (HOV) lane in each direction, adding auxiliary lanes where appropriate and improving interchange ramps. The project will strive to minimize environmental impacts by staying within the existing right-of-way as much as possible. The project length is just over 7.5 miles. The project will include improvements to Airport Blvd. interchange in order to improve merging on to the mainline.

9. Is it part of a larger system of projects?

Yes. Highway 101 in Sonoma County has been divided into six phases for widening and improvement. The Steele Lane to Windsor segment represents the fourth phase. Phase one has been completed, phase two will be fully funded by the state and is ready to go to construction, and phase three is finalizing the EIS/EIR and will begin engineering in 2005. Phases five and six are also in the environmental phase.

10. What is the total estimated cost of the project?

The total estimated project cost is \$100 Million, including environmental review, engineering, right of way, project support and construction. The project has received adequate funding to complete the environmental and engineering phases (\$10 million) and has \$50 million committed in local funding from a new local sales tax measure. The project needs an estimated \$40 million to fully fund construction – half would come from this earmark request and half from the state transportation improvement program.

11. Please identify the specific segment for which project funding is being sought, including terminus points.

Construction funding is being sought for widening Highway 101 from Steele Lane in Santa Rosa north to Windsor River Road in Windsor.

12. What dollar amount are you requesting in the authorization for this project or segment of a project?

\$20 Million.

13. What is the proposed schedule and status of work on the project?

EIS/EIR	2006
Design & Right-of-Way	2007
Construction	2008

14. What is the current stage of development of the project? (If the project is a transit new start, please specify whether the project is in alternative analysis, preliminary engineering, final design, has been issued a record of decision, under environmental review, or already has a current full funding grant agreement.)

The EIR/EIS is underway and a draft document is due in 2005. Design/engineering will begin in 2005.

15. Will the requested funding for the project be obligated within the next six years?

Yes – 2007/2008.

16. Is the project part of the State's long-range plan?

Yes.

17. Is the project included in the metropolitan and/or State Transportation Improvement Program(s)?

Yes, it is included in the State Transportation Improvement Program and the Regional Transportation Plan.

18. Is the project considered by the State and/or regional transportation officials as critical to their needs? Please provide a letter of support from these officials, and if you cannot, explain why not.

Yes. The project is part of a six-phase improvement project for Highway 101 in Sonoma County that includes carpool lanes, ramp improvements and safety improvements. This project is included in the 2005 Regional Transportation Plan and the 2002 Key Transportation Corridors in the Bay Area Region.

19. Does the project have national or regional significance? Describe.

Yes. As mentioned above, this project is part of a larger improvement effort for the entire Highway 101 corridor which serves as the main highway link between the Bay Area and Oregon via the Redwood Coast. It is a key route for the movement of goods as well as people. The Steele Lane to Windsor segment of Highway 101 is the northern terminus for the improvement project and represents the gateway into the Bay Area from the north.

20. Has the proposed project encountered, or is it likely to encounter, any significant opposition or other obstacles based on environmental or other types of concerns? If yes, please describe.

There has been no vocal opposition to the project to date. It is the goal of the project to minimize the environmental impacts by staying within the existing right-of-way as much as possible.

21. Describe the economic, environmental, congestion mitigation, and safety benefits associated with completion of the project.

Highway 101 is the main highway link between the Bay Area and Oregon via the Redwood Coast. Conversion of the highway from a four lane north/south corridor to six lanes, including HOV lanes, has long been the goal of the SCTA and its member agencies. Expanding the capacity of Highway 101 will reduce congestion, promote the use of express buses and carpools, enhance the timely delivery of goods, provide operational improvements, and enhance safety.

Sonoma & Marin Counties have funded or are planning to fund over \$520 million in state money for improvements to Highway 101 by 2010. Sonoma County will be contributing nearly \$200 million in local sales tax funding to this effort. Obtaining federal matching funds for construction of phase four of the corridor project is an integral part of delivering the full level of improvements.

Highway 101 has been designated an inter-regional route of significance by the state and is ranked as the 4th most congested highway in the Bay Area. Truck traffic accounts for 7.5% of the average daily travel.

22. Has the project already received funding through the State's federal-aid highway or transit formula apportionments or from other Federal, State, local, or private funds? If yes, how much and from what source?

No.

23. Has the project received funding in a previous authorization act?

No.

24. If the project has received funding in a previous authorization act, please cite the act(s) and amount(s) authorized.

Not applicable.

25. Has the project received funding in a previous appropriations act?

No.

26. If the project has received funding in a previous appropriations act, please cite the act(s) and amount(s) appropriated.

Not applicable.

27. If the Committee on Transportation and Infrastructure chose to fund this project, please provide a description of the project as you would like it to appear in the bill.

Highway 101 improvements in Sonoma County between Steele Lane and Airport Boulevard.

TRANSPORTATION PROJECT EVALUATION CRITERIA,
COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,
Subcommittee on Highways and Transit

REMEMBER TO MAKE SURE YOU HAVE FILLED OUT THE ENTIRE QUESTIONNAIRE.

1. Name and Congressional District of the primary Member of Congress sponsoring the project. **Congresswoman Lynn Woolsey, District 6.**
2. Other Members supporting the project. **Congressman Michael Thompson, District 1.**
3. If the project is a highway project, identify the State or other qualified recipient responsible for carrying out the project.
4. If the project is a transit project, please identify the project sponsor (must be an eligible recipient of Federal transit funds). **Sonoma Marin Area Rail Transit District (SMART)**

5. Please categorize the project. (Check one)

Highway or bridge_____	Intermodal facility (passenger)_____
Transit rail new start <u>X</u> _____	Intermodal facility (freight)_____
bus, bus equipment, or bus facility_____	Bicycle and
Pedestrian_____	
Other (please identify)_____	

6. Is the project eligible for the use of Federal-aid highway or transit funds under Title 23 or Title 49 of the United States Code? **Yes, under Title 49, as a commuter rail project.**
7. If the project is a highway or bridge project, is it on the National Highway System? **No.**

8. Briefly describe the total project. **The Sonoma Marin Area Rail Transit (SMART) Project is a 75 mile commuter rail corridor serving North Bay residents. The project has been allocated \$37 million from the State of California's Traffic Congestion Relief Program and \$28 million in state rail bond funds and \$23 million from the approved Sonoma County sales tax measure. An EIR/EIS is currently being prepared for the project's 14 station corridor, including analysis of three ferry terminal sites serving San Francisco bound passengers. Recent legislation was signed by the Governor creating the new SMART Rail District, AB2224. The district is governed by a 12 member board composed of Sonoma and Marin county supervisors, mayors and council members, and the Golden Gate Bridge District. This legislation consolidates the rail right of way ownership in the new SMART rail district and will allow the district to propose district wide initiatives.**

- a. Is it part of a larger system of projects? The SMART Project is included in Marin County's Transportation Vision Program, Sonoma County's Transportation Improvement Plan and the Metropolitan Transportation Authority's Regional Expansion Plan.
 - b. What is the total estimated cost of the project? Project costs estimated at \$339 million for corridor expenditures including commuter rail vehicles, 14 rail stations, maintenance facility, track upgrades and railroad bridge replacements.
- 9.** Please identify the specific segment for which project funding is being sought, including terminus points. Funds will be used along the entire 75 mile length of the corridor, which includes service from Cloverdale in Sonoma County to Larkspur in Marin County.
- 10.** What dollar amount are you requesting in the authorization for this project or segment of a project? The SMART Rail District is seeking authorization as an eligible New Start. Total project costs are estimated at \$339 million. The District is requesting up to \$100 million over the life of the project.
- 11.** Project Schedule
- a. What is the proposed schedule and status of work on the project?
Completion of environmental documentation 2004, Design, Vehicle Specifications and Final Engineering 2005-06, Construction 2007-09.
 - b. What is the current stage of development of the project? (If the project is a transit new start, please specify whether the project is in alternative analysis, preliminary engineering, final design, has been issued a record of decision, under environmental review, or already has a current full funding grant agreement.) Alternatives Analysis has been completed, an Environmental Impact Statement, Environmental Impact Report and Preliminary Engineering are currently underway.
 - c. Will the requested funding for the project be obligated within the next six years? Yes.
- 12.** Project Plan
- a. Is the project part of the State's long-range plan? Project listed in the Transportation Congestion Relief program.
 - b. Is the project included in the metropolitan and/or State Transportation Improvement Program(s)? Yes. (Project is listed in RTP following the designation of operating revenues.) Project listed in Expansion Plan.
- 13.** Is the project considered by the State and/or regional transportation officials as critical to their needs? Please provide a letter of support from these officials, and if you cannot, explain why not. Yes, see attached letters.

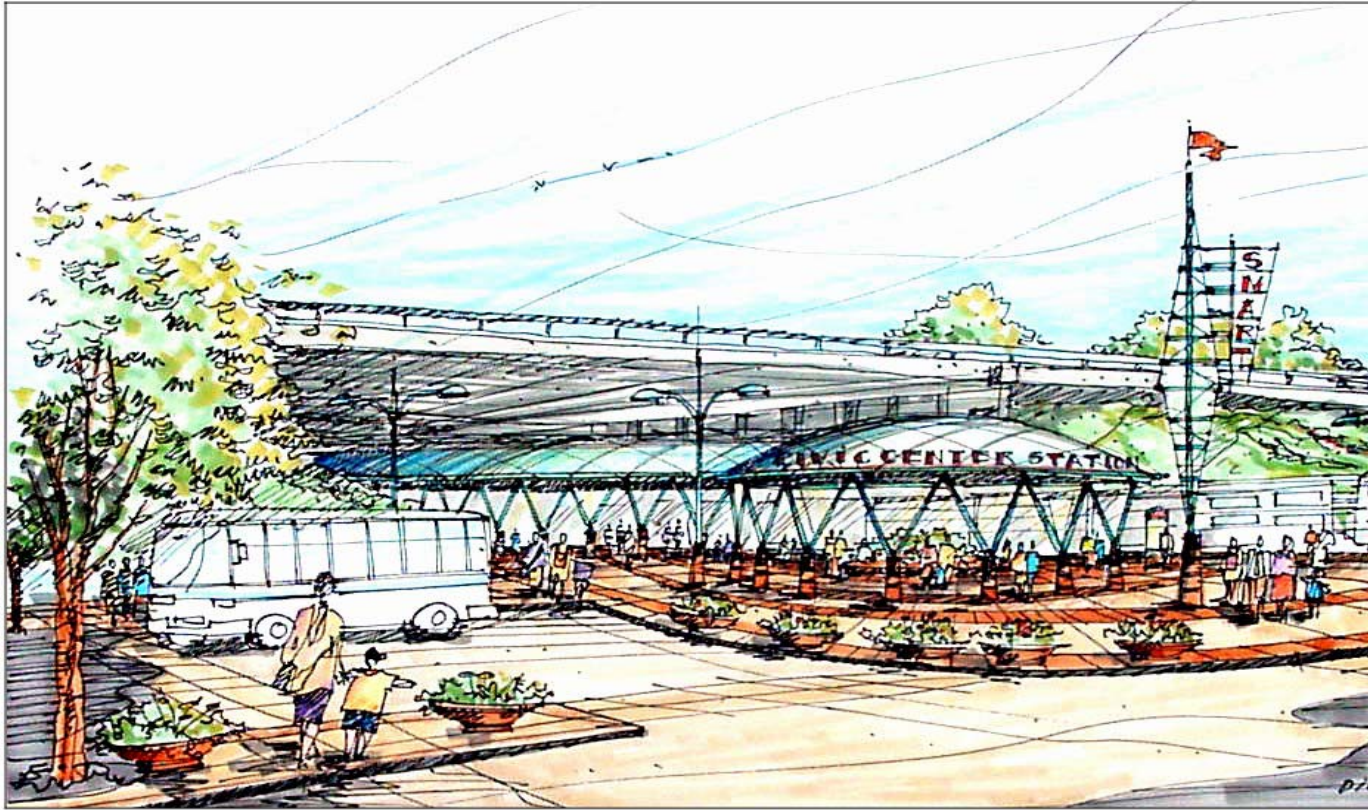
- 14.** Does the project have national or regional significance? Describe. Yes, the project is located on the Northwest Pacific Railroad right of way and parallels Highway 101. The project serves the predominate commute patterns between Sonoma County, Marin County, San Francisco and the East Bay. The rail corridor can also serve the strong recreational trip patterns between San Francisco and the highly desirable tourist destination in San Francisco's North Bay; including recreational trips to the wine country in Sonoma and Napa Counties. The project also includes a 75 mile parallel Class 1 bicycle pedestrian facility that will provide a unique multi-modal opportunity for connections to rail facilities as well as access to schools, city centers and recreational opportunities.
- 15.** Has the proposed project encountered, or is it likely to encounter, any significant opposition or other obstacles based on environmental or other types of concerns? If yes, please describe. No.
- 16.** Describe the economic, environmental, congestion mitigation, and safety benefits associated with completion of the project. The SMART rail corridor project will carry approximately 5,000 riders per day along San Francisco's North Bay most congested freeway, Highway 101. The corridor will provide congestion relief to Highway 101. The current auto commute along Highway 101, between downtown Santa Rosa and downtown San Rafael, is approximately 90 minutes; the same trip via the SMART corridor will take approximately 55 minutes. In addition, the 75 mile bicycle/pedestrian facility will provide multimodal opportunities along the entire corridor, connecting the 14 rail stations with North Bay city centers and a San Francisco bound ferry terminal. Long term plans include ferry connections to San Francisco's East Bay.
- 17.** Has the project already received funding through the State's federal-aid highway or transit formula apportionments or from other Federal, State, local, or private funds? If yes, how much and from what source? The project has been allocated \$37 million from the State of California's Traffic Congestion Relief Program and \$28 million in state rail bond funds. In addition, the entire corridor is publicly owned, including over 30 acres of developable acreage at commuter rail station sites.
- 18.** Has the project received funding in a previous authorization act? No.
- 19.** If the project has received funding in a previous authorization act, please cite the act(s) and amount(s) authorized.
- 20.** Has the project received funding in a previous appropriations act? No.

If the project has received funding in a previous appropriations act, please cite the act(s) and amount(s) appropriated.





Proposed Diesel Multiple Unit to be used in 3 car trains. Vehicle can be run on bio-diesel.



SMART
Sonoma-Marin Area Rail Transit Commission

SAN RAFAEL CIVIC CENTER STATION

**TRANSPORTATION PROJECT EVALUATION CRITERIA – 109TH CONGRESS,
COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,
Subcommittee on Highways and Transit**

1. Name and Congressional District of the primary Member of Congress sponsoring the project.

Congresswoman Lynn Woolsey, 6th District, California

2. Other Members supporting the project.

To be determined.

3. If the project is a highway project, identify the State or other qualified recipient responsible for carrying out the project.

California Department of Transportation (Caltrans)

4. If the project is a transit project, please identify the project sponsor (must be an eligible recipient of Federal transit funds).

Not applicable.

5. Please categorize the project. (Check one)

Highway or bridge____ Intermodal facility (passenger)____
Transit rail new start____ Intermodal facility (freight)____
Bus, bus equipment, or bus facility____ Bicycle & Pedestrian **xxx**____
Other (please identify)_____

6. Is the project eligible for the use of Federal-aid highway or transit funds under Title 23 or Title 49 of the United States Code?

Yes.

7. If the project is a highway or bridge project, is it on the National Highway System?

Yes.

8. Briefly describe the total project.

Provide 8 miles of regional bicycle/pedestrian facility as part of the Marin/Sonoma Narrows project, a 17-mile congestion relief and safety improvement project on Highway 101.

9. Is it part of a larger system of projects?

Yes. Highway 101 in Sonoma and Marin Counties has been divided into seven phases for widening and improvement. The Narrows represents the final phase.

10. What is the total estimated cost of the project?

The total estimated cost for entire Highway 101 project is \$450 Million. However, this regional bicycle/pedestrian element is \$8 million.

11. Please identify the specific segment for which project funding is being sought, including terminus points.

Construction funding is being sought and the project limits are from north of Atherton Avenue to south of the Petaluma River bridge.

12. What dollar amount are you requesting in the authorization for this project or segment of a project?

\$8 Million.

13. What is the proposed schedule and status of work on the project?

EIR/EIS	2006
Design & Right-of-Way	2007
Construction	2009

14. What is the current stage of development of the project? (If the project is a transit new start, please specify whether the project is in alternative analysis, preliminary engineering, final design, has been issued a record of decision, under environmental review, or already has a current full funding grant agreement.)

The EIR/EIS is underway and a draft document is due in 2006. Funding has been secured for environmental, design/engineering, right-of-way and project support.

15. Will the requested funding for the project be obligated within the next six years?

Yes - 2009.

16. Is the project part of the State's long-range plan?

Yes.

17. Is the project included in the metropolitan and/or State Transportation Improvement Program(s)?

Yes, it is included in the 2004 Regional Transportation Improvement Program (RTIP) and in the State (Inter-regional) Transportation Improvement Program (ITIP).

18. Is the project considered by the State and/or regional transportation officials as critical to their needs? Please provide a letter of support from these officials, and if you cannot, explain why not.

Yes. The project has been the recipient of state discretionary funding on three separate occasions and is listed as a Focus Route in California's 1998 Interregional Transportation Strategic Plan. The project is also included in

the 2005 Regional Transportation Plan and the 2002 Key Transportation Corridors in the Bay Area Region. The Narrows has been designated an inter-regional route of significance by the state and was ranked as the 4th most congested highway in the Bay Area in 2000.

19. Does the project have national or regional significance? Describe.

Yes. The Narrows on Highway 101 is a nationally and regionally significant highway linking the Bay Area and Oregon via the Redwood Coast. It is a key route for the movement of goods as well as people. The Narrows is the gateway from the Bay Area to all points north.

Sonoma & Marin Counties have funded or are planning to fund, with State and local money, over \$520 million in improvements to Highway 101. The Narrows project will fill a gap in HOV lanes between the two counties.

20. Has the proposed project encountered, or is it likely to encounter, any significant opposition or other obstacles based on environmental or other types of concerns? If yes, please describe.

This project has been under consideration for over a decade. Throughout that period there has been concern about the impacts to the environment and growth, but as a result of an exhaustive public process during the EIR/EIS phase most, if not all, issues have been resolved. It is the stated goal of the project to minimize the environmental impacts and promote transit and bicycle/pedestrian activities as elements of the project.

21. Describe the economic, environmental, congestion mitigation, and safety benefits associated with completion of the project.

At present, the Narrows is not built to freeway standards and has direct ingress and egress. This makes for an extremely unsafe roadway that has a very high accident rate. The proposed project provides a separate bicycle/pedestrian facility, eliminating the safety problem.

22. Has the project already received funding through the State's federal-aid highway or transit formula apportionments or from other Federal, State, local, or private funds? If yes, how much and from what source?

Yes, the project has received STIP funding (\$21 million), state funding through TCRP (\$21 million) and a federal earmark in TEA-21 (\$8.8 million). Sonoma County is contributing \$35 million in local sales tax funds to this project as well.

23. Has the project received funding in a previous authorization act?

Yes, Transportation Equity Act for the 21st Century (TEA-21).

24. If the project has received funding in a previous authorization act, please cite the act(s) and amount(s) authorized.

Transportation Equity Act for the 21st Century (TEA-21), 1998, \$8.8 Million.

25. Has the project received funding in a previous appropriations act?

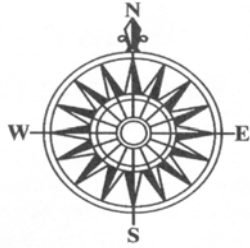
Yes.

26. If the project has received funding in a previous appropriations act, please cite the act(s) and amount(s) appropriated.

FY2004/4005 Appropriations Bill for \$1 million.

27. If the Committee on Transportation and Infrastructure chose to fund this project, please provide a description of the project as you would like it to appear in the bill.

Highway 101 bicycle/pedestrian improvements in Marin and Sonoma Counties for the project from north of Atherton Avenue to south of the Petaluma River bridge.



Staff Report

To: Sonoma County Transportation Authority

From: Suzanne Wilford, Executive Director

Re: Item V: Measure M Strategic Plan and Organizational Issues

Date: January 31, 2005

Issue:

- A. Financial Advisor Selection and Contract Approval – update
- B. Job Descriptions – will be distributed at the meeting
- C. Mission, Vision, and Objectives from the CTP – attached
- D. Project Information Sheet – sample is attached
- E. List of Policy Questions – attached
- F. Caltrans/SCTA MOU Concept – sample MOUs are attached

Background:

At the January 10, 2005 SCTA meeting, the Board directed staff to prepare information related to the development of the Measure M Strategic Plan, authorized the Chair to negotiate a contract with a financial advisor and approved a two-phase staffing plan pending further information related to funding. The Board also agreed to hold a special meeting or workshop to discuss the details related to the Strategic Plan.

A. County Auditor Rod Dole, County Treasurer Tom Ford and SCTA staff interviewed five teams of financial advisors that had responded to our RFQ. The interview team selected a top candidate and staff is checking references. It is anticipated that the contract with the financial advisor will be based on an as needed, hourly rate. The first task will be to refine the work scope and budget with an emphasis on strategic plan development. The FA will also be asked to provide educational information and presentations to the advisory committees and the Board so there is a comprehensive understanding of the financial assumptions, payment options and forecast modeling. Staff anticipates having a final contract before the SCTA at the February 14, 2005 meeting.

B. Job descriptions for three positions are currently in development. The most updated information will be provided at the SCTA meeting.

C. The strategic component of the Strategic Plan is meant to provide information on the mission, vision and objectives related to the delivery of the sales tax measure projects. Many of these can be drawn from the 2005 Comprehensive Transportation Plan. There also needs to be an expansion of these standards to include policies and strategies about how projects are ranked within the Measure funding categories and how Measure funds get programmed. Copies of the

SCTA mission, the CTP vision and the sub-area objectives are attached. In crafting the necessary policies and strategies, the SCTA will need to provide direction on a number of questions. Staff, working with the TAC and CAC, has started a list of these questions and is seeking input on what issues may have been overlooked. As the list of questions is developed the advisory groups will begin to develop possible responses for the SCTA to consider.

D. In order to get a basic understanding of the characteristics of the 34 specific projects included in Measure M, there needs to be an information gathering and assessment phase. Staff has developed the beginnings of a Project Information Sheet (attached) that will help pull together like information on each project. As project information becomes more and more stable or reliable it will help to clarify how projects can fit into a cash flow or financing plan. Key issues such as project readiness and availability of matching funds will guide which projects move forward when.

It is not certain that good information is available on each project in Measure M as some are more conceptual than others. As information is gathered it will need to be assessed and projects ranked based on a set of criteria. Staff has started a list of possible criteria and will work with the advisory committees on ways to hone that process.

E. As mention in section C above, there are numerous policy and implementation questions. Attached is a list of questions staff will need guidance on over the next few months. Staff will work with the advisory committees to grow this list and begin to shape answers. As this occurs, pieces will be brought to the SCTA for direction and approval.

F. Caltrans staff and SCTA staff have been in discussion about the most effective way to allocate resources (i.e., funding, staffing, expertise, etc.) for the Highway 101 projects. We have reached consensus on the concept of creating a Memorandum of Understanding between Caltrans and SCTA. This document would outline the intent of each entity related to the delivery of the Highway 101 projects. It might include such things as identifying which entity will be responsible for a particular phase of a project, what level of funding will be available from which funding sources, the need for flexibility to hire Caltrans or consultants when a particular expertise is required and the target schedule for each phase of a project. This MOU would be backed up by binding co-operative agreements as that became necessary. Having the intent spelled out in a MOU can help when projects take several years to plan and as staff may change.

There have also been discussions about a separate MOU for the Narrows project that would include Sonoma, Marin and Caltrans. An example of how that MOU may look is attached.

Policy Impacts:

The discussions at today's SCTA meeting will not result in any policy changes but will help shape how Measure M implementation policies are developed.

Fiscal Impacts:

There will be fiscal impacts with the new responsibilities associated with Measure M but the detail of those impacts will be work out with the help of the Financial Advisor and brought back to the SCTA as needed.

Staff Recommendation:

Consider the issues and processes outlined in the staff report and provide direction to staff.

Measure M Implementation and Policy Questions

1. How will projects be ranked for programming in the Strategic Plan? What criteria should be considered?
2. How will road maintenance and bus transit funding be allocated? What will the reporting requirements be for each jurisdiction and each transit operator?
3. How will cash flow be managed? Will there be debt financing? If so, for what types of projects and how are bonding costs allocated?
4. Will borrowing between fund categories be allowed? What will the conditions be?
5. What will the reporting requirements be for local road and bicycle projects?
6. Are the dollar amounts included in Measure M fixed for each project?
7. If there is an increase in sales tax revenues, can those funds be used for identified projects that have additional needs? How will new projects be brought in to the program if funding is available?
8. If there is a decrease in sales tax revenues, how will funding be effected for projects listed in the Measure?
9. What is the mechanism for adding, amending or deleting projects?
10. What is the mechanism for further defining the scope of the projects listed in Measure M?
11. Should the SCTA create project information sheets to facilitate the gathering of project information? How will the more conceptual projects be scoped?
12. Should the SCTA create project application sheets to facilitate allocation requests?
13. What project management reporting will be required? How frequently? What format? What information should be included?
14. What audits should be required?
15. How will matching funds be regulated? Can Measure M funding be used up front? Will there be a dollar for dollar match?
16. Should there be cooperative agreements or MOUs for projects that impact more than one jurisdiction? Who should take the lead on such an arrangement?
17. Should there be penalties for missed deadlines or non-performance?
18. Should there be a "hire local" or local contractor preference provision required for the use of Measure M funds?
19. Should there be a public/private project review team to evaluate capital projects at 30%,

60% and 90% design? Who should sit on such a review team?

20. Will all project related funding be on a reimbursement basis? What will the invoicing requirements include?
21. How should the strategic plan differentiate between projects and programs?
22. Should there be an increase to the local contribution for SCTA administration? How much?
23. Should there be a MOU between SCTA and Caltrans to clarify roles and responsibilities as it relates to Highway 101 projects and Measure M?
24. How will the SMART project needs be handled in the first three years? How will priorities be established? What will the reporting requirements include?
25. Should funding swaps to maximize the use of Measure M funds?
26. Should other fund sources controlled by SCTA (i.e., STIP, TDA3, STP, CMAQ, TFCA, etc.) be directed toward the completion of Measure M projects as the highest priority?
27. Should the SCTA join the Self-Help Counties Coalition as a dues paying member?
28. What financial assumptions should be made in developing the cash flow model?
29. What will the timing for updates to the strategic plan be?
30. How will program oversight and administrative costs be handled?

Measure M - Project Information Sheet

Project Name

Project Sponsor

Total Project Cost Estimate by Phase

Phase	Cost	Cumulative Total

Lead Contact

Name	
Email	
Phone	

Project Schedule

Phase	Start	Finish

Amount Allocated in Measure M

Amount Requested from Measure M by Phase and Year

Phase	Amount	Year

Amount and Source of Local Match to Fully Fund Project

Source	Amount	Year Available	Planned or Confirmed

Describe who will do each phase of work and what partnering may be necessary.

Describe areas of concern that may cause delay to the project (environmental issues, matching funds, community consensus, etc.)

Scoring Categories

- Readiness (by phase)
- Matching Funds
- Cashflow/M Funding Available
- Geographic Equity
- Past Performance

MEMORANDUM OF UNDERSTANDING

Between

California Department of Transportation,
The Contra Costa Transportation Authority, and
The Alameda County Congestion Management Agency

State Route 24 (SR24) is an existing 8-lane access-controlled freeway that traverses, through the 3-bore, 6-lane Caldecott Tunnel, between Alameda and Contra Costa Counties. Today's recurrent congestion is expected to increase with increased traffic demand by 2030 due in part to the gap in the number of lanes through the Caldecott Tunnel. This Project would provide a new bore, thereby creating a full 8-lane freeway throughout the corridor.

This Memorandum of Understanding (MOU), entered into effect on October ____, 2004, between the State of California, Department of Transportation (Department), the Contra Costa Transportation Authority (CCTA), and the Alameda County Congestion Management Agency (ACCMA), outlines the general areas of responsibility for various Project development activities by the three entities for proposed improvements to SR 24 in and near the Caldecott Tunnel. It constitutes a guide to the intentions and strategies of the parties involved and is not intended to authorize funding or Project effort nor is it a legally binding contract. Funding commitments, providing for the deposit of funds or specific work phases or Project effort committing machine or personnel time will be covered by one or more separate cooperative agreements as outlined herein.

At this time, the Project has a combination of Traffic Congestion Relief Program (TCRP) and State Transportation Improvement – Inter-regional Improvement Program (STIP-IIP) support funds. In November 2002, the Department initiated the Environmental process by issuing the Notice of Intent (NOI) to prepare an Environmental Impact Statement and the Notice to Proceed (NOP) with an Environmental Impact Report. Given the State budget difficulties, the Department was unable to continue work through its contract with Parsons Brinkerhoff Quade and Douglas (PBQ&D) for preliminary design, Project Approval and Environmental Document (PA&ED), suspending work in early 2003. Now, the Department and CCTA would like to continue progress toward the completion of the PA&ED.

This MOU covers Project development activities, starting with the PA&ED phase through the completion of construction. Cooperative agreements will be required for each specific phase of work requiring the expenditure of funds and/or staff services by the Department and CCTA on behalf of the Project.

INTENT

The intent of this MOU is to define how the three agencies will work together to successfully deliver the Project as one Project Team.

The typical Department project is environmentally cleared, designed and administered by Department staff. Occasionally, the Department has hired consultants to work directly with Department staff as part of the Department's delivery team. A typical CCTA-delivered project is environmentally cleared and designed by a consultant under contract to CCTA, with the Department providing oversight at 35%, 65%, 95% and 100% of completed Plans, Specifications and Estimate (PS&E). In the case of the Caldecott Project, both the Department and CCTA would like to combine staff and consultants from both Agencies into a single Project Team that will develop and deliver the various phases of the Project. With this cooperative team approach, the Department's "standard oversight," described above, will not be needed since the Project will be processed as if it were solely a Department project.

DEFINITIONS

For many of these terms, additional details are contained throughout the balance of the MOU.

Project Reporting Levels – For the purposes of communicating information consistently throughout the life of the Project, there will be three reporting levels used: the Task Level (greatest amount of detail); the Discipline Level; and the Project Level. See *Appendix D*.

Work Breakdown Structure – The Department's Work Breakdown Structure (WBS) provides for identifying the deliverables needed to complete the Project. The Project will use the Department's WBS down to Level 7, which corresponds to the reporting Task Level within the project.

Project Management Hierarchy – This refers to the management chain of command for the Caldecott Improvement Project illustrated in *Appendix E*.

Executive Steering Committee (ESC) – This Committee is the highest project specific level within the Project Management Hierarchy and consists of the District 4 Director, the Executive Director of the CCTA and the Executive Director of the ACCMA.

Project Leadership Team (PLT) – This team reports to the ESC and provides direct agency support and input to the Project Management Team.

Project Management Team (PMT) – This is the Project Manager's team for direct management of the Project. The team consists of the Project Manager, the Deputy Project Manager, and the Discipline Managers.

Discipline Teams – These teams are led by a Discipline Manager and are comprised of the Task Managers with deliverables considered part of the named discipline.

Task Teams – The Project is broken down into tasks identified by the Department's WBS. Each task is assigned a Task Manager who directs the work performed by those assigned to their Task Team.

Project Management Plan – This plan provides the Project Management Hierarchy with the information needed to properly manage the project: the assigned staff, the Capital Outlay Support (COS) Budget in hours and dollars, the Construction Capital Budget, the Right of Way Budget, the Schedule, the Scope, Work assignments, Quality Control/Quality Assurance Plan, the Communication Plan and the Risk Management Plan. It can be summarized at three levels: project, discipline, and task (greatest detail level). Elements of the Plan are defined below and shown in Appendix D.

Staffing Plans – Staffing Plans provide the information about the individuals assigned to the project, the discipline or the task as required by the Project Management Hierarchy. The information may include but is not limited to: the individuals name, organization, unit number, and classification. These Plans may be presented at any of the three Project Reporting Levels. For example, the Project Staffing Plan will show the name of the individuals assigned to the project down to the Discipline Level and the classification, organization and number of individual assigned to each Discipline.

Work Plans – These plans are equivalent to Department Work Plans and consist of the hours assigned to each task (identified by a Level 7 WBS code) and the schedule for that work to be accomplished. These Plans may be presented at any of the three Project Reporting Levels.

Work Assignments – When the PMT assigns work to a particular agency, unit, or consultant, the assignment will include a description of the scope of the project to be delivered and the group to whom it is being assigned.

GENERAL

- The Department and the CCTA plan to work in partnership, using staff, consultants and resources interchangeably as part of the Project Team in a commitment to deliver the Project.
- The Project Team will work closely together to achieve Federal and State environmental clearance and to design and construct the 4th bore and related improvements. The Department will be the lead agency for CEQA compliance. The Federal Highway Administration (FHWA) will be the lead Federal agency for NEPA compliance with the Department acting as FHWA's agent for NEPA compliance and providing oversight for the NEPA process.
- Responsibility for anticipated Project development tasks is detailed below. Detailed steps in the Project development process are included in attached Appendix A, intended only as a guide to the Department and CCTA staffs and subject to modification by the parties without amending this MOU.
- Either the Department or CCTA may arrange for consultant services to perform the tasks described below in attached Appendix A.

- Since the constructed 4th bore will be owned and operated by the Department, Project design must conform to Department design and construction standards and requirements.
- All cooperative efforts and reviews through completion of Project construction are outlined below. These efforts are intended to deliver the Project with a single Project Team made up of Department, CCTA and consultant staff in a manner similar to that employed by the Department to deliver its own projects.
- The mix of staff assigned to the Project will come from different sources (the primary sources will be Department staff and consultants provided by the CCTA). The composition of this Project Team and the time individuals will be assigned will be incorporated into the Project Staffing Plan, which at a minimum, will be updated once a year. No work shall be performed nor expenditures incurred without Executive Steering Committee approval of a Project Staffing Plan and without said tasks and said task budgets having been first approved by the Project Management Team. Notices to Proceed with specific directions will be issued by the Executive Steering Committee, as appropriate for each or several Tasks.

PROJECT POLICY DIRECTION (OPERATING MEMORANDA)

To successfully deliver the Project, the Project Management Team overseeing the Project needs flexibility in assigning resources and in directing the team of engineers and planners. On a State and Federally funded State Highway project, the State's Policy and Procedures are typically applied, as appropriate. In the case of a complex project with multiple funding sources and more than one responsible agency, such as the Caldecott Project, the need for Project specific direction is required to overcome conflicts between agencies. For these reasons, the Cooperative Agreement(s) will provide the Executive Steering Committee with the authority to issue detailed project specific policy direction and procedures as Operating Memoranda (OM). The intent of the OM will be to establish mutually supportive policies and procedures specific to the Project Hierarchy and that conform to Department policies and procedures for the delivery of a project. Approved OM will be consistent with the terms and conditions of the Cooperative Agreement.

Possible Operating Memoranda include, but are not limited to:

- Project and Deputy Manager assigned responsibilities,
- Guidelines for the creation of the Staffing Plans,
- Approved Staffing Plans,
- Expenditure reporting requirements,
- Determination of the use of flexible, allocated funds, and
- Project change control procedures.

PROJECT MANAGEMENT ORGANIZATION

Executive Steering Committee

Role: An Executive Steering Committee (Steering Committee) will be constituted with the role of providing project guidance and issuing project-specific policies or policy determinations related to each phase of the Project (see Project Policy Direction). The Project Leadership Team (PLT) will be held accountable for delivering the Project by the Steering Committee through its approving the PLT's recommended annual Project Staffing Plan, the award of any consultant contracts, and scope, schedule and/or cost changes beyond the limits previously approved.

Members: the Department's District 4 Director, the Executive Director of the CCTA, and the Executive Director of the ACCMA.

Responsibilities: provide the PLT, Project Manager, and other Project staff necessary feedback related to the Project - such input may be verbal or, as needed, documented in written OM consistent with the Cooperative Agreement; agree on Project scope, funding and schedule; oversee overall Project progress; approve the Project Staffing Plan; interview and select the Project Manager and the Deputy Project Manager; appoint PLT members; approve changes to the approved Project scope, schedule and budget; determine how and when to brief the CTC, the CCTA and ACCMA Boards and other governmental agencies; and serve as the final level of review for unresolved Project issues (such issues may be within or between task teams and members and/or the agencies).

Meetings: meets once per quarter or as needed.

Project Leadership Team (PLT)

Role: support the Project Manager in delivering the Project within scope, schedule and budget and provide the Steering Committee with recommendations for those items requiring Steering Committee approval per the Cooperative Agreement and/or the OM.

Members: the Department's District 4 Division Chief of Project Management East, the CCTA Deputy Director for Projects, the ACCMA Deputy Director of Projects, the Project Manager and the Deputy Project Manager. Representation of other organizations on the PLT may be added at the discretion of the Steering Committee.

Responsibilities: approve changes to the Project scope, schedule and/or budget that remain within the approved scope and budget contingency; monitor and review the progress of each phase; provide direction on issues as requested by the Project Manager; concur on the draft Project Staffing Plan provided by the Project Management Team (PMT); assign the Discipline Managers based upon the recommendations from the Project Manager and the Deputy Project Manager (a Discipline Manager may be a consultant); determine the extent to which consultant support is necessary and make recommendations to the Steering Committee on consultant selection; review and recommend approval of the Project

Schedule and consultant scope of work; and serve as the second level of review for unresolved issues.

Meetings: meets once per month or as needed.

Project Management Team (PMT)

Role: deliver the Project by overseeing day-to-day Project activities impacting scope, schedule and cost.

Members: Project Manager, the Deputy Project Manager and the Discipline Managers with active tasks. The Project Manager and Deputy Project Manager will be assigned to this Project by the Steering Committee, one each from the Department and the CCTA.

Responsibilities: approve changes within the Project approved scope, schedule and budget; monitor Project progress in the areas of scope, schedule, and cost at the Discipline level (each Discipline Manager will have a set number of tasks with assigned, documented scope, budget and schedule); prepare reports for the PLT and the Steering Committee on progress; submit a draft Project Staffing Plan to the PLT for concurrence and to the Steering Committee for approval; work with the Quality Assurance (QA) Team to make certain the QA plan procedures are followed; and serve as the first level of review for unresolved issues. The PMT is also responsible for preparation and distribution of agendas, minutes and reports from the various Project meetings.

Meetings: as needed.

Discipline Teams

Role: deliver the planned products from their team.

Members: determined by the PMT based on recommendations from the Discipline Manager. One such Discipline Team shall be the Roadway Design Team led by the Roadway Design Discipline Manager. Other Discipline Teams may include: the Structures Design Team, the Environmental Analysis Team, the Public Relations/Communication Team, the Project Controls Team, and the Construction Administration Team. Other Teams may be formed as the Project proceeds from study through construction. (see *Major Disciplines* and *Appendix A*)

Responsibilities: resolve issues among the various functional Discipline Teams and with externals; prepare the required Project approval reports; divide the Discipline Scope into tasks using the Caltrans Work Breakdown Structure (WBS) and assign task managers, schedule and budget for each task; deliver the team's planned outputs according to the approved scope, schedule and budget; and report progress to the PMT.

Meetings: each Discipline Manager will conduct Discipline Team meetings as needed.

Quality Assurance Team

Role: develop the Quality Assurance (QA) Plan, secure its approval by the Steering Committee, and ensure that it is adhered to by all Project Team members. (see *Quality Control and Assurance*)

Members: determined by the Steering Committee based on recommendations from the PLT. There shall be at least two members, one representing the Department and the other representing the CCTA. Other members may be appointed by the steering Committee as deemed necessary.

Responsibilities: develop the QA plan for approval by the Steering Committee; implement the QA Plan with the Project Team members; and provide status reports to the PMT, the PLT and the Steering Committee.

Meetings: as needed.

Project Manager

The Project Manager's primary responsibilities are outlined in greater detail in *Appendix B*. Key responsibilities include, but are not limited to, the following:

- Work closely with the Deputy Project Manager to divide up and perform Project management responsibilities.
- Lead the PMT.
- Direct Project Controls staff in schedule management, cost control and scope monitoring Tasks.
- Review the Project status on a regular basis to make certain that progress is according to the documented scope, schedule and budget.
- Convene meetings of the Steering Committee and PLT, making sure that agendas, minutes, and other materials are created and distributed for meetings.
- Provide overall coordination and management of the Department's source agency activities as assigned by the Cooperative Agreements, Operating Memoranda, and/or the Project Staffing Plan. The Deputy Project Manager is to do the same for the CCTA source agency activities.
- Provide reports and make presentations to the CTC, the CCTA and ACCMA Boards, and other governmental agencies on an annual and/or as needed basis.

Discipline Manager

- May be either a Department Senior Level Engineer/Planner or a CCTA consultant with the necessary qualifications.
- Oversee the breakdown of the Discipline COS and Capital Budget to the Task assigned to the Discipline.
- Recommend the Task Team staffing to the PMT.
- Responsible for the delivery of their assigned scope of work within scope, schedule and both support (Department and CCTA costs) and capital budgets.
- Communicate with other Discipline Managers about progress and possible changes.
- Participate as part of the PMT.

Task Manager

- May be either a Department Engineer/Planner or a CCTA consultant with the necessary qualifications.

- Responsible for the delivery of their assigned scope of work within scope, schedule and both support and capital budgets.
- Communicate with their Discipline Managers about progress and possible changes.
- Identify any policy changes or Functional Area directives that will impact the Project and proceed once direction is received from the Discipline Manager.
- Participate as part of the Discipline Team.
- Make sure that the Quality Control actions are taking place within the Task work.

RESOURCE PLANNING

- Task-level Work Plans, as appropriate, will be prepared by each Task Manager and provided to the PMT by the Discipline Managers on at least an annual basis. The PMT will determine the format for the Task-level Work Plan submittals, recognizing that the Department's resource planning procedures can not be changed in support of a single project. The Executive Steering Committee's approved Project Management Plan will provide the budget and schedule framework of the Task-level Work Plans and will span the entire length of the Project. Once approved by the PLT, these Task-level Work Plans will serve as both the approved Capital Outlay Support budget for the Project and as the budget for each Project Task.
- Each Task Manager will be responsible for the expenditures and performance on their assigned tasks. The Project Controls Team will provide them with the data needed to properly monitor this performance.

MAJOR DISCIPLINES

The Project will be broken down into disciplines and each discipline into Tasks identified by the Caltrans WBS. The key Tasks for each of the disciplines listed below are shown in *Appendix A*:

- Project Controls,
- Public Relations,
- Environmental Clearance,
- Roadway Design,
- Tunnel and Structures Design,
- Right of Way, and
- Construction Administration.

PROJECT ESTIMATE

Each year, at a time set by an OM, the PMT will oversee a Project-wide estimate update. This estimate will serve as the basis of any budgetary changes. Throughout the year following the estimate update, any scope or cost impacts should be immediately reflected on a revised estimate so that the PMT is always aware of the most current estimate for the Project.

PROJECT FUNDING

Costs against each fund source are not to exceed the funding levels shown in *Appendix C* or as directed by the Cooperative Agreements and/or an OM, unless the agency responsible for the said funds consents to bear the additional costs. The PMT shall prepare a quarterly financial report showing the current approved budget and expenditures to date by fund source, and expected expenditures (current estimate) in the future.

The Steering Committee must approve changes in the use of funds prior to requesting an allocation of such funds from the responsible Commission and/or Agency.

Given the combined Project Team approach for this Project, the 10% Oversight assessment on the TCRP funds required by statute will be used by the Department to cover the cost of Headquarters involvement and a portion of the Quality Assurance Project Team work for which Department staff are responsible per the approved Project Quality Assurance Plan (see below).

QUALITY CONTROL AND ASSURANCE (QC/QA)

- Given the combined Project Team approach, the QC/QA Plan will follow the model of a typical Department project.
- With the Department's internal projects, quality control is the responsibility of the various units assigned work on specific Tasks. With a multiple agency Project Team, the application of quality control must account for multiple perspectives. For this reason, each Discipline Team must consist of at least one representative from both the Department and the CCTA. (For example: the Department will have a team member on at least every Discipline Team, and as appropriate, on critical Tasks Teams such as Tunnel Design and Geotechnical Engineering. These members are to actively participate in the decision-making of the Discipline or Task Team, bringing their agency's perspective into the Project development effort.) Within each Task Team's work plan, QC hours will be estimated for typical Department quality control reviews. There will not be any traditional Department oversight for quality control.
- In addition to the typical Department Office Engineer review, Quality Assurance (QA) will be performed by a QA Team comprised of 2 to 3 individuals representing both the Department and the CCTA. This part-time QA effort will make sure that each Task Team is performing its agreed upon QC activities as described in the QA Plan (below). Resources for the QA Team to develop the QA Plan and monitor its application throughout the Project life cycle should be planned separately from the other Project Tasks.
- The Quality Assurance Plan will be developed by the QA Team and be approved by the Steering Committee through an Operating Memorandum. This plan should include identification of who will provide Quality Control on the Project deliverables, especially if these deliverables are submitted to another unit within the Department for QC review rather than through the Task Team responsible for their creation. The QA

Plan should also specify how and when Value Analysis studies, a Tunnel PEER Review, and the Constructability Reviews will be conducted, making sure that resources needed for such activities are incorporated into the Task-level Work Plans where appropriate. The QA plan will also indicate how the planned QC reviews will be assured.

ISSUE RESOLUTION

- As issues arise in the Project life-cycle, they need to be resolved as diligently as possible. To this end, an appeal process has been built into the responsibilities of the various Project Teams described in this MOU.
- Issues will arise in the midst of the Task Teams and Project Management Team effort to develop the Project. Many of these issues can be resolved within these teams, especially those that do not change the scope of the Project, require additional budget and that do not delay the approved schedule. Issues which these teams cannot resolve, will be elevated as follows:
- Second-level of review and resolution: the PLT will review a document presenting the issue, the options for resolution, the pros and cons to each option, and any advocate's reasons in support of specific options. Provided the resolution falls within the available contingency which the PLT oversees, then the PLT should determine the outcome. If the PLT either does not have sufficient authority to resolve the issue or is unable to agree, then they will elevate the issue after a maximum of two meetings (an initial meeting to hear the issue, and, if necessary, a second meeting to hear any additional information requested during the first meeting).
- Third-level (and final) review and resolution: the Executive Steering Committee will review the document presenting the issue, the options for resolution, the pros and cons to each option, and the advocate's reasons in support of specific options. Provided the resolution falls within the authority granted the Steering Committee, then they should determine the outcome. If, for some reason, the issue cannot be fully resolved without approval from the agency board and/or the CTC, then the Executive Steering Committee will direct preparation of agenda items for any required action needed to ratify their agreed upon solution.
- In the event that the Department believes that the implementation of a Project proposal may adversely affect:
 - (i) the safety of the traveling public or Department employees,
 - (ii) future Department liability as respects operations and maintenance of the completed Project facility,
 - (iii) future operations and maintenance costs of the constructed Project facilities, and
 - (iv) future statutory obligations of the Department that may arise during the development of the Project and pertain to either the new or existing facility but are not yet identifiable at this time, the Department expressly reserves the right to exercise its sovereign, constitutional and statutory police powers to direct the implementation of the appropriate responses to such issues affecting the Project until it is complete and operational.

In the rare instance that the Department exercises this authority, it will do so by advising the Executive Steering Committee 15 days prior to issuing a determination and by issuing the determination in a letter signed by the Department Director.

_____ District Director	_____ Date	_____ Executive Director	_____ Date
California Department of Transportation		Contra Costa Transportation Authority	

_____ Executive Director	_____ Date
Alameda County Congestion Management Agency	

Appendix A

Key Project Tasks Grouped by Project Discipline

If determined necessary by the Steering Committee, the contents of this appendix could become an Operating Memorandum. A more detailed listing of these tasks is included in the Department's WBS, which will be used as the basis for resource planning. The PMT may choose to list some of these tasks under a different discipline than shown.

Project Controls

- Develop budget and schedule to complete the work down to the task level
- Monitor progress, cost performance and schedule
- Develop internal Project change control procedures
- Identify problem areas and recommend solutions
- Develop and monitor the Project Communication Plan, including communication between the Steering Committee, the PLT, and the PMT
- Compile the Task plans from each of the Task Managers
- Determine portion of tasks to be performed by State forces and by consultants
- Produce the Project Staffing Plan
- Develop and maintain organization, Project procedures and budget, securing necessary approvals as required
- Develop options available to the participating agencies to finance the design and construction of the Project
- Provide consultant contract management support as needed

Public Relations

- Develop a public relations plan
- Communicate with all stakeholders
- Prepare exhibits and presentations for use in internal and external meetings

Environmental Approval

- Obtain Base Maps
- Prepare various studies
- Complete traffic forecast
- Provide traffic analysis of alternatives
- Evaluate Alternatives
- Prepare Environmental Assessment
- Recommend Preferred Alternative

Roadway Design

- Develop preliminary design and produce an approved Project Report
- Produce a biddable and buildable PS&E

Structure Design

- Conduct Geotechnical Investigation
- Produce a complete structure PS&E

Right of Way

- Provide mapping, appraisal, acquisition, encroachment permits, temporary construction easements, utility verification and relocation, etc.
- Certify the Project

Construction Administration

- Complete Project review
- Advertise contract
- Award contract
- Approve the contract
- Administer contract and close out contract, including the settlement of all claims

Appendix B

Project and Deputy Project Manager Responsibilities

If determined necessary, the contents of this appendix could become an Operating Memorandum.

These responsibilities are to be divided between the Department's Project Manager and the CCTA's Deputy Project Manager as agreed to by the PLT.

1. DEVELOP ORGANIZATION AND PROCEDURES

- Provide vision for the entire Project Team
- Make sure that teamwork is occurring within the Discipline and Task Teams
- Develop the Project Staffing Plan, including a Project organization chart for approval
- Lead the development of the Project Control procedures, the Risk Management Plan and the Communication Plan
- Develop written Operating Memoranda as directed by the Executive Steering Committee, the PLT, or as needed
- Develop a documented Project scope of work
- Process and make recommendations for changes in scope, schedule and budget

2. COMMUNICATION

- Review and approve the Project Communication Plan, including the plan for meetings with various stakeholders
- Establish and operate a document/correspondence management and distribution system
- Oversee the preparation of necessary exhibits
- Make presentations on behalf of the Project
- Make certain that agendas for public, inter-agency and Project meetings are prepared and distributed
- Make certain that meeting places are arranged and that necessary equipment is available
- Assist Executive Steering Committee in public hearings
- Make annual and as needed reports and presentations to the CTC, the CCTA and ACCMA Boards, and other governmental agencies
- Prepare media releases

3. BUDGET CONTROL

- Oversee the annual compilation of the complete Project estimate
- Lead the creation of the Project budget down to the Discipline Level
- Review the proposed Task budgets
- Monitor Project expenditures at the Discipline Level
- Provide necessary direction to the Project Controls staff
- Report to the PMT, PLT and the Executive Steering Committee on Project financial status

4. SCHEDULE CONTROL

- Oversee the development of the Project Schedule
- Review the Task schedules
- Monitor overall Project Schedule
- Implement methods to keep Project on schedule
- Provide necessary direction to the Project Scheduler
- Report to the PMT, PLT and the Executive Steering Committee on Project progress
- Develop periodic reports on progress and percent complete

5. INTER-AGENCY COORDINATION

- Carry out communication per the Communication Plan
- Assure information moves agency to agency
- Monitor agency activities

6. QUALITY ASSURANCE

- Provide direction to the QA team
- Hold the QA Team members accountable for implementing the QA plan

7. TECHNICAL COORDINATION

- Recommend selection of consultants along with other interview panel members
- Direct the development of Task Orders
- Coordinate technical activities performed by the Discipline Teams

8. LEGAL REQUIREMENTS

- Develop format for RFPs and technical agreements
- Confirm that terms of agreements and contracts accomplish the purposes for which they are created

9. CONTRACT ADMINISTRATION

- Monitor progress on the contracts based upon information compiled by the Project Controls staff
- Review and recommend payment of invoices
- Review and approve forecasts for each Discipline

Appendix C Project Funding

Source		PA&ED	PS&E	Const.
Traffic Congestion Relief Prog. (TCRP - CCTA)*	<i>allocated</i>	\$15M		
	<i>committed</i>		\$5M	
Inter-regional Improvement Program (IIIP – Dept.)	<i>allocated</i>	\$8M		
	<i>committed</i>		\$10M	
Regional Trans. Improvement Program (RTIP-CC)	<i>allocated</i>			
	<i>committed</i>		\$2M	
RM2 funds (MTC)- Note: MTC has yet to program the funds, so they are currently shown as capital only. Some is likely to be used for support.	<i>allocated</i>			
	<i>committed</i>			\$50M**
Other Anticipated Funds***	<i>committed</i>			
	<i>planned</i>			\$108M
Subtotals	<i>allocated</i>	\$23M		
	<i>committed</i>		\$17M	\$50M
	<i>planned</i>			\$108M
Total Available			\$198M	

Notes:

Total project costs may vary between \$200M-\$400M, depending on the outcome of PA&ED work.

* The availability of the TCRP funds is subject to annual approval of the State Budget by the Legislature and Governor and to an allocation vote by the California Transportation Commission, and therefore may not be available on a continuous basis. Designation of the CCTA as the Implementing Agency has been selected as the best strategy to address the uncertainty of the availability of TCRP funds.

** \$3M in RM2 funds have been allocated as a back-up should the availability of TCRP funds become restricted.

*** Anticipated fund sources include Contra Costa Measure J - the reauthorization of the ½ cent sales tax for transportation - and Alameda County future RIP funds called out in the County's Long Range Plan. Funding from the sales tax reauthorization is planned for \$125 million based on the expenditure plan; this includes the cost of financing. The Alameda future RIP funds are \$8M.

Appendix D Project Reporting

Reporting Levels:

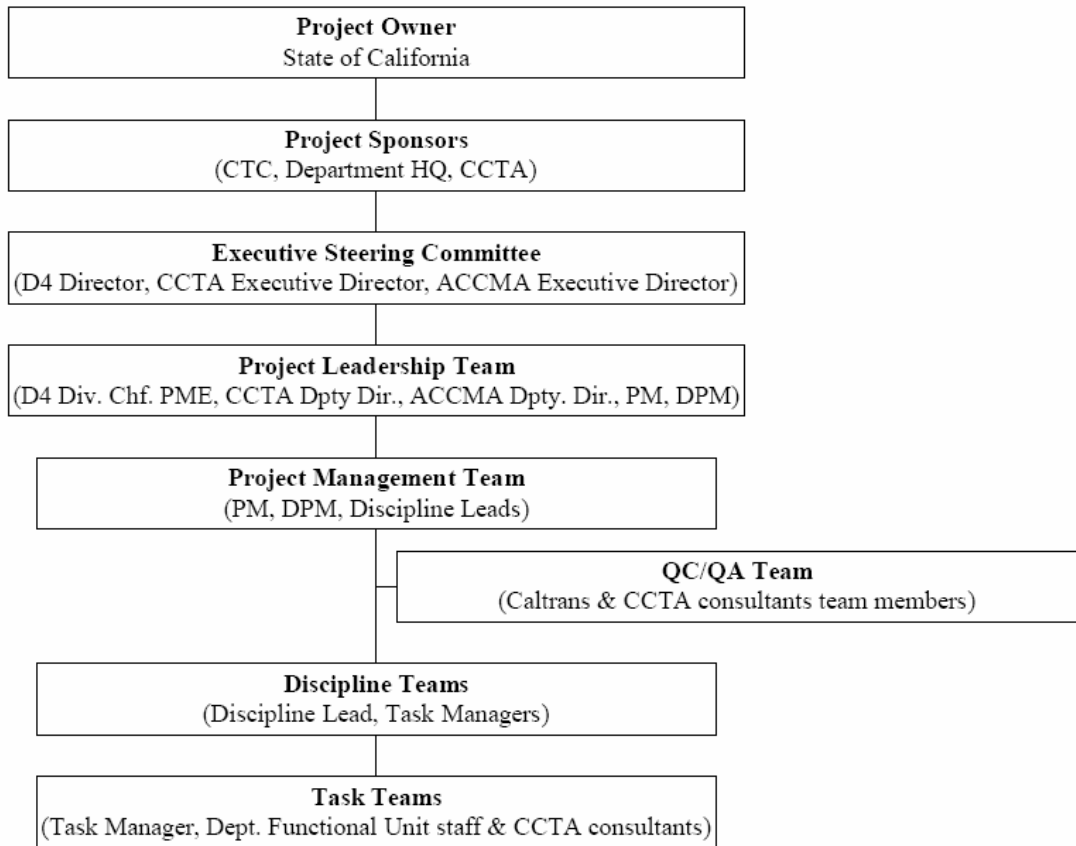
Project	Summary of all Level 7 Details
Discipline	Summary of Task/Level 7 details by Discipline
Task	The lowest level of detail will be summarized and reported at this level of detail, WBS Level 7. At this level, information must include the distinction of CCTA costs by fund and Department costs by fund.
Lowest level of detail	The details of information collected will be defined by the PMT, and may include the name of individuals charging to tasks.

Project Management Plan Components:

Project Data/ Level	Assigned Staff	Capital Outlay Support Budget (\$s and hrs)	Schedule	Scope	Const. Capital	Right of Way Capital
Project						
Discipline						
Tasks						
Name of Report	Staffing Plans	Work Plans	CPM	Work Assignments	Capital Estimate	R/W Data Sheet

Appendix E Project Hierarchy

Caldecott Improvement Project Project Management Hierarchy



04-Ala-24 KP 8.5/10.0
 04-CC-24 KP 0.0/2.1
 Caldecott Improvement Project
 04108-294900
 District Agreement No. 4-2015
 CCTA #90.16.01

ORIGINAL

COOPERATIVE AGREEMENT

THIS AGREEMENT, ENTERED INTO EFFECTIVE ON November 3, 2004, is between the STATE OF CALIFORNIA, acting by and through its Department of Transportation, referred to herein as "STATE"; and

CONTRA COSTA TRANSPORTATION AUTHORITY, a public entity, referred to herein as "AUTHORITY".

RECITALS

1. STATE and AUTHORITY, pursuant to Streets and Highways Code section 114 and Government Code section 14030, are authorized to enter into a Cooperative Agreement for proposed improvements to State highways within the Cities of Oakland and Orinda in Alameda and Contra Costa Counties, respectively.
2. STATE and AUTHORITY mutually desire to implement a fourth bore of the Caldecott tunnels and approaches from the Route 24/Broadway interchange in Alameda County to the Route 24/Camino Pablo interchange in Contra Costa County ("TUNNEL 4 or Project") by preparing and completing a Draft Project Report and Project Report and Environmental Document, referred to herein as "STUDY," to support said work.
3. TUNNEL 4 work is included in Government Code section 14556 et seq. of the Government Code (the Traffic Congestion Relief Act of 2000) as a project to be funded with up to a total of \$15,000,000 of Traffic Congestion Relief (TCR) funds for TUNNEL 4 Phase 1 (STUDY) work. STUDY is to be funded jointly by the parties, using either all TCR funds or a combination of both TCR and other funds derived from STATE, AUTHORITY, and others, all as shown on Exhibit A, attached to and made a part of this Agreement.
4. Originally, the California Transportation Commission (CTC) approved the TCR project application for TUNNEL 4 as TCR Project No. 15 on September 28, 2000, designating STATE as the implementing agency for the Phase 1 STUDY. Subsequently, on April 8, 2004, the CTC approved, as requested by STATE, an amendment to the original application to change the implementing agency designation from STATE to AUTHORITY for those TCR funds. CTC's allocation of unexpended TCR funds (\$10,850,000) for the STUDY occurred at the September 15, 2004, CTC meeting.

5. In the event that TCR funds are not available for STUDY expenditures, AUTHORITY intends to advance \$3,000,000 of local Regional Measure 2 (RM2) funds to partially finance AUTHORITY's and/or STATE's work on STUDY by submitting a "letter of no prejudice," under the terms and conditions of the CTC's Guidelines, to CTC for approval and subsequent reimbursement of expended local RM2 funds with TCR funds. An amendment to this Agreement will be required for a change in funding source and amount.
6. AUTHORITY is now the implementing agency for TCR funds. AUTHORITY and STATE will jointly manage and perform STUDY.
7. To promote the success of TUNNEL 4, the parties have combined staff and funding resources for STUDY preparation and entered into a Memorandum of Understanding (MOU) to outline general areas of responsibility for project development, design, and construction with the formation of a Project Management Hierarchy consisting of various project teams, discipline teams and methodologies for dispute resolution as between the parties, subject always to STATE's reservation of its constitutional and statutory police powers. Funding and resource commitments for subsequent phases of the Project will be covered by one or more separate cooperative agreements, such as this Agreement.
8. This Agreement defines STATE's roles and responsibilities as the California Environmental Quality Act (CEQA) lead agency regarding environmental documents, studies and reports, and compliance with both CEQA and the National Environmental Protection Act (NEPA).
9. Final TUNNEL 4 design, construction, right of way acquisition and utility relocation will be the subject of separate future Cooperative Agreements.
10. The parties hereto intend to specify herein the terms and conditions under which STUDY is to be performed and financed.

SECTION I

STATE AGREES

1. To utilize the parties' staff and/or consultants to form a series of different discipline teams that will prepare and deliver STUDY under STATE's lead role and direction as a cooperative effort with AUTHORITY staff and/or consultants.
2. To be responsible for those STUDY elements allocated to STATE as initially identified in Exhibit B, Initial Work Assignments, attached to and made a part of this Agreement.
3. To contribute up to the maximum amount of \$8,000,000 to the delivery of STUDY using State Transportation Improvement Program-Interregional Improvement Program (STIP-IIP) funds, less all amounts already expended by STATE prior to the effective date of this Agreement, all as shown on Exhibit A, Project Funding, attached to and made a part of this Agreement.
4. To authorize AUTHORITY to invoice STATE to recover the actual allowable STUDY costs expended by AUTHORITY as tasks assigned to AUTHORITY and its consultants in Operating Memoranda (OM) up to the maximum amount of TCR

Funds (\$10,850,000), less those expenditures incurred by STATE for STATE's performance of tasks, as assigned to STATE in Operating Memoranda.

5. To reimburse AUTHORITY, within thirty (30) days of receipt of each signed triplicate monthly invoice from AUTHORITY, for AUTHORITY's share of all actual allowable costs incurred by AUTHORITY and its consultant forces which are scheduled to be paid out of STATE controlled funds pursuant to Exhibits A and B, as amended. Allowable costs include actual and direct labor costs plus fringe benefits and overhead, and actual allowable consultant payments as defined in Section III. In all cases, reimbursements shall be based on actual allowable costs incurred and paid by AUTHORITY in conformance with Article 10 of Section III.
6. STATE will provide an appropriate level of staffing to work alongside and directly with AUTHORITY staff and/or consultants for the purpose of providing necessary Project quality assurance for successful delivery of STUDY.
7. To participate in the selection of personnel who will assist AUTHORITY in the preparation of STUDY. STATE may request that AUTHORITY discontinue the services of any personnel considered by STATE to be unqualified on the basis of credentials, professional expertise, and failure to perform in accordance with the Project scope of work and/or other pertinent criteria.
8. To furnish AUTHORITY with written monthly progress reports indicating STUDY expenditures to date (less those anticipated or known to be pending), the fund sources used to pay such expenditures, and the anticipated remaining funding required and/or available to complete STUDY.
9. To submit a final report of STATE's Project expenditures and reimbursements within ninety (90) days after completion of STUDY.
10. To stop work if it becomes apparent at any time that available encumbered funds will be insufficient to cover remaining work on STUDY until such time that the parties are able to secure additional funds.
11. To retain all books, documents, papers, accounting records, and other evidence pertaining to Project costs incurred by STATE, including support data for cost proposals, and make such materials available at STATE's office at all reasonable times during the Agreement period and for three years from the date of final payment under this Agreement. AUTHORITY and any duly authorized representative of the Metropolitan Transportation Commission shall have access to any books, records, and documents of STATE pertinent to this Agreement for audits, examinations, excerpts, and transactions, and copies thereof shall be furnished if requested.
12. Upon proper application by AUTHORITY, to issue, at no cost to that applicant, an encroachment permit authorizing entry onto the State highway right of way to perform survey and other investigative activities required for preparation of STUDY. If AUTHORITY uses consultants rather than its own staff to perform required work, those consultants will also be required to obtain separate encroachment permits. These permits will be issued at no cost upon proper application by the consultants.

SECTION IIAUTHORITY AGREES:

1. To cause staff and/or consultants to be available for the delivery of STUDY activities as defined in Exhibit B.
2. To contribute those CTC allocated TCR funds to the delivery of STUDY, up to the maximum amount of \$10,850,000.
3. To permit STATE to monitor and participate in the selection of personnel who will assist AUTHORITY in the preparation of STUDY. AUTHORITY agrees to consider any request by STATE to reject or discontinue the services of any personnel considered by STATE to be unqualified on the basis of credentials, professional expertise, and failure to perform in accordance with the Project scope of work and/or other pertinent criteria.
4. Prior to commencing work on STUDY, to participate with STATE in the development of a mutually acceptable Project Management Plan for STUDY.
5. To require each STUDY first tier consultant to furnish both STATE and AUTHORITY with Certificates of Insurance for the minimum coverage set forth below, naming STATE as an additional insured. Each first tier consultant shall be fully responsible for all sub-tier consultants, all policy deductibles and any self-insured retention. The required insurance shall be provided only by carriers licensed to do business in California.

Types and Amount of Coverage

- I. Workers Compensation and Employers Liability Insurance in accordance with statutory requirements.
- II. General Liability insurance in an amount not less the \$1,000,000.00 per occurrence combined single limit.
- III. Automobile liability coverage of not less than \$1,000,000.00 per accident.
- IV. Professional Liability insurance in an amount not less than \$1,000,000.00 per claim and \$1,000,000.00 in the aggregate.

The above insurance shall be maintained in effect at all times during the term of each consultant's services under this Agreement. Failure to maintain the required coverage shall be sufficient cause to permit AUTHORITY to terminate that consultant agreement for cause in addition to all other remedies available. Additionally, each Consultant shall maintain, or make a good faith effort to maintain, the Professional Liability insurance for a period of three (3) years after completion of its performance under the agreement with AUTHORITY.

6. To furnish STATE with written monthly progress reports during the period while STUDY is being prepared, indicating allowable expenditures to date, the fund sources used to pay such expenditures, and the anticipated funding required to complete STUDY elements consigned to AUTHORITY to complete.

7. To make written application to STATE for necessary encroachment permits authorizing entry of AUTHORITY and/or its Consultants onto the State highway right of way to perform surveying and other investigative activities required for preparation of STUDY.
8. To submit to STATE signed triplicate itemized invoices monthly in arrears with specific expenditure reports incurred during the period of the invoice. Invoices will meet format and content requirements specified by STATE. Each invoice shall be submitted to STATE's Project Manager for approval and forwarding to the appropriate accounting office for payment or cost allocation purposes.
9. To submit a final report of STUDY expenditures in the same format as the aforementioned invoice detail within ninety (90) days after completion of STUDY.
10. To make every effort to provide additional funding if it becomes apparent at any time that funding limits will be insufficient to cover remaining STUDY work.
11. To refund any amounts due STATE within thirty (30) days if, upon final accounting of costs for STUDY and audit, it is discovered that STATE has overpaid AUTHORITY or reimbursed unallowable costs.
12. To retain all books, documents, papers, accounting records, and other evidence pertaining to Project costs incurred, including support data for cost proposals, and make such materials available at the offices of AUTHORITY at all reasonable times during the contract period and for three years from the date of final payment under this Agreement. STATE, FHWA, and any duly authorized representative of State and the Federal Government shall have access to any books, records, and documents of AUTHORITY that are pertinent to this Agreement for audits, examinations, excerpts, and transactions, and copies thereof shall be furnished if requested.
13. AUTHORITY shall notify the CTC of any cost savings achieved from the preparation of STUDY using TCR funds. The notification shall include the reason for the savings and how AUTHORITY would intend to use the TCR funds from the savings for later Phases of Project. In any case, CTC's prior approval will be required prior to the use of TCR cost savings for later TUNNEL 4 Phases.

SECTION III

IT IS MUTUALLY AGREED:

1. STATE and AUTHORITY will cooperate to deliver STUDY.
2. STATE will be the CEQA lead agency. The Federal Highway Administration (FHWA) will be the lead Federal agency for NEPA compliance with the STATE acting as FHWA's agent for NEPA and providing oversight for the NEPA process.
3. All phases of Project, from inception through construction, whether done by AUTHORITY or STATE, shall be developed in accordance with all policies, procedures, practices, and standards that STATE follows for its projects.
4. The parties will be guided in the project development by the MOU, including resolution of any Project disputes by the Project Management Hierarchy and processes established in the MOU entered into effective on Nov 3, 2004. In the event that STATE determines that the implementation of Project proposals made

by AUTHORITY or the Project Management Hierarchy that is created by the MOU may adversely affect:

- (i) the safety of the traveling public or STATE employees;
- (ii) the post-construction financial and practical ability of STATE to operate, maintain and, to the extent possible, modify Project facilities when necessary in the future; and/or
- (iii) the ability of STATE to meet its constitutional, statutory, and contractual duties and obligations;

STATE expressly reserves its right to exercise its sovereign, constitutional and statutory police powers to direct the implementation of STUDY and TUNNEL 4 notwithstanding the provisions of this Agreement and the MOU.

If STATE must exercise this reserved authority, STATE will do so only after first attempting to provide AUTHORITY with at least fifteen (15) days prior written notice from STATE.

5. Exhibit B may be modified through the Project life as the parties mutually agree in writing by the substitution of a new Exhibit B without formally amending this Agreement.
6. All obligations of STATE under the terms of this Agreement are subject to the appropriation of resources by the Legislature and the allocation of funds by the CTC to STATE for the purposes of fulfilling STATE's obligations herein.
7. STATE's STIP-IIP funds shall only be used to pay STUDY work performed by STATE.
8. Any STUDY costs incurred by AUTHORITY prior to CTC's April 8, 2004, designation of AUTHORITY as the implementing agency for TCR funds are not reimbursable by STATE.
9. Only STUDY costs incurred by AUTHORITY after the CTC April 8, 2004, designation of AUTHORITY as implementing agency for TCR funds may be reimbursed retroactively after the allocation of STUDY TCR funds by the CTC.
10. Actual STUDY costs reimbursed, direct and indirect, shall conform to Cost Principles and Procedures, Chapter 1, Part 31, CFR 48.
11. Upon completion of all work under this Agreement, ownership and title to all engineering reports, tests, samples, documents, plans, specifications and estimates produced for delivery as part of STUDY by AUTHORITY and its consultants will automatically be vested in STATE and no further agreement will be necessary to transfer ownership to STATE by AUTHORITY and its consultants.
12. Any hazardous material or contamination found within the Project area requiring remedy or remedial action, as defined in Division 20, Chapter 6.8 et seq. of the Health and Safety Code, and any cultural, paleontological, anthropological, or other protected resource requiring protection, shall be deemed to constitute a part of the cost of Project. Locations subject to remedy or remedial action and/or protection include utility relocation work required for Project. Costs for remedy and remedial action and/or protection shall include, but are not limited to, the identification,

treatment, removal, packaging, transportation, storage, and disposal of such material.

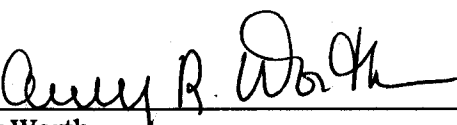
13. If any remedy or remedial action of hazardous material or contaminated material is required, the parties shall be responsible for the development of the necessary remedy and/or remedial action plans and designs. Remedial actions proposed on the State highway right of way shall be pre-approved by STATE and must be performed in accordance with STATE's standards and practices and those standards mandated by the Federal and State regulatory agencies.
14. Future Cooperative Agreements will be required to cover responsibilities and funding for the design, right of way and construction phases of TUNNEL 4.
15. Nothing in the provisions of this Agreement is intended to create duties or obligations to or rights in third parties not parties to this Agreement or to affect the legal liability of any party to the Agreement by imposing any standard of care with respect to the development, design, construction, operation or maintenance of State highways and public facilities different from the standard of care imposed by law.
16. Neither STATE nor any officer or employee thereof is responsible for any damage or liability occurring by reason of anything done or omitted to be done by AUTHORITY under or in connection with any work, authority or jurisdiction delegated to AUTHORITY under this Agreement. It is understood and agreed that, pursuant to Government Code section 895.4, AUTHORITY shall fully defend, indemnify and save harmless STATE and its officers and employees from all claims, suits or actions of every name, kind and description brought for or on account of injury (as defined in Government Code section 810.8) occurring by reason of anything done or omitted to be done by AUTHORITY under or in connection with any work, authority or jurisdiction delegated to AUTHORITY under this Agreement.
17. Neither AUTHORITY nor any officer or employee thereof is responsible for any damage or liability occurring by reason of anything done or omitted to be done by STATE under or in connection with any work, authority or jurisdiction delegated to STATE under this Agreement. It is understood and agreed that, pursuant to Government Code section 895.4, STATE shall fully defend, indemnify and save harmless AUTHORITY and its officers and employees from all claims, suits or actions of every name, kind and description brought for or on account of injury (as defined in Government Code section 810.8) occurring by reason of anything done or omitted to be done by STATE under or in connection with any work, authority or jurisdiction delegated to STATE under this Agreement.
18. No alteration or variation of the terms of this Agreement shall be valid unless made in writing and signed by the parties hereto and no oral understanding or agreement not incorporated herein shall be binding on any of the parties hereto.
19. STATE reserves the right to terminate this Agreement upon written notice to AUTHORITY. At the time of termination, AUTHORITY will be paid only for work accomplished and delivered in accordance with the terms of this Agreement and STUDY documents, including raw data and draft plans, prepared up to the time of termination, shall become property of STATE.
20. This Agreement shall terminate, except for the indemnification and audit provisions, upon STATE's final approval of the completion of STUDY or on June 30, 2007, whichever is earlier in time, unless all parties agree to an extension of time in an amendment to this Agreement.

- 21. In the event of any conflicts between this Agreement and the MOU or a prior agreement relating to STUDY, this Agreement shall prevail.
- 22. The parties hereto may amend this Agreement and the MOU to add additional participant parties.

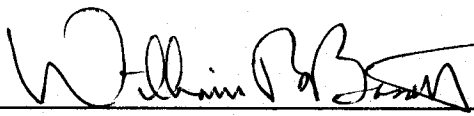
STATE OF CALIFORNIA
 Department of Transportation
 RANDELL H. IWASAKI
 Interim Director of Transportation

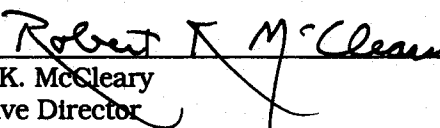
CONTRA COSTA TRANSPORTATION
 AUTHORITY

By: 
 Deputy District Director

By: 
 Amy Worth
 Chairperson

Approved as to form and procedure:

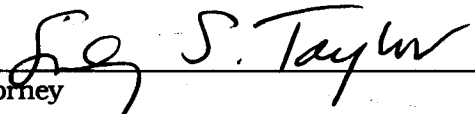

 Attorney
 Department of Transportation

Attest: 
 Robert K. McCleary
 Executive Director

Certified as to funds:

Approved as to form:


 District Budget Manager


 Attorney

Certified as to financial terms and policies:

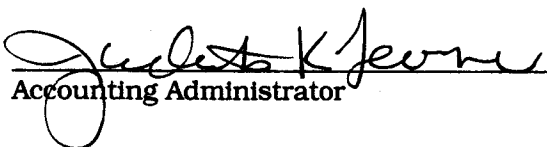

 Accounting Administrator

Exhibit A

PROJECT FUNDING

Funding Source		PA&ED
* Traffic Congestion Relief Program (TCR-AUTHORITY)	<i>allocated</i>	\$15M
	<i>committed</i>	
	<i>expended</i>	\$ 4.15M
State Transportation Improvement Program- Interregional Improvement Program (STIP-IIP-STATE)	<i>allocated</i>	\$ 8M
	<i>committed</i>	
	<i>expended</i>	\$ 4M
Subtotals	<i>allocated</i>	\$23M
	<i>expended</i>	\$ 8.15M
Total available		\$14.85M

Exhibit B

INITIAL WORK ASSIGNMENTS

This Initial Work Assignment outlines the specific areas of responsibility for the delivery of the STUDY. This Initial Work Assignment may be modified as needed throughout the preparation of STUDY.

1. STATE will assess impacts of Project on the environment and, as necessary, will prepare the Environmental Document (ED), including the necessary associated investigative studies and technical environmental reports, in order to meet the requirements of CEQA and NEPA.
2. STATE shall prepare the Draft Project Report (DPR) and prepare and approve the Project Report. STATE shall prepare and circulate the Draft Environmental Document and prepare the Final Environmental Document.
3. AUTHORITY will submit drafts of environmental technical reports and individual sections of the draft environmental documents and Project Report to STATE as they are developed.
4. Detailed steps in the STUDY development process are to be developed as Operating Memoranda which may be modified as needed with subsequent Operating Memoranda.



CONTRA COSTA TRANSPORTATION AUTHORITY

Resolution #03-02-P

RE: Authorization for the Chair of the Authority to Execute Cooperative Agreements, Contribution Agreements and Joint Exercise of Powers Agreements with Caltrans

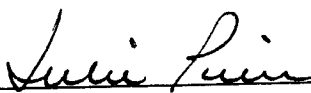
WHEREAS, the Contra Costa Transportation Authority is actively involved, in partnership with Caltrans, in all aspects of project development on state highways including preliminary engineering, environmental clearance and construction; and

WHEREAS, from time to time such partnerships require the execution of formal agreements between the Authority and the State; and

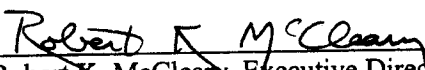
WHEREAS, Caltrans procedures require a formal action by resolution of the Authority authorizing the responsible person to execute each agreement on behalf of the Authority;

NOW THEREFORE BE IT RESOLVED, that the Authority Chair is authorized to execute on behalf of the Authority, each and every project-related Cooperative Agreement, Contribution Agreement or Joint Exercise of Powers Agreement with Caltrans; and

THEREFORE BE IT FURTHER RESOLVED, that nothing in this resolution shall supercede any prior delegations of authority to the Executive Director in the execution of any agreements with Caltrans.


 Julie Pierce, Chair

This RESOLUTION was entered into at a meeting of the Contra Costa Transportation Authority held February 19, 2003 in Pleasant Hill, California

Attest: 
 Robert K. McCleary, Executive Director

APPROVED BY THE
 CONTRA COSTA
 TRANSPORTATION AUTHORITY

DATE

10/28/04

CERTIFIED BY


 EXECUTIVE DIRECTOR