

# Memorandum

To: CHAIR AND COMMISSIONERS  
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: February 22-23, 2012

Reference No.: 2.6e.  
Action Item

From: NORMA ORTEGA  
Chief Financial Officer

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Subject: **FINANCIAL ALLOCATION AMENDMENT FOR TCRP PROJECTS**  
**RESOLUTION TFP-11-07, AMENDING RESOLUTION TFP-06-31**

## **RECOMMENDATION:**

The California Department of Transportation (Department) recommends that the California Transportation Commission (Commission) approve Resolution TFP-11-07, re-allocating \$3,430,000 in previously allocated Traffic Congestion Relief Program (TCRP) funds for the BART to San Jose – Extend BART from Fremont to Warm Springs (TCRP 1.1) project.

## **ISSUE:**

At its March 2007, the Commission approved Resolution TFP-06-31, which re-allocated the previously allocated \$31,000,000 in TCRP funds for Project Approval and Environmental (PA&ED), Design (PA&ED) and Right of Way (R/W) for the TCRP 1.1 project. TCRP funds are available for expenditures for five years. The reallocation of \$3,430,000 in TCRP funds are programmed for R/W activities is necessary as these funds will not be spent before the expenditure deadline.

## **Justification:**

While the project is progressing satisfactorily, the drawdown of these funds based on the invoices received from the agencies performing R/W activities is slower than the forecast. Furthermore, utility relocation is dependent on the design data from the Line, Track, Station, and System Design-Build construction contract. That contract was awarded by the BART Board on June 23, 2011, later than initially planned. Therefore, the Commission approval of the reallocation of \$3,430,000 TCRP funds will allow the completion of these critical R/W activities.

## **FINANCIAL RESOLUTION:**

### **Resolved That:**

The project(s), as component phases or in their entirety, appear under Government Code Section 14556.40(a) and are entitled to participate in this allocation.

Reimbursement of eligible costs is subject to the policies, restrictions and assurances as set forth in the Commission's policy for allocating, monitoring, and auditing TCRP projects, and is governed by the terms and conditions of the Fund Transfer Agreement, Program Supplement or Cooperative Agreement, and subsequent amendments to the same if required, as executed between the Implementing Agency and the Department.

Attachment

2.6 Mass Transportation Financial Matters

Project # Allocation Amount Implementing Agency District-County	BREF # and Project Description Description of Allocation	Item # Fund Type Program Code	Amount by Fund Type
<b>2.6e. Traffic Congestion Relief Program - Re-allocation Amendment</b>		<b>Resolution TFP-11-07, Amending Resolution TFP-06-31</b>	
1 \$3,430,000 San Francisco Bay Area Rapid Transit District (BART) 04 – Alameda and Santa Clara	<b>Project #1.1 – BART Extension from Fremont to Warm Springs.</b>  Extend BART 5.5 miles south of existing Fremont Station.  <b>Re-allocate \$3,430,000 in previously allocated TCRP funding for Right of Way.</b>  <u>Outcome/Output:</u> Complete right of way activities.	Chapter 91 of the Statutes of 2000  <b>889-3007 30.10.710.010</b>	\$3,430,000