

Memorandum

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: October 19-20, 2016

Reference No.: 2.5d.(1)
Action Item

From: NORMA ORTEGA
Chief Financial Officer

Prepared by: Bruce De Terra, Chief
Division of
Transportation Programming

Subject: **ALLOCATION FOR PROJECT WITH COSTS THAT EXCEED THE PROGRAMMED
AMOUNT BY MORE THAN 20 PERCENT
RESOLUTION FP-16-13**

RECOMMENDATION

The California Department of Transportation (Department) recommends that the California Transportation Commission allocate \$2,240,000 for one State Highway Operation and Protection Program (SHOPP) environmental mitigation project (PPNO 0085S) in Alameda County.

ISSUE

Additional funds are needed for one programmed Financial Contribution Only (FCO) project.

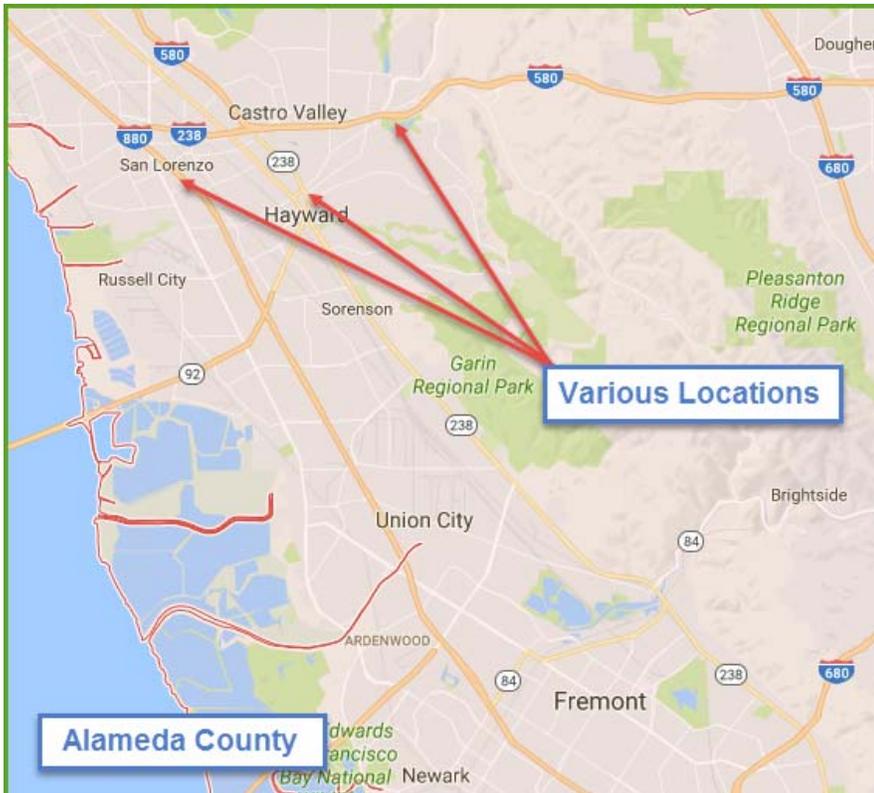
RESOLUTION

Resolved, that \$2,240,000 be allocated from the Budget Act of 2016, Budget Act Item 2660-302-0042, to contribute funds to the following project.

<u>Dist-Co-Rte</u>	<u>Programmed Amount</u>	<u>Program Adjustment</u>	<u>Allocation Request</u>	<u>% Increase Above Programmed Amount</u>
04-A1a-VAR	\$1,400,000	\$840,000	\$2,240,000	60%

PROJECT DESCRIPTION

This is a required environmental mitigation project (Site 2) for the completed Route 84 Pigeon Pass safety improvement project in Alameda County. The funding will be used for fish habitat improvements which include the removal of approximately 1,000 feet of culverts along San Lorenzo Creek, construction of a step-pool channel and riparian planting.



FUNDING STATUS

This project is currently programmed in the 2016 SHOPP for \$1,400,000. This allocation request of \$2,240,000 is an increase of 60 percent above the programmed amount. This is a Financial Contribution Only (FCO) to East Bay Regional Parks District (EBRPD).

REASON FOR INCREASE

In July 2014, the Department received a Notice of Violation (NOV) from the Regional Water Quality Control Board (RWQCB) for permit violations as a result of delays in providing mitigation work for the completed Route 84 Pigeon Pass safety improvement project. To address the NOV, the Department proposed two FCO projects. This request is for the second FCO at the McCosker property on EBRPD land.

EBRPD's estimate for the work involved is higher than the programmed amount of \$1,400,000. The Department has negotiated with EBRPD and reached an agreement for a total amount of \$2,240,000 for this project; this is an increase of \$840,000 over the programmed amount. The Department concluded that this is a fair and reasonable amount to do this mitigation work.

This is a lump sum contribution to EBRPD for the required environmental mitigation work. As a result, the Department will have completely satisfied the NOV issued by RWQCB and any future cost increase will be the responsibility of EBRPD.

DETERMINATION

The Department recommends that this request for \$2,240,000 be approved to allow the implementation of the financial contribution.

Attachment

2.5 Highway Financial Matters

Project #	Allocation Amount	County	Dist-Co-Rte	Postmile	Location	Project Description	Project Support Expenditures	PPNO Program/Year Phase	Prgm'd Amount	Project ID	Adv Phase	EA	Budget Year	Item # Fund Type	Program Code	Amount by Fund Type												
2.5d.(1) Allocations for Projects with Cost Increase Greater than 20 Percent																												
Resolution FP-16-13																												
1	\$2,240,000	Alameda	04-Ala-Var.	Var.	Near Oakland, at the McCosker property on East Bay Regional Parks District (EBRPD) land.	<u>Outcome/Output:</u> Additional required environmental mitigation (site 2 of 2) for Route 84 Pigeon Pass safety improvement project EA 17240, Project ID 0400000455, PPNO 0086Z. Funding will contribute to fish habitat improvements by removal of approximately 1,000 feet of culverts along San Lorenzo Creek, construction of a step-pool channel, riparian planting, and long-term site maintenance and management.		04-0085S	SHOPP/16-17	0415000329	4FCO	17247	2016-17	001-0042 SHA	20.10.201.010	\$0												
								\$0		CONST			2016-17	302-0042 SHA	20.20.201.010	\$2,240,000												
<p><u>Performance Measure:</u> Planned: 2.3, Actual: 2.3 Collisions Reduced</p> <p>Preliminary</p> <table border="1"> <thead> <tr> <th><u>Engineering</u></th> <th><u>Budget</u></th> <th><u>Expended</u></th> </tr> </thead> <tbody> <tr> <td>PA&ED</td> <td>\$0</td> <td>\$0</td> </tr> <tr> <td>PS&E</td> <td>\$345,000</td> <td>\$338,285</td> </tr> <tr> <td>R/W Supp</td> <td>\$5,000</td> <td>\$957</td> </tr> </tbody> </table> <p>(GEQA - ND, 4/19/2005) (NEPA - FONSI, 4/11/2005)</p> <p>(Concurrent consideration of funding under Resolution E-16-68; October 2016.)</p> <p>(This is a Financial Contribution Only (FCO) to East Bay Regional Parks District (EBRPD).)</p>																	<u>Engineering</u>	<u>Budget</u>	<u>Expended</u>	PA&ED	\$0	\$0	PS&E	\$345,000	\$338,285	R/W Supp	\$5,000	\$957
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