

# Memorandum

To: CHAIR AND COMMISSIONERS

CTC Meeting: January 13, 2010

Reference No.: 2.1c.(5)  
Action Item

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Subject: **MULTI-PROGRAM PROJECT AMENDMENT**  
**RESOLUTION TCIF-PA-0910-04**  
**STIP AMENDMENT 08S-059**

## **RECOMMENDATION:**

The California Department of Transportation (Department) recommends the California Transportation Commission (Commission) amend the Route 11 and Otay Mesa Port of Entry (POE) project (PPNO 0999) programmed in the Trade Corridor Improvement Fund (TCIF) Program and the State Transportation Improvement Program (STIP). This amendment was noticed at the Commission's December 9-10, 2009 meeting.

**ACTION UPDATE:** Additional information has been added to the Background section of this amendment to clarify the reasons for the cost increase to the Environmental phase.

## **ISSUE:**

The Department and San Diego Association of Governments propose to amend the TCIF Program baseline agreement and the 2008 STIP for the Route 11 and Otay Mesa POE project (PPNO 0999) in the city of San Diego, community of San Ysidro, as follows:

- Program \$4,900,000 of Federal Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) Border Infrastructure Program (BIP) funds to the Environmental phase of this project in Fiscal Year 2009-10.
- Revise the project milestone schedule for Circulation of the Draft Environmental Document from September 2009 to March 2010.
- Revise the project milestone schedule for End Environmental Phase (PA&ED Milestone) from March 2010 to December 2010.
- Revise the project location and description as follows: In ~~San Ysidro~~ **East Otay Mesa, at the border of Mexico from east of Route 905/Otay Mesa border crossing to** and future Route 125/905 junction **to the U.S./Mexico border.**
- Construct new four lane highway **and POE.**

**BACKGROUND:**

The SAFETEA-LU, enacted in August 2005, authorizes funding through the BIP to improve transportation at international borders and ports of entry, and within trade corridors. This program replaced the TEA-21 Coordinated Border Infrastructure discretionary program that ended after 2005. Since enactment of SAFETEA-LU, California received a total apportionment of \$106,144,590. To date, \$90,184,249 has been obligated to eligible border region projects. This amendment proposes to program \$4,900,000 in BIP obligation authority to the Environmental phase for the Route 11 and Otay Mesa East POE project (PPNO 0999).

Pursuant to Section 164.1 of the California Streets and Highways Code, BIP funds shall be programmed, allocated, and expended in the same manner as other federal funds made available for capital improvement projects in the STIP. These BIP funds are eligible in a border region, defined as any portion of a border state within 100 miles of an international land border with Canada or Mexico, for the following types of improvements to facilitate/expedite cross-border motor vehicle and cargo movements:

- Improvements to existing transportation and supporting infrastructure.
- Construction of highways and related safety and safety enforcement facilities related to international trade.
- Operation improvements, including those related to electronic data interchange and use of telecommunications.
- Modifications to regulatory procedures.
- International coordination of transportation planning, programming, and border operation with Canada and Mexico.

The Route 11 and Otay Mesa East POE project will increase capacity to the regional border crossing infrastructure and create a link between the United States regional highway system and the Mexico free-and-toll road system. This link will maintain the economic viability of goods movement through the California/Baja California region. This expansion is consistent with the eligibility requirements of the BIP.

This amendment also proposes to revise the baseline schedule and cost for this project. There is a need to conduct more extensive architectural, engineering and environmental studies not initially anticipated at the time the TCIF baseline agreement was approved. These studies are related to the complex nature of developing a federal land POE and the connectivity between the proposed Route 11, the existing freeway system connectors with Routes 905 and 125, and a proposed new State truck safety inspection facility. There are also two particular studies needed due to the complexities of the toll road and the congestion pricing element associated with the international border crossing. The first is an "Investment Grade Traffic Study" that is required for toll/bond financing capacity and will increase the environmental cost by \$1,000,000. The second is an "Intelligent Transportation System (ITS) Study." This ITS study is essential to the development of a toll-collecting strategy that would analyze the feasibility of technologies and strategies for cross-border toll users and technologies that are compatible with those used in Mexico. The estimated cost of the ITS study is \$1,000,000. Furthermore, in an effort to ensure the project meets U.S. Department of Homeland Security standards through the environmental phase, the Department has established a working team of federal agencies responsible for the development of the international POE and its connectivity with

Route 11. These agencies include the Federal Highway Administration (FHWA), the U.S. Customs Border Protection (CBP), and U.S. General Services Administration (GSA). CBP and GSA will be responsible for ownership, maintenance and operations of the new POE upon its completion. Through this effort, the Department, together with the federal agencies and SANDAG, have developed initial work agreements for completion of studies through the environmental phase and will be working toward future agreements for subsequent phases of the project. The resources required to complete the above activities and associated schedule delay are estimated to be an additional \$2,900,000. The overall environmental cost increase of \$4,900,000 will be funded with BIP.

The revised baseline schedule, as shown below, is not expected to impact subsequent milestones.

<b>Project Milestone</b>	<b>Baseline</b>	<b>Proposed</b>
Project Study Report Approved	Sep 00 (A)	No Change
Begin Environmental (PA&ED) Phase	May 07 (A)	No Change
Circulate Draft Environmental Document	Sep 09	Mar 10
Draft Project Report	Sep 09	Mar 10
End Environmental (PA&ED) Phase	Mar 10	Dec 10
Begin Design Phase	Apr 10	No Change
End Design Phase (RTL)	Dec 12	No Change
Begin Right of Way	Jan 10	Jan 11
End Right of Way	Dec 12	No Change
Begin Construction Phase	Apr 13	No Change
End Construction Phase	Mar 16	No Change
Begin Close-out Phase	Apr 16	No Change
End Close-out Phase	Apr 18	No Change

(A) = Actual

**RESOLUTION:**

Be it resolved, that the California Transportation Commission does hereby amend the Trade Corridor Improvement Fund baseline agreement and the 2008 State Transportation Improvement Program for the Route 11 and Otay Mesa Port of Entry (POE) project (PPNO 0999) in the city of San Diego, community of San Ysidro as described above and illustrated in the following table.

Route 11 and Otay Mesa East Port of Entry (POE) project (PPNO 0999)

County	District	PPNO	EA	Element	Const. Year	PM Back	PM Ahead	Route/Corridor					
San Diego	11	0999	5631	CO	2012-13	0.0	2.7	11					
<b>Implementing Agency: (by component)</b>		<b>PA&amp;ED</b>				<b>PS&amp;E</b>							
		<b>R/W</b>				<b>CON</b>							
<b>RTPA/CTC:</b>		San Diego Association of Governments											
<b>Project Title:</b>		Route 11 and Otay Mesa East Port of Entry (POE)											
<b>Location</b>		In San Ysidro East Otay Mesa, at the border of Mexico from east of Route 905/Otay Mesa border crossing to and future Route 125/905 junction to the U.S./Mexico border.											
<b>Description:</b>		Construct new 4 lane highway and Port of Entry.											
<b>(DOLLARS IN THOUSANDS)</b>													
FUND	TOTAL	Project Totals by Fiscal Year						Project Totals by Component					
		Prior	08/09	09/10	10/11	11/12	12/13	R/W	CON	PA&ED	PS&E	R/W Supp	CON Supp
<b>STIP-IIP</b>													
Existing	6,600	6,600							6,600				
Change	0	0							0				
Proposed	6,600	6,600							6,600				
<b>State Bond - TCIF</b>													
Existing	75,000					75,000		75,000					
Change	0					0		0					
Proposed	75,000					75,000		75,000					
<b>Demo - TEA21</b>													
Existing	800		800						800				
Change	0		0						0				
Proposed	800		800						800				
<b>Loc Funds</b>													
Existing	626,420			123,070		503,350	72,000	463,000		42,690	8,380	40,350	
Change	0			0		0	0	0		0	0	0	
Proposed	626,420			123,070		503,350	72,000	463,000		42,690	8,380	40,350	
<b>Federal Disc - SAFETEA-LU</b>													
Existing	0			0					0				
Change	4,900			4,900					4,900				
Proposed	4,900			4,900					4,900				
<b>Total</b>													
Existing	708,820	6,600	800	123,070		578,350	72,000	538,000	7,400	42,690	8,380	40,350	
Change	4,900	0	0	4,900		0	0	0	4,900	0	0	0	
Proposed	713,720	6,600	800	127,970		578,350	72,000	538,000	12,300	42,690	8,380	40,350	