

# Memorandum

To: CHAIR AND COMMISSIONERS

CTC Meeting: February 24-25, 2010

Reference No.: 2.1b.(2)  
Information Item

From: NORMA ORTEGA  
Chief Financial Officer

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Subject: **STIP AMENDMENT 08S-066**

## **SUMMARY:**

The San Bernardino Associated Governments (SANBAG) and the City of Ontario propose to amend the 2008 State Transportation Improvement Program (STIP) to program \$45,089,000 Regional Improvement Program (RIP) to a new North Milliken Grade Separation at UPPR Lines project (PPNO 1116).

The California Department of Transportation (Department) will request that the California Transportation Commission (Commission) approve this STIP amendment at the next scheduled Commission meeting following the notice period.

## **BACKGROUND:**

On April 16, 2009, the Commission approved Resolutions CMIA-A-0809-012 and STIP1B-A-0809-15 allocating \$45,634,000 Regional Improvement Program (RIP) and \$29,000,000 Corridor Mobility Improvement Account (CMIA) funds to the I-215/SR-210 Connectors project (PPNO 0194Q). Both the RIP and CMIA allocations were made possible by SANBAG's purchase of a Private Placement bond from the State Treasurer's Office. The Department is the implementing agency for this construction contract.

The project was awarded on October 25, 2009, for a total of \$47,672,000, resulting in \$26,962,000 RIP savings. This allotment amount includes contract items, supplemental work, state-furnished materials, and contingencies. There is a concurrent AB 608 allocation adjustment request for the I-215/SR-210 Connectors project (PPNO 0194Q).

On April 16, 2009, the Commission also approved Resolutions CMIA-A-0809-014, STIP1B-A-0809-16, and FP-08-43 allocating \$38,853,000 RIP, \$49,120,000 CMIA, and \$3,433,000 RIP Transportation Enhancement (TE) funds to the I-215 North Segments 1 and 2 – HOV and Mixed Flow Lane Addition project (PPNO 0247P). The RIP and CMIA allocations were made possible by SANBAG's purchase of a Private Placement bond from the State Treasurer's Office.

The contract for construction capital was awarded on September 2, 2009, while the contract for the construction management was previously awarded. The award of the combined contracts totaling \$212,704,000 resulted in total savings of \$76,778,000, including \$18,127,000 RIP and \$1,771,000

RIP TE savings. This allotment amount includes contract items, supplemental work, state-furnished materials, and contingencies. A concurrent technical correction is requested to bring this allocation in compliance with the bond purchase contract.

The original plan to utilize savings from these projects did not include any adjustment to the RIP funds allocated to the project. Consistent with the provisions of the bond purchase agreement, the goal was to transfer all savings in CMIA funds to another project in the same corridor. Due to Traffic Congestion Relief Program (TCRP) and Trade Corridor Improvement Fund (TCIF) dollars not being available at this time, an alternative plan has been developed that will allow a critical goods movement project-the North Milliken Grade Separation project (PPNO 1116)-to proceed to construction within the next few months. This non-federalized grade separation project is largely funded with TCRP and some TCIF dollars. The only viable funding alternative to allow this project to proceed to construction is to utilize the RIP savings from both the I-215 North Segments 1 and 2 project (PPNO 0247P) and the I-215/SR-210 Connectors project (PPNO0194Q). A plan to utilize the remaining savings from these I-215 projects for another project on the same corridor has been developed and will be brought forward for programming consideration at a future meeting.

It is critical that the North Milliken Grade Separation project be constructed in a timely manner. This project will elevate the railroad over the roadway. The option of either elevating or depressing the roadway at this location is not feasible due to the exiting roadway geometrics. The railroad company (UPPR) has reluctantly concurred with the current design, but has the sole discretion to terminate the construction maintenance agreement if the construction does not commence within one year of signing the agreement. If that agreement were terminated, it will not be possible to construct a grade separation at this critical goods movement crossing and millions of dollars that have already been invested in this project will be lost.

Milliken Avenue is a north-south corridor that runs from State Route 60 to Interstate 10. This corridor provides a critical access between the Ontario International Airport and Ontario's Foreign Trade Zone No. 50-1. Constructing a grade separation at this location will provide a more reliable truck access to the logistics complex and air cargo facilities at the Ontario International Airport. The construction of the grade separation will also mitigate community impacts of the goods movement.

A request to reprogram TCRP and TCIF funds, which are currently programmed to this project, will be submitted at a later date.

The changes described above are shown in the following table.

**ADDS: North Milliken Grade Separation at UPRR Lines (PPNO 1116)**

County	District	PPNO	EA	Element	Const. Year	PM Back	PM Ahead	Route/Corridor					
San Bernardino	8	1116		LA	2009-10								
<b>Implementing Agency: (by component)</b>	<b>PA&amp;ED</b>	City of Ontario				<b>PS&amp;E</b>	City of Ontario						
	<b>R/W</b>	City of Ontario				<b>CON</b>	SANBAG						
<b>RTPA/CTC:</b>	San Bernardino Associated Governments												
<b>Project Title:</b>	North Milliken Grade Separation at UPRR Lines												
<b>Location</b>	In the City of Ontario between Guasti and Airport Drive												
<b>Description:</b>	Construct a grade separation												
<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>Regional Improvement Program (RIP) - SANBAG</b>													
Existing	0			0				0					
Change	45,089			45,089				45,089					
Proposed	45,089			45,089				45,089					
<b>Traffic Congestion Relief Program (TCRP) - City of Ontario</b>													
Existing	48,554	8,207	40,347				4,650	40,347	557	3,000			
Change	(40,347)	0	(40,347)				0	(40,347)	0	0			
Proposed	8,207	8,207	0				4,650	0	557	3,000			
<b>Local Funds (Developer Impact Fee)</b>													
Existing	13,086	100	12,986	0			100	12,986		0			
Change	4,717	1,250	(12,986)	16,453			250	3,467		1,000			
Proposed	17,803	1,350	0	16,453			350	16,453		1,000			
<b>Trade Corrdior Improvement Funds (TCIF) - City of Ontario</b>													
Existing	6,490		6,490					6,490					
Change	(6,490)		(6,490)					(6,490)					
Proposed	0		0					0					
<b>San Bernardino Measure I funds</b>													
Existing	6,080		6,080	0				6,080					
Change	(5,354)		(6,080)	726				(5,354)					
Proposed	726		0	726				726					
<b>Railroad (UPRR) funds</b>													
Existing	0			0				0					
Change	2,158			2,158				2,158					
Proposed	2,158			2,158				2,158					
<b>Total</b>													
Existing	74,210	8,307	65,903	0			4,750	65,903	557	3,000			
Change	(227)	1,250	(65,903)	64,426			250	(1,477)	0	1,000			
Proposed	73,983	9,557	0	64,426			5,000	64,426	557	4,000			