

# Memorandum

To: CHAIR AND COMMISSIONERS

CTC Meeting: May 19-20, 2010

Reference No.: 2.1a.(7) / 2.6e.(2)  
Action Item

From: Norma Ortega  
Chief Financial Officer

Prepared by: Rachel Falsetti  
Division Chief  
Transportation Programming

Subject: **TRAFFIC CONGESTION RELIEF PROGRAM PROJECT APPLICATION  
AMENDMENT AND ALLOCATION AMENDMENT APPROVAL  
RESOLUTION TAA-09-26, AMENDING RESOLUTION TAA-05-11  
RESOLUTION TFP-09-16, AMENDING RESOLUTION TFP-05-10**

## **RECOMMENDATION:**

The California Department of Transportation (Department) requests the California Transportation Commission (Commission) approve a project application amendment (Resolution TAA-09-26) and an allocation amendment (Resolution TFP-09-16) for Traffic Congestion Relief Program (TCRP) Project 35.2 as described below.

## **ISSUE:**

The Department requests that TCRP Project 35.2 – Pacific Surfliner; triple track intercity rail line within Los Angeles County and add run-through tracks through Los Angeles Union Station in Los Angeles County (PPNO 2002) be amended to update the project schedule for completion of Construction from Fiscal Year (FY) 2008-09 to FY 2013-14. The Department also requests the Commission approve the reallocation of \$49,454,579 in previously allocated funds to Construction for this project. A vote box showing this request is attached.

## **BACKGROUND:**

### Schedule Update

On July 14, 2005, the Commission approved Resolution TAA-05-11, which programmed TCRP funds to construction, to be completed by FY 2008-09. On August 18, 2005, the Commission approved this project for future consideration of funding under Resolution E-05-16. Also on August 18, 2005, the Commission approved Resolution TFP-05-10, which allocated \$86,785,000 in new TCRP funds to construction.

To complete the construction work, the Department executed Cooperative Agreements with the Burlington Northern Santa Fe Railroad (BNSF) for the additional run-through tracks and with the City of Santa Fe Springs (City) for a grade separation project at Valley View Avenue on the BNSF line.

BNSF has experienced nearly two years of delay in obtaining project reviews and permits from the County of Los Angeles for its triple-track work and will not be able to complete the work by August 2010 as planned.

For the Valley View grade separation, Design work has been completed and the City is nearly complete with Right of Way. Under eminent domain proceedings, the City has secured an Order of Possession for five of seven properties; the two final orders will be secured by June 2010. A Construction contract will be advertised in September 2010 and awarded in November 2010.

#### Reallocation

On September 28, 2000, the Commission adopted the TCRP Guidelines (Guidelines) under Resolution G-00-23. Section 3.3 of the Guidelines states that allocated TCRP funds will be available for expenditure and reimbursement for up to five years from the date of allocation approval.

Of the \$86,785,000 allocated to construction on August 18, 2005, under Resolution TFP-05-10, \$49,454,579 remains unexpended and, under the TCRP Guidelines, will revert to the Traffic Congestion Relief Fund on August 18, 2010.

Approval of this reallocation will extend the availability of the TCRP funds and, with approval of this update to the project schedule, will allow BNSF and the City of Santa Fe Springs time to complete construction by FY 2013-14.

#### **RESOLUTION TAA-09-26 and Resolution TFP-09-16:**

Resolved, with all conditions stipulated still in effect, the California Transportation Commission hereby amends the application and allocations for TCRP Project 35.2 to reflect the changes above.

Be it further resolved that the California Transportation Commission hereby approves a corresponding allocation amendment reallocating previously allocated funds in accordance with the attached vote box; and

Be it further 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; and

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	Amount by Fund Type								
<b>2.6e.(2) Traffic Congestion Relief Program Allocation Amendment</b>			<b>Resolution TFP-09-16, Amending Resolution TFP-05-10</b>								
1 \$0 California Department of Transportation 07 – Los Angeles	<p><b>Project #35.2</b> – Pacific Surfliner; triple track intercity rail line within Los Angeles County and add run-through tracks through Los Angeles Union Station in Los Angeles County.</p> <p>Amend TFP-05-10 to reallocate \$49,454,579 in TCRP funds previously allocated for construction, which remain unexpended. Funds will remain allocated to construction.</p> <table border="0"> <thead> <tr> <th></th> <th align="right">Original Amount</th> <th align="right">Expended</th> <th align="right">Reallocated Amount</th> </tr> </thead> <tbody> <tr> <td>Construction</td> <td align="right">\$86,785,000</td> <td align="right">(\$37,330,421)</td> <td align="right">\$49,454,579</td> </tr> </tbody> </table> <p><u>Output/Outcome:</u> Construct approximately five miles of third main track along the intercity rail line from the City of Commerce to Fullerton, and construct a grade separation at Valley View Avenue.</p> <p>Estimated construction award date: November 2010.</p>		Original Amount	Expended	Reallocated Amount	Construction	\$86,785,000	(\$37,330,421)	\$49,454,579	Chapter 91 of the Statutes of 2000  889-3007 TCRF	\$0
	Original Amount	Expended	Reallocated Amount								
Construction	\$86,785,000	(\$37,330,421)	\$49,454,579								