

Memorandum

To: CHAIR AND COMMISSIONERS

Date: June 10, 2010


From: BIMLA G. RHINEHART
Executive Director

File: Reference No. 2.1c(1c)
ACTION

Ref: Amendment to the Corridor Mobility Improvement Account Program in Accordance with AB X3-20
Resolution CMIA-PA-0910-30

ISSUE

Should the Commission approve the proposed amendment to the Corridor Mobility Improvement Account (CMIA) Program to add two replacement projects in accordance with Assembly Bill X3-20 (AB X3-20)?

RECOMMENDATION

Commission staff recommends that the Commission approve the proposed amendment to the CMIA Program to add two replacement projects in accordance with AB X3-20.

BACKGROUND

At its meeting on April 14, 2009, the Commission approved the request from the Department and the Metropolitan Transportation Commission to replace \$73,957,000 of programmed CMIA funds on the Caldecott Tunnel Project with regional American Recovery and Reinvestment Act of 2009 (Recovery Act) funds. AB X3-20 authorizes the Commission to program bond funds displaced by Recovery Act funds to one or more qualifying projects in the appropriate program in the jurisdiction of that agency and in the same amount as the displaced bond funds. Therefore, the Department and the Metropolitan Transportation Commission propose to amend the CMIA Program to add the following two replacement projects in accordance with AB X3-20:

- **I-880/I-280 Stevens Creek Interchange Improvements in Santa Clara County (\$30,975,000 CMIA requested):** The project will improve traffic operations and minimize traffic delays along I-880 and I-280 due to the close proximity of major regional shopping destinations along Stevens Creek Boulevard.
- **Freeway Performance Initiative (\$42,957,000 CMIA requested):** The Freeway Performance Initiative is a strategy to improve mobility and reduce emissions and would complete the ramp metering and traffic operations system on the region's most congested freeway corridors.

Schedule I
CMIA Programming Recommendations in Accordance with AB X3-20
June 2010
(Dollars in Millions)

MTC PROGRAMMING REQUEST FOR CMIA IN ACCORDANCE WITH AB X3-20

Dist	Cnty	Rte	Project Description	CMIA Request	Total Project Cost	Constr. Start	Recommend Amount	Notes
4	SCL	880/280/17	Stevens Creek Interchange Improvements	\$31.0	\$54.3	Nov-12	\$31.0	AB X3-20 Replacement
4	ALA/SCL/SOL	580/680/80	Freeway Performance Initiative	\$42.9	\$84.7	Sep-11	\$42.9	AB X3-20 Replacement
Total Recommended for AB X3-20 Programming							\$73.9	

**California Transportation Commission
Adoption of the Amended Program of Projects for the
Corridor Mobility Improvement Account (CMIA)
in Accordance with AB X3-20
June 30, 2010**

Resolution CMIA-PA-0910-30

- 1.1 WHEREAS the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006 was approved by voters as Proposition 1B on November 7, 2006, and
- 1.2 WHEREAS the Bond Act includes a program of funding from \$4.5 billion to be deposited in the Corridor Mobility Improvement Account (CMIA), and
- 1.3 WHEREAS the funds in the CMIA are to be available to the California Transportation Commission (Commission), upon appropriation in the annual Budget Act by the Legislature, for allocation for performance improvements on the state highway system or major access routes to the state highway system, and
- 1.4 WHEREAS the Commission adopted the initial CMIA program of projects on February 28, 2007, and
- 1.5 WHEREAS in order to address funding constraints with Proposition 1B Bond funds on the Caldecott Tunnel Project, the Metropolitan Transportation Commission replaced \$73.9 million of CMIA funding on that project with regional American Recovery and Reinvestment Act of 2009 (Recovery Act) funds, and
- 1.6 WHEREAS Assembly Bill X3-20 (AB X3-20) authorizes the Commission to program Proposition 1B bond funds displaced by Recovery Act funds to one or more qualifying projects in the appropriate program in the jurisdiction of that agency and in the same amount as the displaced bond funds, and
- 1.7 WHEREAS the Metropolitan Transportation Commission has submitted a request for \$73.9 million in funding for two CMIA replacement projects , as detailed in Schedule 1, for reprogramming by the Commission in accordance with AB X3-20, and

- 1.8 WHEREAS Commission staff reviewed the two projects submitted by the Metropolitan Transportation Commission for compliance with the CMIA Guidelines, and
- 2.1 NOW THEREFORE BE IT RESOLVED THAT the Commission hereby approves the two replacement projects submitted by the Metropolitan Transportation Commission for CMIA funding, as detailed in Schedule I, and
- 2.2 BE IT FURTHER RESOLVED THAT, the Commission's approval of project funding is only for the cost of construction, and
- 2.3 BE IT FURTHER RESOLVED THAT the Commission finds that the inclusion of the two replacement projects in the CMIA Program is based on a demonstration that each project meets all of the following criteria:
 - a. Is a high-priority project in the corridor as demonstrated by its nomination by regional agency;
 - b. Can commence construction or implementation no later than December 31, 2012;
 - c. Improves mobility in a high-congestion corridor by improving travel times or reducing delay, improves the connectivity of the state highway system between rural, suburban, and urban areas, or improves the operation or safety of a highway segment;
 - d. Improves access to jobs, housing, markets, and commerce;
- 2.4 BE IT FURTHER RESOLVED THAT consistent with Resolution CMIA-G-0708-001, the Commission directs the implementing agency, within three months of the adoption of the amended program, to submit an executed project baseline agreement, which sets forth the project scope, benefits, delivery schedule, and the project budget and funding plan as a basis for project delivery monitoring, and
- 2.5 BE IT FURTHER RESOLVED THAT the Commission will not consider approval of a project allocation prior to the execution of a project baseline agreement, and
- 2.6 BE IT FURTHER RESOLVED THAT the Commission finds that any increases in cost estimates from CMIA amended program adoption to finalized cost estimates are the responsibility of the nominating agencies, and
- 2.7 BE IT FURTHER RESOLVED THAT the Commission requires the implementing agencies and the Department of Transportation to meet the requirements of Government Code Section 8879.23(c)(1), as added by Proposition 1B, and to Government Code Section 8879.50, as enacted through implementing legislation in 2007 (Senate Bill 88 and Assembly Bill 193), and

2.8 BE IT FURTHER RESOLVED THAT the Commission requires the implementing agencies and the Department of Transportation to adhere to the California Transportation Commission's CMIA Guidelines and Accountability Implementation Plan.