

Memorandum

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: August 11-12, 2010

Reference No.: 2.1c.(10a)
Action Item

From: NORMA ORTEGA
Chief Financial Officer

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Chief
Division of Rail

Subject: **TRADE CORRIDOR IMPORVEMENT FUND –LETTER OF NO PREJUDICE
RESOLUTION LONP1B-A-1011-01**

RECOMMENDATION:

The California Department of Transportation (Department) recommends that the California Transportation Commission (Commission) approve a Letter of No Prejudice (LONP), available under Assembly Bill (AB) 672, for TCIF Project 75.2 - South Line Main Line project in San Diego County.

ISSUE:

Due to the unavailability of Proposition 1B Trade Corridor Improvement Funds (TCIF), the San Diego Association of Governments (SANDAG) is requesting AB 672 authority to substitute TCIF funds with local TransNet funds for the completion of programmed project in order to keep this project on schedule.

Project 75.2 - South Line Main Line project will upgrade signals, communications and tracks that will expand freight movement on the corridor. The tracks associated with this project are shared by the Blue Line trolley, which are also being updated concurrently with local TransNet funds. Coordinating this phase of both projects will result in construction cost and schedule efficiencies.

BACKGROUND:

Government Section Code 14556.33 allows an applicant agency that is either a regional or local entity, to seek approval of a LONP. If approved by the Commission, the LONP allows the applicant agency to expend its own funds for any component of the transportation project, and seek allocation and reimbursement from the TCIF program in the future.

RESOLUTION LONP1B-A-1011-01

Be it Resolved, with all conditions stipulated still in effect, the California Transportation Commission hereby approves a Letter of No Prejudice (LONP) for Project 75.2 - South Line Main Line project of the Trade Corridor Improvement Fund (TCIF); and

Be it Further Resolved, that the San Diego Association of Governments (SANDAG) understands that they proceed at their own risk, as reimbursement is dependent on future availability of TCIF funding; and

Be it Further Resolved, that the project component covered by an approved LONP should be ready to proceed to contract award (or equivalent) once the LONP is approved; and

Be it Further Resolved, that SANDAG shall report to the Department within four months following LONP approval on progress in executing agreements and third-party contracts needed to execute the work.