

Memorandum

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: September 22-23, 2010

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

From: NORMA ORTEGA
Chief Financial Officer

Prepared by: Rachel Falsetti
Division Chief
Transportation Programming

Subject: **PROPOSITION 1B LETTERS OF NO PREJUDICE**
RESOLUTION LONP1B-A-1011-04

RECOMMENDATION:

The California Department of Transportation (Department) recommends the California Transportation Commission (Commission) approve Letters of No Prejudice (LONP), available under Assembly Bill 672, for the three projects identified on the attached spreadsheet.

ISSUE:

Due to the unavailability of Proposition 1B funds at this time, the Riverside County Transportation Commission (RCTC) is requesting AB 672 authority to substitute \$27,440,000 Corridor Mobility Improvement Account (CMIA) funds with local Measure A funds for construction capital for Route 215 Mixed Flow Lane project (PPNO 9991A) in Riverside County. This project will construct one mixed flow lane, from 15/215 interchange to Scott Road. The current engineer's estimate is below the programmed amount of \$38,570,000. The RCTC has also submitted a SB 184 request to the Commission for its approval to use local Measure A funds in lieu of Regional Improvement Program funds that are currently programmed to this project.

Due to the unavailability of Proposition 1B funds at this time, the City of Riverside is requesting AB 672 authority to substitute \$1,000,000 State Local Partnership Program (SLPP) funds with local transportation funds for construction capital for the Route 91 Auxiliary Lane project (PPNO 0080C). This project will construct an eastbound auxiliary lane, from La Sierra Avenue to Tyler Street.

Due to the unavailability of Proposition 1B funds at this time, the Los Angeles County Metropolitan Transportation Authority (LACMTA) is requesting AB 672 authority to substitute \$20,000,000 of programmed SLPP construction funds with Proposition C local funds in order to keep the Express Lanes Conversion of I-10 and I-110 High Occupancy Vehicle Lanes to High Occupancy Toll Lanes project (PPNO 4135) on schedule.

BACKGROUND

Government Code Section 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

agencies to expend its own funds for any component of the transportation project, and seek allocation and reimbursement from the SLPP and the CMIA in the future.

RESOLUTION LONP1B-A-1011-04

Resolved, with all conditions stipulated still in effect, the California Transportation Commission hereby approves a Letter of No Prejudice (LONP) for two projects programmed in, or otherwise funded from, the Proposition 1B Corridor Mobility Improvement Account (CMIA) and State-Local Partnership Program (SLPP) in accordance with the attached project list; and

Be it Further Resolved, that each agency understands that they proceed its own risk, a reimbursement is dependent on future availability of CMIA and SLPP 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 the agency 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.

Attachment

REQUESTS FOR LETTERS OF NO PREJUDICE
(ASSEMBLY BILL 672)

Reference No: 2.1c.(10a)
September 22-23, 2010
Attachment

Program	Delivered List Number	Project ID Number	Agency	Project	Total Project Cost	LONP Amount	Alternate Fund Source
CMIA			Riverside County Transportation Commission	Route 215 Mixed Flow Lane Project	\$ 39,200,000	\$ 27,440,000	Local Measure A funds
SLPP			City of Riverside	Route 91 Auxiliary Lane Project	\$ 2,750,000	\$ 1,000,000	Local transportation funds
SLPP			Los Angeles County Metropolitan Transportation Authority	Express Lanes Conversion of I-10 and I-120 HOV to HOT lanes	\$ 69,300,000	\$ 20,000,000	Proposition C Local funds
Totals					\$ 111,250,000	\$ 48,440,000	

SLPP - State-Local Partnership Program
CMIA - Corridor Mobility Improvement Account