

Memorandum

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: September 15, 2011

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

From: NORMA ORTEGA
Chief Financial Officer

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Chief
Division of Mass Transportation

Subject: **PROPOSITION 1B LETTERS OF NO PREJUDICE**
RESOLUTION LONPIB-A-1112-09

RECOMMENDATION:

The California Department of Transportation (Department) recommends that the California Transportation Commission (Commission) consider this Letter of No Prejudice (LONP), available under Assembly Bill (AB) 672, for the Blue Line Rail Crossovers and Signals project in San Diego County.

ISSUE:

Due to the unavailability of Proposition 1B State-Local Partnership Program (SLPP) funds, the San Diego Association of Governments (SANDAG) is requesting AB 672 authority to substitute \$10,200,000 of programmed SLPP construction funds with local district sales tax funds for the completion of the programmed project and to keep the project on schedule.

The project will install new interlocked crossovers, signal changes, reverse running grade crossings, fiber optic connections for signal system and associated rail and signal work.

SANDAG further requests that this project be added to the Delivered But Not Yet Allocated List for consideration when additional SLPP funds become available.

BACKGROUND

Government Code Section 14556.33 allows an applicant agency that is either a regional or local entity, to seek approval of an 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 SLPP in the future.

RESOLUTION LONPIB-A-1112-09:

Resolved, with all conditions stipulated still in effect, the California Transportation Commission hereby approves a Letter of No Prejudice (LONP) for the Blue Line Rail Crossovers and Signals project, programmed in, or otherwise funded from, the Proposition 1B State-Local Partnership Program (SLPP); and

Be it Further Resolved, that the agency understands that they proceed at their own risk, as reimbursement is dependent on future availability of 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 following LONP approval on progress in executing agreements and third-party contracts needed to execute the work.