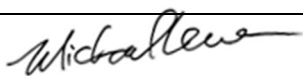


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## Alameda Corridor Transportation Authority

March 11, 2021

<b>To:</b>	Governing Board
<b>From:</b>	Michael C. Leue, Chief Executive Officer 
<b>Subject:</b>	<i>Adopt Resolution No. 21-2 Approving Amendment No. 4 to Caltrans Cooperative Agreement No. 07-4872 for Segment 1 of the SR47 Project (APPROVAL)</i>

### Recommendations:

Adopt the attached Resolution No. 21-2 approving Amendment No. 4 to District Agreement No. 07-4872 with the California Department of Transportation, increasing the not-to-exceed budget for ROW support services to be provided by ACTA during and after the construction of Segment 1 of the SR-47 Project; and authorize the Chief Executive Officer to execute the amendment.

### Background:

Through a series of several cooperative agreements, Caltrans and ACTA have advanced the SR-47 Project from the feasibility phase through the construction phase. The SR-47 Project is comprised of two separate segments: Segment 1 Heim Bridge Replacement connecting Ocean Boulevard with SR-103, and Segment 2 Expressway connecting Segment 1 with Alameda Street at PCH. Segment 1 design was a joint effort of Caltrans and ACTA, and Segment 1 construction, which is fully funded by Caltrans, is underway. Segment 2 has been placed on indefinite hold due to funding issues and the Port's pending highway and rail traffic analyses to determine if Segment 2 is necessary.

There are two active cooperative agreements with Caltrans for the SR-47 Project. The first cooperative agreement, Agreement No. 07-4872, effective July 16, 2009, involves ACTA and Caltrans respective responsibilities to fund, acquire right-of-way, coordinate utility relocation, and design Segment 1 and Segment 2. The original not to exceed amount for Segment 1 reimbursements to ACTA were \$37 million for right-of-way capital costs and \$1.2 million for right-of-way support costs. The not-to-exceed right-of-way support costs were subsequently increased via amendments in May 2013, March 2014, and February 2020 to \$1.7 million, 2.9 million and \$3.2 million, respectively.



**Discussion:**

The subject recommendation involves a fourth amendment to Agreement No. 07-4872. As previously stated, this agreement has a reimbursement cap of \$3,200,000 for right-of-way support services. The proposed agreement will increase the budget for right-of-way support services, which is required due to construction delays. ACTA is obligated under the terms of the two cooperative agreements to provide services until successful completion of Segment 1. Caltrans is currently estimating a Segment 1 construction completion date of December 31, 2021 and project completion date of December 31, 2022.

If approved by the Board, the fourth amendment to Agreement No. 07-4872 will increase the not-to-exceed amount for Caltrans reimbursement for the ROW support services during construction by \$300,000 from \$3,200,000 to \$3,500,000. No change is required for the not-to-exceed budget of \$37,000,000 for right-of-way capital obligations.

**Budget Impact:**

The FY21 Program Budget includes the activities covered by both agreements. The \$300,000 amendment to Caltrans District Agreement No. 07-4872 is entirely funded by Caltrans. All expenses incurred by ACTA are fully reimbursable.

**Co-General Counsel:**

ACTA's Co-General Counsel has reviewed and approved the proposed Resolution and fourth amendment as to form.

Transmittal:

Transmittal 1 – Resolution No. 21-2