



DATE: March 28, 2019

TO: Transportation Authority of Marin Board of Commissioners

FROM: Dianne Steinhauser, Executive Director
Nick Nguyen, Principal Project Delivery Manager

SUBJECT: Amendment to Caltrans Construction Cooperative Agreements Associated with the Construction of the MSN B3 Contract (Action), Agenda Item No. 6d

RECOMMENDATION

Move to adopt a resolution authorizing the Executive Director to negotiate and amend the Cooperative Agreement associated with the construction of the MSN B3 Contract.

BACKGROUND

The Marin-Sonoma Narrows Project is widening approximately 17 miles of US 101 from four to six lanes by adding carpool lanes in each direction, creating a controlled access freeway and upgrading the highway to current freeway standards from Route 37 in Novato (Marin County) to Old Redwood Highway in Petaluma (Sonoma County). It is part of the overall regional plan to provide continuous carpool lanes through Marin and Sonoma Counties.

In addition to the carpool lanes, new interchanges and frontage roads are being built to remove unsafe access from private properties and local roads. The project also includes continuous Class I and Class II bikeways between Novato and Petaluma.

TAM partnered with Caltrans in 2014 on the MSN B3 contract to construct HOV lanes through northern Marin at San Antonio Creek and the County Line. In April 2014, the Board authorized entering into a cooperative agreement with Caltrans to construct the project after TAM led and completed the design effort.

DISCUSSION/ANALYSIS

In order to collaborate and obtain Caltrans' construction management services for the B3 contracts, TAM entered into a cooperative agreement (Coop) with Caltrans. This is a conventional and typical agreement with Caltrans which outlines roles and liabilities of each party as the work progresses.

The Coop allocated \$766,000 to TAM to provide engineering support during construction. Since project completion has been extended beyond the original schedule by over a year due to an extreme winter season and unforeseen site conditions, TAM requested and successfully renegotiated with Caltrans to increase the engineering support budget allocation to continue providing the necessary services during construction. Staff is pleased to report that the parties have agreed to increase TAM's allocation by an additional \$200,000 for a total

of \$966,000. This allocation goes to support TAM staff time and engineering consultant support during construction.

FISCAL CONSIDERATION

TAM would receive an additional \$200,000 per the recommended action to continue with providing qualified engineering support during construction until Caltrans completes and closes out the project in late 2019.

NEXT STEPS

Upon Board approval, staff will review and execute cooperative agreement amendment with Caltrans.

ATTACHMENTS

Resolution authorizing TAM to amend a Cooperative Agreement associated with the construction of the MSN B3 Contract.

TAM RESOLUTION NO. 2019-___

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE TRANSPORTATION
AUTHORITY OF MARIN AUTHORIZING THE TRANSPORTATION AUTHORITY OF
MARIN TO AMEND A COOPERATIVE AGREEMENT WITH THE CALIFORNIA
DEPARTMENT OF TRANSPORTATION ASSOCIATED WITH THE CONSTRUCTION
OF THE MSN B3 PROJECT**

WHEREAS, The Transportation Authority of Marin (TAM) has been a partner with the California Department of Transportation (Caltrans) during the implementation of the Phase 1 of Marin-Sonoma Narrows (MSN) High Occupancy Vehicle (HOV) Widening Project in Marin County; and,

WHEREAS, Partners are authorized to enter into a cooperative agreement for improvements to the state highway system (SHS) per the California Streets and Highways Code sections 114 and 130; and,

WHEREAS, on April 2014, the Board authorized entering into a cooperative agreement with Caltrans to construct the MSN B3 contract after TAM led and completed the design effort; and,

WHEREAS, on July 22, 2014, TAM entered into a cooperative agreement with Caltrans and Sonoma County Transportation Authority to construct the MSN B3 contract; and,

WHEREAS, TAM is a funding partner receiving an additional \$200,000 to continue providing engineering support during construction for the PROJECT; and,

WHEREAS, TAM staff has negotiated an amendment to cooperative agreement with acceptable terms to both parties that protects the interests of TAM; and now, therefore, be it

RESOLVED, That the Executive Director is hereby authorized to amend the current cooperative agreement and any necessary future amendments with the California Department of Transportation to provide design support during construction of the MSN B3 Project.

PASSED AND ADOPTED at a regular meeting of the Transportation Authority of Marin held on the 28th day of March, 2019, by the following vote:

AYES: Commissioners:

NOES: Commissioners:

ABSENT: Commissioners:

Judy Arnold, Chair
Transportation Authority of Marin

ATTEST: