



DATE: September 26, 2019

TO: Transportation Authority of Marin Board of Commissioners

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

SUBJECT: Caltrans Cooperative Agreements for Design and Right-of-Way (ROW) Support of the Highway 101 Marin-Sonoma Narrows (MSN) B7 and B8 Contracts (formerly B1-Phase 2 and A4) (Action), Agenda Item No. 6b

RECOMMENDATION

Move to adopt a resolution authorizing the Executive Director to negotiate and enter into Caltrans Cooperative Agreements associated with Design and ROW support activities of the Highway 101 MSN B7 and B8 contracts.

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.

The Board had authorized initial design work for the last two major segments (B1-Phase 2 and A4) in Marin and awarded a contract to BKF Engineers in August 2017. The design work is for the final completion of both the northbound and southbound HOV lanes through northern Novato up to Olompali Park, as well as utility relocation. The TAM Board authorized a contract amendment with BKF to complete the full design of these projects at its February 2019 meeting. In order to accelerate project completion and be able to commit to an aggressive schedule to deliver design package by spring 2020, Caltrans re-scoped these two projects and renamed them MSN B7 (Northern Novato HOV lane construction) and MSN B8 (ROW acquisition, utility relocation and San Antonio Road improvements).

DISCUSSION/ANALYSIS

In order to collaborate and obtain Caltrans' Design and ROW support for activities associated with the projects, TAM must enter into a cooperative agreement with Caltrans. This is a typical conventional

agreement with Caltrans which outlines roles and liabilities of each party as the design work progresses, ROW needs are assessed (e.g. easements, acquisitions) and activities performed.

TAM enters into a cooperative agreement with Caltrans each time there is a formal relationship to carry out a project. The estimated Design and ROW support cost by Caltrans for the MSN B7 Project (Northern Novato HOV lane construction) project will be \$100,000, and \$3,988,000 for the MSN B8 Project (ROW acquisition, utility relocation and San Antonio Road improvements).

FISCAL CONSIDERATION

The recommended action will require that TAM commits \$4,088,000 to reimburse Caltrans for its services, and this financial commitment is included in TAM's FY 2019-2020 Annual Budget.

NEXT STEPS

Staff will negotiate and execute Design and ROW cooperative agreements with Caltrans for the MSN B7 and B8 Projects.

ATTACHMENTS

Resolution authorizing TAM to enter into separate Cooperative Agreements for MSN B7 and B8.

TAM RESOLUTION NO. 2019-___

**RESOLUTION OF THE TRANSPORTATION AUTHORITY OF MARIN AUTHORIZING
THE EXECUTIVE DIRECTOR TO NEGOTIATE AND ENTER INTO SEPARATE
COOPERATIVE AGREEMENTS WITH THE CALIFORNIA DEPARTMENT OF
TRANSPORTATION ASSOCIATED WITH DESIGN AND RIGHT-OF-WAY ACTIVITIES
FOR THE MSN B7 AND B8 PROJECTS**

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 and 2 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, the MSN B7 and B8 (formerly B1-Phase 2 and A4) projects (PROJECT) will complete the construction of High Occupancy Vehicle (HOV) lanes on U.S. 101 through Marin County; and,

WHEREAS, In order for an agency other than Caltrans to perform work on or for a state highway system, the State requires that the agency enter into a cooperative agreement which defines the work, establishes the responsibilities and financial commitments of each partner; and,

WHEREAS, TAM is a funding partner contributing funds required to prepare final designs and right of way (ROW) acquisitions for the PROJECT; and,

WHEREAS, Caltrans is responsible for overseeing all work and ROW engineering for the PROJECT; and,

WHEREAS, TAM staff will negotiate a Cooperative Agreement with fair terms to both parties that protects the interests of TAM; and,

WHEREAS, County Counsel will review the agreement to verify that there is nothing of significant concern; now, therefore, be it

RESOLVED, That the Executive Director is hereby authorized to negotiate and enter into separate Cooperative Agreements for the MSN B7 and B8 projects and any necessary amendments with Caltrans to provide design and ROW support activities.

PASSED AND ADOPTED at a regular meeting of the Transportation Authority of Marin held on the 26th day of September 2019, by the following vote:

AYES: Commissioners:

NOES: Commissioners:

ABSENT: Commissioners:

Judy Arnold, Chair
Transportation Authority of Marin

ATTEST: