



DATE: September 14, 2020

TO: Transportation Authority of Marin Administration, Projects & Planning Executive Committee

FROM: Anne Richman, Executive Director *Anne Richman*
Bill Whitney, Principal Project Delivery Manager

SUBJECT: Authorize Various Actions for the North/South Greenway Gap Closure Project (Action),
Agenda Item No. 6

RECOMMENDATION

The Administration, Projects & Planning (APP) Executive Committee reviews staff's recommendation and recommends the TAM Board authorize the Executive Director to (1) request the California Transportation Commission (CTC) program up to \$1.75M in Local Partnership Program (LPP) funding (2) request the Metropolitan Transportation Commission (MTC) reallocate previously programmed Regional Measure 2 (RM2) funds (3) execute a revised Cooperative Agreement with California Department of Transportation (Caltrans), and (4) execute a contract amendment with the consulting engineering firm Moffatt & Nichol to provide design services during construction and extend the contract term.

BACKGROUND

Staff and TAM's consulting team have worked closely with Caltrans and the City of Larkspur staff to advance the North-South Greenway Gap Closure Project that includes widening of the Northbound US 101 off-ramp structure over Corte Madera Creek closing the existing gap between the Central Marin Ferry Connector Path and the existing Greenbrae Pedestrian Overcrossing on Old Redwood Highway (referred to as the Northern Segment). TAM is the project sponsor and completed the California Environmental Quality Act (CEQA) environmental analysis in July 2016.

Staff assessed the scope of the Northern Segment and concluded it would be more efficient to implement it in two phases, since one portion of the path is within the Caltrans right-of-way and the other portion is along Old Redwood Highway which is solely within City of Larkspur's right-of-way. This way Caltrans can administer the construction of the portion it will take ownership of and Larkspur can administer the construction of the portion it will take ownership of.

DISCUSSION/ANALYSIS

TAM and Caltrans completed the design and prepared the construction documents for bidding over the spring and early summer. The project was released for construction bidding and received a total of eight bids on August 26, 2020. Caltrans is administering the award process and is reviewing the bid results for compliance with the contract document requirements. After an initial review TAM and Caltrans agree the bids are competitive and

reasonable. A recommendation to award is pending however all bids are higher than the engineers' estimates and exceed available funding.

TAM is the project sponsor and has provided funding for the earlier phases and will need to provide funding for the construction phase. It should be noted that RM2 funds from MTC are the main funding source for the project. Staff is evaluating various funding sources as well as cost saving options that can be used to close the shortfall due to the higher than expected bids. The funding sources being pursued are further discussed below.

Staff completed an in-depth value engineering assessment during the final design process, however given the higher than expected construction cost we are re-evaluating various components to determine if savings can be achieved. Assuming the project moves forward with contract award we can implement acceptable scope reductions and associated cost savings if deemed appropriate.

TAM has retained the services of Moffatt & Nichol to prepare the environmental reports and final design. Now that we are entering the construction phase, technical service to TAM and Caltrans to address design issues encountered during construction is needed. A contract amendment is proposed to retain Moffatt & Nichol for these services. The scope and fee are currently being negotiated and the results will be presented to the Board for review and approval at the September 24 meeting.

TAM has entered into a Cooperative Agreement with Caltrans to provide oversight during the environmental/design process and to administer the project during construction. The Cooperative Agreement will need to be revised to address the funding shortfall in the construction phase.

FISCAL CONSIDERATION

Including funds needed for the Moffatt & Nichol support services during construction, a total of \$2.75 million additional funds are required to close the funding gap and provide a full funding plan for the Northern Segment Creek Crossing.

Senate Bill (SB) 1 - Local Partnership Program (LPP) Incentive Funds

Staff has contacted the California Transportation Commission (CTC) to discuss the use of Local Partnership Program (LPP) funds of up to \$1.75 million to defray the project's shortfall.

The CTC set aside up to \$5 million in the LPP Guidelines to a jurisdiction that receives voter approval of new or renewed tax measure dedicated for transportation purposes. This was an incentive established by the CTC to recognize new or renewed voter-approved self-help efforts in pursuing future tax measures.

When Measure AA was passed by Marin voters in November 2018, TAM became eligible for the LPP incentive funds. In March 2019, the CTC programmed \$5 million to TAM for specific transportation project(s) to be determined at a later date. . TAM may request to program these funds to any eligible project(s) no later than March 2021.

Staff is proposing to request the CTC to program up to \$1.75 million of the LPP Incentive Funds to the Northern Segment of the North/South Greenway Gap Closure Project. The next CTC meeting is October 21, 2020 and the following meeting is December 2, 2020. It is imperative that this programming request is placed on the October CTC agenda since the contractors' bids received will likely expire before the December CTC meeting. The CTC typically requires 60-day notice to place a request on its agenda, but staff has reached out to CTC for exception under the special circumstance. Caltrans also agreed to help to place TAM's programming request on the October CTC agenda if TAM Board approval is obtained in September 2020.

Projects funded with LPP funds require at least a one-to-one match of private, local, federal, or non-CTC approved state funds. The Northern Segment of the North/South Greenway Gap Closure Project has sufficient matching funds to meet this requirement.

Staff will present proposals for the remaining LPP Incentive Funds at a future meeting before March 2021.

MTC/Regional Measure 2 (RM2)

Staff has also contacted MTC to assess and evaluate funding options. MTC has previously allocated RM2 funding to the Central Marin Ferry Connection (CMFC) and the Southern Segment of the North/South Greenway Gap Closure Project which were used to advance these projects. Remaining funds from the CMFC project could be re-directed to help close the funding gap for the Northern Segment. As previously reported, environmental work on the Southern Segment has been suspended pending the results of the bidding process. Staff is now recommending the approximately \$1 million in RM2 funds remaining from both the Southern Segment and the CMFC project be re-directed to the Northern Segment to help close the funding gap.

NEXT STEPS

Staff will continue to work with CTC and MTC to finalize allocation of the RM2 and LPP funds. The status of these actions will be reported to the Board at the September meeting.

ATTACHMENTS

None

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