



DATE: October 22, 2020

TO: Transportation Authority of Marin Board of Commissioners

FROM: Anne Richman, Executive Director *Anne Richman*
Nicholas Nguyen, Principal Project Delivery Manager

SUBJECT: Caltrans Cooperative Agreement for the Construction of the US 101 Marin-Sonoma Narrows B7 Project, Agenda Item No. 9e

RECOMMENDATION

The TAM Board adopts the resolution authorizing the Executive Director (ED) to negotiate and enter into a Cooperative Agreement associated with the construction of the US 101 Marin-Sonoma Narrows (MSN) B7 Project with Caltrans.

BACKGROUND

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

In addition to the HOV 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.

With the Sonoma County Transportation Authority (SCTA) in construction of its final MSN highway mainline project with the aid of the State's Senate Bill 1 (SB1) funding, TAM has been very focused on funding and designing the last mainline segment (MSN B7) in Marin, and in the whole corridor, to position itself for Cycle 2 of SB1 Solutions for Congested Corridors Program (SCCP) funds to begin construction. Caltrans, in conjunction with the Metropolitan Transportation Commission (MTC), submitted an SCCP application for the B7 segment this past July and a funding announcement is anticipated later this November. The design work is expected to be finalized this Fall.

DISCUSSION/ANALYSIS

In order to transition to the Construction Phase and have Caltrans administer the construction, TAM must enter into a cooperative agreement with Caltrans. This is a conventional and typical agreement with Caltrans which outlines roles and liabilities during construction.

TAM enters into a cooperative agreement with Caltrans each time there is a formal relationship to carry out a project. Caltrans will be reimbursed for construction support and capital costs, which is anticipated to come from Regional Measure 3 (RM3) and SB1 SCCP. This cooperative agreement has no effect until funds from both these two sources have been allocated. Construction is estimated to last approximately three years and is contingent on these fund sources for construction activities to begin in early 2021. The construction phase funding plan is shown in the table below.

<u>Construction Funding and Budget Plan (\$)</u>				
Fund Type	CONST. SUPPORT		CONST. CAPITAL	Totals
	CALTRANS	TAM	CALTRANS	
SB-1 SCCP	14,850,000	0	25,268,000	40,118,000
Local (RM3)		2,500,000	78,378,000	80,878,000
Totals	14,850,000	2,500,000	103,646,000	120,996,000

FISCAL CONSIDERATION

There is no fiscal impact related to the recommended action at this time point since there are no financial commitments in the cooperative agreement until the project is fully funded through SB1 SCCP and RM3. Should these funds become available within the current fiscal year and the financial commitments take effect, staff will come back to the Board for an appropriate budget amendment to initiate the project advertisement and construction effort.

NEXT STEPS

Staff will promptly negotiate and execute a cooperative agreement with Caltrans for the construction of the MSN B7 project. Staff will also continue to closely monitor the SB1 and RM3 grant programs.

ATTACHMENTS

Resolution authorizing the ED to enter into a Cooperative Agreement

TAM RESOLUTION NO. 2020-___

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE TRANSPORTATION
AUTHORITY OF MARIN AUTHORIZING THE EXECUTIVE DIRECTOR TO ENTER
INTO A COOPERATIVE AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF
TRANSPORTATION ASSOCIATED WITH THE CONSTRUCTION OF THE MSN-B7
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 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 (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 participate in 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 key funding partner and co-sponsor with Caltrans and,

WHEREAS, Caltrans is responsible for administering all construction elements of the work for the PROJECT; and,

WHEREAS, TAM staff will negotiate a Cooperative Agreement with fair terms to both parties that protects the interests of TAM, recognizing that construction activities can only begin when Senate Bill 1 (SB 1) Solutions for Congested Corridors Program (SCCP) and Regional Measure 3 (RM3) funds are allocated to the PROJECT 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 a Cooperative Agreement and necessary amendments with the Caltrans to administer the construction of the PROJECT.

PASSED AND ADOPTED at a regular meeting of the Transportation Authority of Marin held on the 22nd day of October, 2020, by the following vote:

AYES: Commissioners:

NOES: Commissioners:

ABSENT: Commissioners:

Judy Arnold, Chair
Transportation Authority of Marin

ATTEST:

Anne Richman
Executive Director

DRAFT