

## SBCAG STAFF REPORT

**SUBJECT:** Senate Bill 1 (SB1) – Baseline Funding Agreement

**MEETING DATE:** July 19, 2018

**AGENDA ITEM:** 4F

**STAFF CONTACT:** Fred Luna

### RECOMMENDATION:

Approve and authorize the Executive Director to execute a baseline funding agreement as attached, or with minor modifications and County Counsel Office concurrence, with the California Transportation Commission (CTC) to receive funds awarded for the implementation of the Highway 101 Multimodal Corridor project from Cycle 1 of the Road Repair and Accountability Act of 2017 (SB1 Funding).

### DISCUSSION:

In April 2017, Senate Bill 1 (SB1) or the Road Repair and Accountability Act of 2017 was signed by Governor Brown which provides the first significant, stable, and on-going increase in state transportation funding in more than two decades. Annually, SB1 will generate around \$5.2 billion in new funding that includes significant funding for the State Highway Operation and Protection Program (SHOPP) and the State Transportation Improvement Program (STIP) as well as funding for local road rehabilitation and maintenance, and active transportation projects. SB1 also includes three new competitive programs to help deliver transformative projects statewide: Local Partnership Program, Solutions for Congested Corridors Program and Trade Corridor Enhancement Program. In October 2017, the California Transportation Commission (CTC) announced calls for projects for these three new competitive programs with the total available funding for Cycle 1 approximately \$2.6 billion over a period of three to four funding years. That same month, October 2017, the SBCAG board approved staff to work with Caltrans to submit applications for these SB1 programs for the Highway 101 HOV Project from Carpinteria to Santa Barbara. By February 2018, SBCAG had submitted applications for funding for all of the programs totaling \$184 million in funding. SBCAG requested the funds to deliver segments 4A to 4C of the Highway 101 HOV Widening and for coastal access improvement and mitigation projects required as part of implementing the Highway 101 project.

On April 25, 2018, SBCAG and Caltrans were notified that the CTC would be recommending for approval the full \$184 million in funding for the Highway 101 project. At the May 16, 2018 meeting of the CTC, the total funding award was approved. SBCAG received funding as shown in Table 1. In February 2018, SBCAG was also awarded \$2.6 million in SB1 Local Partnership Program (LPP) Formula funding which was programmed for use for project development activities on some of the coastal access and mitigation projects associated with the Highway 101 project.

**Table 1**  
**SB 1 Funding Award**

<b>Funding Program</b>	<b>Amount (millions)</b>
Trade Corridor Enhancement Program - Local	\$16.00
Trade Corridor Enhancement Program - Statewide	\$35.00
Solutions for Congested Corridors	\$132.88
<b>Total</b>	<b>\$183.88</b>

**SB1 Funding Requirements and Baseline Agreement**

The award and receipt of SB1 funding requires agencies to agree to enter into a Project Baseline Agreement with the CTC. A draft Project Baseline Agreement has been prepared by Caltrans and is included as Attachment 1 to this report. The baseline agreement has been reviewed by SBCAG staff and also by county counsel. The July board meeting provides the only opportunity for SBCAG to approve the baseline agreement (prior to the deadline by which we need to submit to Caltrans and the CTC) since the August meeting will be cancelled. It is anticipated that the current draft agreement will be finalized by the end of July, but between the time of the board meeting on July 19<sup>th</sup> and the end of July if any substantive changes are identified to the draft agreement staff will consult with county counsel.

Since SBCAG and Caltrans partnered on the application and are the direct recipients of the SB1 funds, both agencies are required to sign the Project Baseline Agreement. Furthermore, the CTC is requiring that implementing agencies be signatories to the Project Baseline Agreement and as such the County of Santa Barbara is required to sign. The County will receive funding for being the implementing agency for coastal access projects associated with Highway 101. All agencies that receive funds through SB1 shall be required to adhere to the CTC's Accountability and Transportation Guidelines that define reporting for cost and schedule adherence among other requirements to maintain a high level of accountability for these funding programs.

Per the guidelines, the CTC is requiring that the baseline agreements be adopted within 4 months after the award of the funding, and have targeted the October 2018 CTC meeting to approve the baseline agreements. Caltrans is required to submit the baseline agreements to their headquarters by August 31<sup>st</sup> in order to meet the October CTC meeting.

**Recommendation**

Staff is seeking approval by the SBCAG board to:

1. Enter into a Project Baseline Agreement with Caltrans, the CTC and other partners for receiving SB1 funding; and
2. To grant authority to the Executive Director to sign and submit the Project Baseline Agreement to Caltrans and the CTC.

**ATTACHMENTS:**

- A. Project Baseline Agreement (Draft)

# ATTACHMENT A

## STATE OF CALIFORNIA - CALIFORNIA TRANSPORTATION COMMISSION

CTC-0001 (NEW 05/2018)

ROAD REPAIR AND ACCOUNTABILITY ACT OF 2017  
PROJECT BASELINE AGREEMENT  
*Santa Barbara 101 Multimodal Corridor*

Resolution \_\_\_\_\_  
(will be completed by CTC)

### 1. FUNDING PROGRAM

- Active Transportation Program
- Local Partnership Program (Competitive)
- Solutions for Congested Corridors Program
- State Highway Operation and Protection Program
- Trade Corridor Enhancement Program

### 2. PARTIES AND DATE

2.1 This Project Baseline Agreement (Agreement) for the *Santa Barbara 101 Multimodal Corridor*, effective on, \_\_\_\_\_ (will be completed by CTC), is made by and between the California Transportation Commission (Commission), the California Department of Transportation (Caltrans), the Project Applicant, *the Santa Barbara County Association of Governments (SBCAG), Caltrans District 5*, and the Implementing Agencies, *SBCAG, the County of Santa Barbara, and Caltrans District 5*, sometimes collectively referred to as the "Parties".

### 3. RECITAL

- 3.2 Whereas at its May 16, 2018 meeting the Commission approved the and included in this program of projects the *Santa Barbara 101 Multimodal Corridor*, the parties are entering into this Project Baseline Agreement to document the project cost, schedule, scope and benefits, as detailed on the Project Programming Request Form attached hereto as Exhibit A and the Project Report attached hereto as Exhibit B, as the baseline for project monitoring by the Commission.
- 3.3 The undersigned Project Applicant certifies that the funding sources cited are committed and expected to be available; the estimated costs represent full project funding; and the scope and description of benefits is the best estimate possible.

### 4. GENERAL PROVISIONS

The Project Applicant, Implementing Agency, and Caltrans agree to abide by the following provisions:

- 4.1 To meet the requirements of the Road Repair and Accountability Act of 2017 (Senate Bill [SB] 1, Chapter 5, Statutes of 2017) which provides the first significant, stable, and on-going increase in state transportation funding in more than two decades.
- 4.2 To adhere, as applicable, to the provisions of the Commission:
- Resolution, *Insert Number* , "Adoption of Program of Projects for the Active Transportation Program", dated \_\_\_\_\_
  - Resolution, *Insert Number* , "Adoption of Program of Projects for the Local Partnership Program", dated \_\_\_\_\_
  - Resolution, SCCP-P-1718-01, "Adoption of Program of Projects for the Solutions for Congested Corridors Program", Dated May 16, 2018
  - Resolution, G-18-13, "Adoption of Program of Projects for the State Highway Operation and Protection Program", Dated March 21, 2018
  - Resolution, TCEP-P-1718-01, "Adoption of Program of Projects for the Trade Corridor Enhancement Program", Dated May 16, 2018

- 4.3 All signatories agree to adhere to the Commission's Guidelines. Any conflict between the programs will be resolved at the discretion of the Commission.
- 4.4 All signatories agree to adhere to the Commission's SB 1 Accountability and Transparency Guidelines and policies, and program and project amendment processes.
- 4.5 SBCAG (for non-SHOPP components) and Caltrans (for SHOPP components) agree to secure funds for any additional costs of the project.
- 4.6 SBCAG and the County of Santa Barbara agree to report to Caltrans on a quarterly basis; after July 2019, reports will be on a semiannual basis on the progress made toward the implementation of the project, including scope, cost, schedule, outcomes, and anticipated benefits.
- 4.7 Caltrans agrees to prepare program progress reports on a quarterly basis; after July 2019, reports will be on a semi-annual basis and include information appropriate to assess the current state of the overall program and the current status of each project identified in the program report.
- 4.8 Caltrans agrees to submit a timely Completion Report and Final Delivery Report as specified in the Commission's SB 1 Accountability and Transparency Guidelines.
- 4.9 All signatories agree to maintain and make available to the Commission and/or its designated representative, all work related documents, including without limitation engineering, financial and other data, and methodologies and assumptions used in the determination of project benefits during the course of the project, and retain those records for four years from the date of the final closeout of the project. Financial records will be maintained in accordance with Generally Accepted Accounting Principles.
- 4.10 The Transportation Inspector General of the Independent Office of Audits and Investigations has the right to audit the project records, including technical and financial data, of the Department of Transportation, the Project Applicant, the Implementing Agency, and any consultant or sub-consultants at any time during the course of the project and for four years from the date of the final closeout of the project, therefore all project records shall be maintained and made available at the time of request. Audits will be conducted in accordance with Generally Accepted Government Auditing Standards.

## 5. SPECIFIC PROVISIONS AND CONDITIONS

- 5.1 Project Schedule and Cost  
See Project Programming Request Form, attached as Exhibit A.
- 5.2 Project Scope  
See Project Report or equivalent, attached as Exhibit B. At a minimum, the attachment shall include the cover page, evidence of approval, executive summary, and a link to or electronic copy of the full document.
- 5.3 Other Project Specific Provisions and Conditions

The Project Programming Request (PPR) for the Santa Monica Road and Via Real Intersection Improvements Project (PPNO 2985) will be updated upon completion of the environmental document. It is anticipated that the environmental document will be completed by 4/22/2020.

The Project Programming Request (PPR) for the Santa Claus Lane Class I Bikeway Project (PPNO 2896) will be updated upon completion of the environmental document. It is anticipated that the environmental document will be completed by 2/1/2019.

The Project Programming Request (PPR) for the Santa Claus Lane Streetscape, Coastal Access Parking, and Railroad Crossing Projects (PPNO 2897) will be updated upon completion of the environmental document. It is anticipated that the environmental document will be completed by 9/30/2018.

The Project Programming Request (PPR) for the North Padaro Coastal Access Improvements (PPNO 2893) will be updated upon completion of the environmental document. It is anticipated that the environmental document will be completed by 3/1/2019.

The Project Programming Request (PPR) for the Summerland Area Coastal Access Improvements (PPNO 2984) will be updated upon completion of the environmental document. It is anticipated that the environmental document will be completed by 4/30/2019.

### Attachments:

Exhibit A: Project Programming Request Form  
Exhibit B: Project Report  
Project Baseline Agreement

SIGNATURE PAGE  
TO  
PROJECT BASELINE AGREEMENT

Santa Barbara 101 Multimodal Corridor

Resolution \_\_\_\_\_

Project Applicants

Santa Barbara County Association of Governments  
California Department of Transportation, District 5

Implementing Agencies

Santa Barbara County Association of Governments:

- South Coast 101 HOV Lanes Projects
- Santa Claus Lane Class I Bikeway Project
- North Padaro Lane Coastal Access Improvements Project
- Summerland Area Coastal Access Improvements Project

California Department of Transportation, District 5:

- South Coast 101 HOV Lanes Projects
- Santa Monica Road and Via Real Intersection Improvements Project
- South Coast 101 Rehabilitation Projects

County of Santa Barbara:

- Santa Claus Lane Streetscape, Coastal Access Parking, and Railroad Crossing Projects

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Marjie Kirn Date  
Executive Director, Santa Barbara County Association of Governments

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Timothy M. Gubbins Date  
District Director, California Department of Transportation, District 5

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Mona Miyasato Date  
Chief Executive Officer, County of Santa Barbara

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Laurie Berman Date  
Director, California Department of Transportation

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Susan Bransen Date  
Executive Director, California Transportation Commission