



Alameda Corridor-East Construction Authority

4900 Rivergrade Rd. Ste. A120 Irwindale, CA 91706 (626) 962-9292 fax (626) 962-3552 www.theaceproject.org

ALAMEDA CORRIDOR-EAST CONSTRUCTION AUTHORITY BOARD OF DIRECTORS

REGULAR MEETING AGENDA

Monday, January 23, 2017 – 1:00 P.M.

Montebello City Hall

1600 W. Beverly Blvd.

Montebello, CA 90640

Members of the public may comment on any item on the agenda at the time it is taken up by the Board. We ask that members of the public come forward to be recognized by the Chair and keep their remarks brief. If several persons wish to address the Board on a single item, the Chair may impose a three-minute time limit on individual remarks at the beginning of the discussion.

Montebello City Hall is accessible to persons using wheelchairs and with other disabilities. Informational material will be available in large print. Assistive listening devices, materials in other alternate formats, American Sign Language interpreters and other accommodations will be made available upon request. Requests should be made to Deanna Stanley at 626-962-9292 ext. 142 or dstanley@theaceproject.org. Providing at least 72 hours notice will help ensure availability.

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|-------|--|---------------|-------------|
| I. | Pledge of Allegiance | | |
| II. | Roll Call and Introductions | | |
| III. | Public Comment | | |
| IV. | Approval of Special Meeting Minutes of December 12, 2016 | (Pages 1 – 5) | Action |
| V. | Chairman's Remarks | | |
| VI. | Board Member Comments | | |
| VII. | Chief Executive Officer's Report | (Pages 6 – 7) | Information |
| VIII. | Project Construction Progress Reports | | Information |
| IX. | Board Election of Officers | (Page 8) | Action |

The ACE Construction Authority is constituted of seven (7) member jurisdiction; the Cities of El Monte, Industry, Montebello, San Gabriel and Pomona, the County of Los Angeles and the San Gabriel Valley Council of Governments. A San Bernardino County Council of Governments representative is an ex-officio Board member. Each member or alternate has one vote. A quorum of the ACE Construction Authority is no less than four (4) of its total voting membership. Actions taken by the ACE Construction Authority shall be by simple majority of the members present with a quorum in attendance except for personnel actions, the annual budget, matters dealing with the Administrative Code or matters requiring subsequent approval by the SGVCOG, all of which shall require five (5) votes. All disclosable public records related to this meeting are available for viewing at the ACE office above during normal working hours.

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|-------|---|-----------------|-----------------|
| X. | Approval of Budget Adjustment for Fiscal Year 2016-17 | (Pages 9 – 10) | Action |
| XI. | Approval of Award of Contract for Design & Engineering Services with HNTB Corporation for the Turnbull Canyon Road Grade Separation Project | (Pages 11 – 12) | Action |
| XII. | Approval of a Sewer Relocation Agreement with County Sanitation District No. 2 of Los Angeles County for the Durfee Avenue Grade Separation Project | (Pages 13 – 27) | Action |
| XIII. | Receive and File Quarterly Project Progress & Financial Reports | (Pages 28 – 36) | Action |
| XIV. | Receive and File Environmental Mitigation Monitoring Reports | (Pages 37 – 50) | Action |
| XV. | Approval of Support Position for TCIF provisions of AB 1 (Frazier), SB 1 (Beall) and Governor's budget proposal | (Pages 51 – 67) | Action |
| XVI. | Closed Session: The Board will adjourn to closed session in accordance with Government Code Section 549568 to discuss Real Property Negotiations:
Agency Negotiator: Mark Mendoza, Paragon Partners/Mark Christoffels, ACE Construction Authority
Negotiating Parties: ACE Construction Authority and Industry Realty Holdings, LLC/IHOP Jack in the Box
Property Address: 18271 Gale Ave. Industry, CA 91748
Under Negotiation: Price and Terms of Payment | | Possible Action |
| | And in accordance with Government Code Section 54956.9 to discuss Pending Litigation (four cases) | | |
| | LA Superior Court Case No. BC 582076
ACE v Fullerton 60 Holdings LLC et al.
RE: 1320 Fullerton Road, City of Industry, CA 91748 | | Possible Action |
| | LA Superior Court Case No. BC 629037 ACE v. Rowland Ranch Properties, et al. | | Possible Action |



If you would like to receive the ACE Board agenda electronically, please email Amy Hanson at ahanson@theaceproject.org

LA Superior Court Case No. BC 62903 ACE v. Rowland
Ranch Properties, et al.

Possible
Action

Los Angeles Superior Court Case No. BC593901 ACE v.
Sasan Shadravan, etc., et al.

Possible
Action

XVII. Adjournment

Action



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Hanson at ahanson@theaceproject.org



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ACE Construction Authority Board of Directors Special Meeting December 12, 2016 Minutes

Chairman Hadjinian called the meeting of the Board of Directors of the Alameda Corridor-East Construction Authority to order at 11:05AM at the Montebello Council Chambers.

1. **Pledge of Alliance** – Board Member Solis led the pledge of allegiance.

2. **Roll Call:** In attendance was:

Jack Hadjinian, Chair
Juli Costanzo, Vice Chair
Barbara Messina
Elliott Rothman
Hilda Solis
Mark Radecki

Staff:

Mark Christoffels, CEO
Gregory Murphy, Burke, Williams & Sorensen, legal counsel
Amy Hanson
Cecilia Cardenas
Charles Tsang
Genichi Kanow
Mark Mendoza, Paragon Partners
Paul Hubler
Phil Balmeo
Rachel Korkos
Ricky Choi
Victoria Butler

Guests:

Abraham Cruz, City of Industry
Charlie Nakamoto, Jacobs
David Eames, AECOM
Hank Fung, LA County
Kurt Kissinger, El Adobe Apts., Inc.
Mark Grojeda, PWD

3. **Public Comments** – There were no public comments.
4. **Approval of November 28, 2016 Special Meeting minutes** – A motion was made to approve the November 28, 2016 Special meeting minutes.
M/S/C/Messina/Costanzo/Unanimous
5. **Chairman Remarks** – Chairman Hadjinian welcomed new Board member and LA County Supervisor Hilda Solis to the Board and wished everyone Happy Holidays.

6. **Board Member Comments** – Vice Chair Costanzo thanked the ACE staff for their leadership, insight and ongoing commitment to the ACE projects and expressed her gratitude for the work being done. Member Solis thanked staff for the work that has already been completed by ACE and stated that she is happy to be a part of this Board and to be involved in an agency that is helping to refine our communities.
7. **Chief Executive Officer's Report** – Mr. Christoffels reported that ACE is currently preparing applications for a FASTLANE Grant which would be allocated to the Durfee Avenue and Montebello Corridor projects. He indicated that ACE will be working with other agencies to combine grant applications which has proven to be a successful approach in obtaining funding. He reminded the Board of the legislative meetings being planned in Washington D.C. in March of 2017 and encouraged the Board members to attend.
8. **Construction Project Progress Reports** – Charles Tsang reviewed progress photos of the Fairway Drive grade separation project. Victoria Butler reviewed project progress photos of the Fullerton Road grade separation project. Genichi Kanow reviewed project progress photos of the Puente Avenue grade separation project. Phil Balmeo reviewed project progress photos of the San Gabriel Trench project.
9. **Hearing on Resolution of Necessity No. 16-02, 4821 Durfee Avenue, Pico Rivera** – Greg Murphy discussed the process for the Resolutions of Necessity. He reminded the Board that the hearing was to determine several factors related to the necessity of the properties for the project. He indicated staff must present evidence for the Board to find that the property was necessary for the project and was planned in the manner most compatible with the greatest public good. He reminded the Board that if the Board approved staff to pursue eminent domain proceedings, staff would continue negotiation efforts.

Mark Mendoza, Paragon Partners reviewed the property requirements of Resolution of Necessity No. 16-02. He indicated that a permanent roadway easement, a permanent wall and footing easement, a utility easement and a temporary construction easement for the duration of 130 weeks are needed at the El Adobe Apartments, Inc. in order to construct the Durfee Avenue project. He specified that negotiations with the property owner have been ongoing and staff requests Board approval to proceed with the eminent domain process.

The public comment period was opened and there were no comments. Member Rothman asked if this action results in litigation, would any legal representation fees for Board members be compensated. Greg Murphy stated that ACE would be responsible for legal fees for Board members whether past or current pertaining to any actions taken today. Member Solis asked if the City of Pico Rivera is supportive of this project. Mr. Mendoza stated that ACE meets monthly with City representatives and they are aware and supportive of all property acquisitions and negotiations pertaining to this project. Member Solis asked how many families or individuals in this apartment complex will be impacted due to this acquisition. Mr. Mendoza

explained that there will be no displacement of any residents of this facility and that ACE is working closely with the owner to mitigate any impacts to occupants. Mr. Christoffels clarified that the building will not be directly impacted but rather the entrance to the building requires relocating. He explained that the roadway will be lowered therefore eliminating access to the building entrance. He stated that ACE has purchased adjacent parcels for this relocation. He indicated that ACE works closely with the County and City on all property acquisitions. There were no other questions. The public comment period was closed.

A motion was made by member Radecki and seconded by member Solis to adopt Resolution of Necessity No. 16-02. Mr. Christoffels called the vote:

Ayes: Solis, Costanzo, Hadjinian, Messina, Rothman, Radecki

Nayes: None

10. **Hearing on Resolution of Necessity No. 16-03, 4754 Durfee Avenue, Pico Rivera** – Mark Mendoza, Paragon Partners reviewed the property requirements of 4754 Durfee Avenue in Pico Rivera. He indicated that the entrance to this property requires relocating. He indicated that two permanent utility easements are needed and a temporary 130 week construction easement is needed for this project. He specified that negotiations with the property owner have been ongoing and staff requests Board approval to proceed with legal action if required.

The public comment period was opened and there were no comments. The public comment period was closed.

A motion was made by member Solis and seconded by member Costanzo to adopt Resolution of Necessity No. 16-03. Mr. Christoffels called the vote:

Ayes: Solis, Costanzo, Hadjinian, Messina, Rothman, Radecki

Nayes: None

11. **Hearing on Resolution of Necessity No. 16-04, 4820 Durfee Avenue, Pico Rivera** – Mark Mendoza, Paragon Partners reviewed the property requirements of 4820 Durfee Avenue in Pico Rivera. He indicated that a permanent roadway easement, a permanent slope easement, two permanent utility easements and a temporary construction easement of 130 weeks is required for this project. He stated that negotiations with the owner have been ongoing but a settlement agreement has not yet been reached. He asked for approval of this resolution so that staff may move forward with the project and in order to adhere with construction schedules.

Mr. Christoffels indicated that communication from the property owners' law firm has been received and a copy was distributed to the Board.

The public comment period was opened and there were no comments. The public comment period was closed.

A motion was made by member Solis and seconded by member Messina to adopt Resolution of Necessity No. 16-04. Mr. Christoffels called the vote:

Ayes: Solis, Costanzo, Hadjinian, Messina, Rothman, Radecki

Nayes: None

15. **Approval of Contract Amendment with URS Corporation for Design Services for the Durfee Avenue Grade Separation Project** – Mr. Christoffels reported the various design changes that were necessary for the Durfee Avenue project including; Union Pacific Railroad's recent bridge standards updates, the City of Pico Rivera requested to incorporate a larger waterline to our designs to be constructed simultaneously as Durfee which will be reimbursable by the City and, demolition of a property was added to URS Corporations contract rather than procuring an additional agency to complete this work. He requested approval so ACE may move forward with these changes.

A motion was made to authorize Chief Executive Officer to amend the contract with URS Corporation to add \$194,386 for additional services for the Durfee Avenue grade separation, for a new contract value of \$5,600,917.

M/S/C/Solis/Costanzo/Unanimous

16. **Approval of an Increased Change Order Authorization for GMZ Engineering, Inc. for the Temple Avenue 4th Track Diversion Culvert Replacement Project** – Mr. Christoffels reported that the final stage of this project is the removal of the existing storm drain and the reconstruction of a new one. He explained that this work was postponed due to restrictions on construction work during the storm season. Mr. Christoffels reported that the contractor is retaining all original pricing however, the requested increase is to cover unavoidable expenses such as insurance that was purchased for the duration of the delay and will need to be retained again. He indicated this request includes an increase to his contingency authorization which will allow renegotiation of future costs.

A motion was made to increase the Chief Executive Officers' change order authorization to 25% (\$112,773) of GMZ Engineering, Inc. construction contract for the Temple Avenue 4th Track Diversion Culvert Replacement Project.

M/S/C/Rothman/Solis/Unanimous

17. **Adoption of 2017 Federal and State Legislative Program** – Paul Hubler updated the Board on the progress of the freight project programs. He reported that ACE will be combining grant applications with the two Southern California ports in an effort to increase the chances of funding by presenting a simultaneous improvement of the movement of goods with these

ports. He updated the Board on the status of various federal grant programs and state trade corridor funding programs.

A motion was made to adopt the 2017 Federal and State Legislative Program.

M/S/C/Costanzo/Radecki/Unanimous

18. **Approval of 2017 Board Meeting Schedule** – Discussion ensued regarding the meeting schedule for 2017. Chairman Hadjinian stated that he will not be able to attend the April Board meeting.

A motion was made to approve the 2017 meeting schedule with no changes.

M/S/C/Rothman/Costanzo/Unanimous

16. **Reception for Board Member Rothman** – Reception followed.
17. **Adjournment** – The meeting was adjourned at 12:14PM

X 

Amy Hanson
Assistant to the Clerk of the Board



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MEMO TO: ACE Construction Authority Board Members & Alternates

FROM: Mark Christoffels
Chief Executive Officer

DATE: January 23, 2017

SUBJECT: CEO Report

The following are items of note since the last meeting:

State Fiscal Year Single Audit – ACE received notice from the California State Controller's office over the holidays that a desk review of ACE's single audit report for the year ended June 30, 2015 was completed with a determination of no findings. A single audit report is a rigorous, organization-wide audit of an entity, which is awarded and expends significant federal funds. The State Controller's Office is the single audit oversight agency for most California local governments.

Legislative Meetings – Board members are encouraged to participate in the ACE/SGVCOG meetings with legislators in Washington, D.C. scheduled for March 13-16, 2017. In addition to the meetings, the annual San Gabriel Valley Congressional Appreciation Reception is scheduled for Tuesday, March 14. Please let staff know if you wish to participate so travel arrangements can be made.

Contracting – Our Administrative Code delegates to the CEO the authority to approve new contracts or change orders for Board-approved contracts within certain limits, with a requirement that I report to the Board any such contract action. Since my last report, I have approved the following:

Consultant/Vendor	Reason for Change	Change Amount	Total Contract Value
OHL USA, Inc.	Fairway Drive Grade Separation project: Change Order No. 2 – Contract Amendment #1 which was authorized by the Board; Bid Schedule Revision; Specification Administrative Change	\$19,685,000	\$91,678,212
OHL USA, Inc.	Fairway Drive Grade Separation project: Change Order No. 3 – MCI Material and Installation Changes	\$195,700	\$91,873,912

Shimmick Construction Company, Inc.	Fullerton Road Grade Separation project: Change Order No. 1 – So. Cal Gas 36” Steel Casing; Changes in Work; Revised MCI/Verizon Fiber Optic Route	(\$410,837.65)	\$81,875,970
Shimmick Construction Company, Inc.	Fullerton Road Grade Separation project: Change Order No. 2 – Field Office Mobilization	(\$87,828.94)	\$81,788,141
HDR Engineering, Inc.	Additional ROW Services for Montebello Blvd.	\$120,385	\$245,700 (Task Order)

Community Outreach Update – Staff conducted the following project outreach activities:

- Distributed construction alert notices regarding sidewalk closures due to pedestrian ramp construction for the San Gabriel Trench project;
- Conducted pre-construction surveys of properties located within the Lemon Avenue freeway ramps project area;
- Conducted ongoing community outreach and support activities for the San Gabriel Trench, Puente Avenue, Fairway Drive and Fullerton Road grade separation projects.



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MEMO TO: ACE Construction Authority Board Members & Alternates

FROM: Mark Christoffels, Chief Executive Officer

DATE: January 23, 2017

SUBJECT: Board Election of Officers

In accordance with the Bylaws of the San Gabriel Valley Council of Governments, at the first regular meeting the ACE Construction Authority Board of Directors shall hold annual elections to fill the positions of Chair and Vice Chair of the Board.



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MEMO TO: ACE Construction Authority Board Members & Alternates

FROM: Mark Christoffels
Chief Executive Officer

DATE: January 23, 2017

SUBJECT: Approval of Budget Adjustment for Fiscal Year 2016-17

RECOMMENDATION: Staff recommends the Board Amend the approved Fiscal Year 2016-17 to increase the retirement expense line item from \$786,500 to \$1,347,100 to pay down ACE's current estimated CalPERS Termination Liability.

BACKGROUND: The employees of ACE receive retirement benefits through a contract between the San Gabriel Valley Council of Governments (SGVCOG) and CalPERS. There are currently 23 ACE employees and 4 SGVCOG employees that are covered under this CalPERS contract. To date all costs associated with this benefit for ACE staff have been recovered through ACE's grant funding agreements. The SGVCOG covers its portion of benefit costs through funds allocated for this purpose in their annual budget.

Each year CalPERS provides reports to each agency that contracts with them for retirement benefits a summary statement of total employer contributions, investment earnings, prospective future contributions and earnings and anticipated liabilities. The difference between prospective contributions and earnings and liabilities is known as the "Unfunded Liability". In 2013, CalPERS agreed to allow ACE to make additional monthly payments towards its Unfunded Liability and in 2014 ACE began making additional payments in the amount of \$28,283 per month with a goal of paying off its then identified Unfunded Liability of \$1,036,265 within three years.

In addition to an Unfunded Liability, each agency that contracts with CalPERS has an estimated Termination Liability. This is an estimated amount that would have to be paid by the agency should it desire to immediately terminate its contract with CalPERS. In 2014, the CalPERS annual valuation reports began reflecting hypothetical Termination Liability costs. The SGVCOG's plan data reflected a termination cost estimated at \$5,245,348, if the plan were to terminate as of June 30, 2015 and investments met its anticipated 3.75% rate of return.

Currently ACE is scheduled to sunset and at that time the SGVCOG may elect to also terminate the overall CalPERS contract to reduce pension liability and protect the benefits of the employees and retirees as well as the SGVCOG. Rather than wait until the date of termination to pay off the Termination Liability, at the request of the SGVCOG, ACE staff worked with CalPERS to determine if this potential termination liability could in essence be "pre-paid" at this time. CalPERS agreed to such an arrangement and beginning in July of 2017, staff began making additional monthly payments of \$46,717 to CalPERS to pay of this estimated Termination Liability.

At the time the Board approved the Fiscal Year 2016-17 budget, staff was still in discussions with CalPERS regarding this Termination Liability payment and exploring options on how to pre-pay this liability, therefore the budget that was approved did not include any funding for payments against the Termination Liability. Now that staff has an agreement with CalPERS regarding the pre-payment of the Termination Liability, the budget will need to be amended to account for these additional monthly CalPERS payments.

BUDGET IMPACT: Indirect costs such as the payment of retirement benefits are reimbursed to ACE through the various project grants. Caltrans determines the allowable reimbursement rate through an "indirect cost allocation plan" which they approve each fiscal year. Before commencing with additional payments to CalPERS, staff consulted with Caltrans on eligibility for full reimbursement and have been informed that these costs can be reimbursed under the project grant funding. Therefore, the additional costs for this requested budget increase will be offset through project grant reimbursements in future fiscal years.



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MEMO TO: ACE Construction Authority Board Members and Alternates

FROM: Mark Christoffels
Chief Executive Officer

DATE: January 23, 2017

SUBJECT: Approval of Award of Contract for Design & Engineering Services with
HNTB Corporation for the Turnbull Canyon Road Grade Separation Project

RECOMMENDATION: Staff recommends that the Board authorize the Chief Executive Officer to execute a design services contract with HNTB Corporation (HNTB) and issue Task Order No. 1 for preliminary design services (Phase 1) for \$1,818,209 for the Turnbull Canyon Road Grade Separation Project.

BACKGROUND: At the November 2016 Board meeting, the Board approved the selection of HNTB for the design of the Turnbull Canyon Road grade separation project and authorized negotiation of a design and engineering services contract with this firm for Board approval.

In preparing for negotiations, staff prepared its own design cost estimate. This estimate took into account specific scope of work and project complexity.

Staff initiated negotiations with a scope of work for Phase 1 (preliminary engineering) activities included in the Request for Qualifications. The work scope includes the following major tasks:

- Implement a project management, quality control, and quality assurance plan for the design contract.
- Coordinate with ACE, Union Pacific Rail Road (UPRR), City of Industry, Los Angeles County and other agencies and utilities to resolve design issues and obtain preliminary design approvals.
- Perform data collection, research and potholing.
- Prepare traffic study for the project area and vicinity.
- Provide supplemental environmental document support and right-of-way impact support.
- Conduct site investigation and mappings.
- Prepare Structures, Geotechnical, and Hydrology/Hydraulic reports.
- Provide support to ACE for a value analysis study of the preliminary plans
- Prepare plans, specification and cost estimates for 35% submittal package.
- Provide project support and special studies as directed by ACE staff.

Proposed costs for the above Phase 1 tasks were compared with the estimates prepared by staff and any discrepancies were resolved. Staff recently concluded design contract negotiations and is recommending approval of a not-to-exceed contract amount of \$1,818,209.

This authorization would also allow a 10% contingency allowance in accordance with normal agency procedures. Any contract amount changes from the above figure due to contract change orders during the preliminary design phase that exceed the CEO's authorization will be brought back to the Board for further consideration and approval.

The preliminary engineering scope is estimated to be completed within 11 months.

It should be noted that the above contract will be subject to future amendment for final design services depending on comments received from City of Industry, Los Angeles County, and UPRR. Because the services will not be needed until a final design concept is chosen and the needed services can be best defined at that time, these services will be requested at a later date as a contract amendment.

BUDGET IMPACT: Funding for this contract is available from Metro (Prop C and Measure R) funds.



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MEMO TO: ACE Construction Authority Board Members & Alternates

FROM: Mark Christoffels
Chief Executive Officer

DATE: January 23, 2017

SUBJECT: Approval of a Sewer Relocation Agreement with County Sanitation District No. 2 of Los Angeles County for the Durfee Avenue Grade Separation Project

RECOMMENDATION: Staff recommends that the Board authorize the Chief Executive Officer to execute a Sewer Relocation Agreement with County Sanitation District No. 2 of Los Angeles County for the design, construction and inspection of sewer facilities as part of the Durfee Avenue grade separation project.

BACKGROUND: During the course of constructing grade separation projects, the gravity fed utility systems, such as storm drains and sewer lines, become greatly impacted by the lowering of the street. The County Sanitation District No. 2 of Los Angeles County owns trunk sewer lines within the footprint of the Durfee Avenue Grade Separation project and the affected sewer lines must be relocated in order to maintain service to the region.

The Design team has prepared relocation plans for the affected sewer lines and has been working closely with County Sanitation District No. 2 of Los Angeles County staff towards final approval. This agreement is part of the final approval process and defines the responsibility of costs for the design, construction and inspection of the affected sewer lines.

A copy of the proposed draft agreement is attached.

BUDGET IMPACT: Since all of the required right of way acquisition and the design and construction of these facilities will be done directly by ACE, reimbursement payments to the County Sanitation District authorized by this agreement will be primarily their staff time, which is estimated at \$50,000. Payments will only be made by ACE for verified expenses by the County Sanitation District. Sufficient funds are included in the project budget for these expenses.

Attachment

RECORDING REQUESTED BY:
COUNTY SANITATION DISTRICTS
OF LOS ANGELES COUNTY
1955 WORKMAN MILL ROAD
P.O. BOX 4998
WHITTIER, CA 90607-4998

WHEN RECORDED, MAIL TO ABOVE ADDRESS

ATTN: ED STEWART
FACILITIES PLANNING DEPARTMENT

SEWER RELOCATION AGREEMENT

This Sewer Relocation Agreement (“**Agreement**”) is dated _____, 2017, (“**Effective Date**”) and is between **COUNTY SANITATION DISTRICT NO. 2 OF LOS ANGELES COUNTY**, a county sanitation district organized and existing under the provisions of the County Sanitation District Act, California Health and Safety Code Section 4700, *et seq.* (“**District**”), and **ALAMEDA CORRIDOR-EAST CONSTRUCTION AUTHORITY OF THE SAN GABRIEL VALLEY COUNCIL OF GOVERNMENTS**, a California joint power authority (“**ACE**”).

ACE is in the process of designing the Durfee Avenue Grade Separation project located between Olympic Boulevard and West Boulevard (“**Project**”) in the City of Pico Rivera. The District owns, operates, and maintains the Downey-Bellflower Extension Trunk Sewer within the public right-of-way of Durfee Avenue (“**Existing Sewer**”).

The construction of the Project would impair the District’s ability to operate and maintain the Existing Sewer unless a portion of the Existing Sewer is relocated. To avoid any impact of the Project on the Existing Sewer, ACE proposes to construct a new sewer facility and abandon a portion of the Existing Sewer (together the “**Sewer Relocation**”). The Sewer Relocation will consist of the construction of approximately 800 linear feet of 15-inch diameter sewer and appurtenant structures, details of which will be shown on engineering plans designed by ACE and submitted to the District for review and approval. The general location of the Sewer Relocation is shown on Exhibit A.

The District has determined that the Sewer Relocation, if carried out as provided in this Agreement, will not adversely impact the remaining portions of the District’s sewerage system or otherwise adversely affect the District’s operations.

ACE and the District, therefore, agree as follows:

1. Design and Construction. ACE or its contractors, agent or assigns shall design and construct the Sewer Relocation as described in this Agreement at no cost to the District.
2. Plans & Specifications. ACE or its contractors, agents or assigns shall prepare detailed engineering plans and specifications for the Sewer Relocation and shall submit those

plans and specifications to the District's Chief Engineer and General Manager ("Chief Engineer") for review and approval. Upon the Chief Engineer's approval, the plans and specifications will be designated as Sheets 1A to 1F of District's Drawing No. 2-c-46 ("Plans").

3. Property Rights.

- a) ACE or its contractors, agents or assigns shall obtain all temporary and permanent easements, licenses, encroachments, pipeline agreements, permits and other approvals as necessary for the construction and the future operation and maintenance of the Sewer Relocation (collectively, "Approvals"). ACE shall provide originals or copies of each of those Approvals to the District prior to the start of construction of the Sewer Relocation.
- b) ACE shall convey, or cause to be conveyed, to the District permanent easements for the District to assume ownership and to operate, maintain, and if necessary, rehabilitate or replace the Sewer Relocation. The *Grant of Easement* documents must be in a form similar to Exhibit B, and in a final form approved by District Counsel.
- c) ACE shall submit to the District drafts of all easement documents for review and approval during the design phase of the Sewer Relocation, and those documents must be finalized, executed, notarized, and delivered to the District prior to the start of construction. The District will not sign the final Plans until the District has received all duly executed and notarized easement documents. The District will hold on file the easement documents until the completion of construction and District's acceptance of the Sewer Relocation pursuant to Section 13. Upon completion of the Sewer Relocation, the District will accept and record the easement documents.

4. Schedule. ACE shall advise the District of the anticipated dates for construction of the Sewer Relocation at least thirty (30) days prior to the start of construction and the District may file and record a *Notice of Non-Responsibility* in accordance with Civil Code Section 8444. ACE shall not restrict or obstruct the District's access to the District's Existing Sewer for operation, maintenance and emergency purposes. ACE shall require its construction contractor to diligently pursue completion of the Sewer Relocation.

5. Construction.

- a) ACE or its contractors, agents or assigns shall construct the Sewer Relocation. The Sewer Relocation must be constructed by an appropriately licensed contractor in strict accordance with the Plans and in compliance with the 2015 edition of the *Standard Specifications for Public Works Construction* as adopted by the District and the District's *Amendments to the Standard Specifications for Public Works*

Construction, 2015 Edition (together the “**Amended Standard Specifications**”). ACE shall assume all financial responsibility for the construction and all incidental costs of the construction of the Plans as approved by the Chief Engineer. Following the Chief Engineer’s approval of the plans, any changes in the Plans requested by the District and not directly related to changes in field condition, design error and omission or changes initiated by ACE, its contractors, agents or assigns, will be at the District’s sole expense. ACE shall track the costs for post-approval changes requested by the District and will invoice the District accordingly upon successful completion of the Sewer Relocation.

- b) The submittal of shop drawings and engineering data must be in accordance with Section 2-5.3 of the Amended Standard Specifications which includes, but is not limited to the following:
 - i) All submittals must be accompanied by a Shop Drawing Transmittal Form, which will be provided by the District to ACE prior to the start of construction for the contractor’s use during the Sewer Relocation.
 - ii) A separate transmittal form must be used for each specific item or class of material.
 - iii) ACE or its contractor must assign a sequential number on each submittal package. The submittal number must be clearly written in the space provided on the transmittal form.
 - iv) Submittals to the District must be made only by ACE and may not be made directly by the contractor, subcontractors, or suppliers.
 - v) ACE shall submit to the District four copies of each submittal plus the number of copies ACE desires to be returned stamped with the District’s approval. The District will retain four copies.
 - vi) ACE shall not use email or facsimile for the transmittal of submittals unless when specifically requested by the District.
- c) ACE shall sequence construction work to minimize risks of an overflow from the District’s sewer. This includes, but is not limited to, minimizing the duration of the following conditions: sewer is unearthed/exposed, temporary supports and protection measures are in place, flow diversion and flow bypass is operational, etc. If work is conducted in an area near runoff, surface or drainage water, then the exposed sewer shall have temporary protection, as necessary, to prevent damage by such water. Sewer relocation work shall not begin until all necessary materials, equipment and labor is in place to complete the work from start to finish. Sewer relocation work shall not begin without a five (5) day clear weather forecast and shall not begin within forty-eight (48) hours of a rain event.

6. Public Work. ACE acknowledges that the construction of the Sewer Relocation may be regarded as a public work and that there are legal requirements applicable to a project regarded as a public work including, but not limited to: the payment of prevailing wages; the mode of selecting a contractor; the selection of subcontractors; and the administration of the construction contract. ACE shall identify and comply with all applicable laws, and shall indemnify and hold harmless the District, its officers, agents, and employees from all claims, damages, losses, costs, liabilities, and penalties arising out of any failure by ACE or its contractors, agents or assigns to comply with all applicable laws. ACE shall assume the defense of all actions arising out of ACE's or its agent's non-compliance with any applicable laws.
7. California Environmental Quality Act (CEQA). ACE or its contractors, agents or assigns shall comply with the CEQA and prepare any necessary environmental documents for the Sewer Relocation at no cost to the District.
8. Insurance. ACE or its contractors, agents or assigns shall require any party working on the Project to obtain comprehensive general liability insurance as required by the Amended Standard Specifications. ACE or its contractors, agents or assigns shall require that any party working on the Sewer Relocation name the District, through appropriate endorsements, as an additional insured on the contractor's policy of liability insurance. The liability insurance certificate must be in accordance with Section 7-3 of the Amended Standard Specifications in effect at the time of construction of the Sewer Relocation. ACE shall furnish the District with a copy of the policy and all required endorsements for review and acceptance prior to beginning construction of the Sewer Relocation.
9. Inspection.
 - a) ACE hereby authorizes the Chief Engineer and District's staff to inspect the construction of the Sewer Relocation, specifically the sewer pipe, pipe sub-bedding, pipe bedding, pipe laying, pipe testing and manholes. The District's inspection is for the purpose of determining whether the District will accept the Sewer Relocation. Written approval by District's Field Engineering Section is required as a condition for the Chief Engineer's acceptance of the Sewer Relocation. All other activities such as trenching, consolidation of backfill, paving, and street work installed by or on behalf of ACE must be performed in accordance with local city or county or other governmental requirements and the inspection related to these activities is the responsibility of ACE.
 - b) ACE shall provide all surveying required to construct the Sewer Relocation and shall produce as-built drawings that are stamped by a Registered Professional Civil Engineer or Registered Land Surveyor licensed to practice in the State of California. ACE must, when the construction work has been approved by the District's Field Engineering Section, submit these as-built drawings for the approval of the Chief

Engineer and obtain her approval. During construction, the District may, at no cost to ACE, survey to verify grade and alignment and conduct a final survey.

- c) ACE shall make available for inspection by a District representative the sewer pipe and manholes at the manufacturer's facility. All sewer pipe and manhole shafting must be approved by a District representative prior to delivery to the job site. Any and all pipe materials delivered to the job site without prior District inspection will be cause for rejection.
 - d) Upon completion of construction and before diversion of wastewater flow into the Sewer Relocation, ACE shall conduct a closed circuit television ("CCTV") inspection of the Sewer Relocation in accordance with Section 500-1.1.5 of the Amended Standard Specifications and as directed by the District. ACE shall submit a digital and video tape recording of the CCTV to the District for review. ACE shall replace any and all damaged or poorly constructed pipe and pipe joints at no cost to District, prior to the District accepting ownership of the Sewer Relocation.
10. Reimbursement of Inspection Costs. ACE shall reimburse the District for the District's construction inspection for the Sewer Relocation, as described in Section 9, as follows:
- a) Actual Inspection Costs – ACE shall construct the Sewer Relocation at no cost to the District and shall pay the District for the actual cost of the District's inspection described in Section 9 ("**Actual Inspection Costs**"). Actual Inspection Costs will include currently effective percentage markups added to total salaries, wages, and equipment costs to cover overhead and administration. The District shall maintain records of the Actual Inspection Costs in accordance with recognized accounting principles.
 - b) Deposit of Estimated Inspection Costs – The District estimates the cost of the Sewer Relocation construction inspection to be approximately \$50,000 ("**Estimated Inspection Costs**"). Concurrently with ACE's execution of this Agreement, ACE shall pay to the District the Estimated Inspection Costs.
 - c) Final Invoice – The District will furnish to ACE, within ninety (90) calendar days after the District approves and accepts the Sewer Relocation, an invoice that provides a final accounting of the Actual Inspection Costs, including an itemization of names, number of hours, and hourly wage. If the final invoice shows a balance due to the Districts, then ACE shall pay the balance due to the District within forty-five (45) calendar days after the date of the final invoice. If the final invoice shows any remainder amounts due to ACE, then the District shall refund the remaining portion of the Estimated Inspection Costs to ACE within forty-five (45) days after the date of the final invoice.

- d) The District shall maintain on file detailed records from which the billing is compiled for a period of three (3) years from the date of the final invoice, and will be available for review or audit.
11. Notice of Completion. Upon completion of the construction of the Sewer Relocation and written approval by District's Field Engineering Section, ACE shall sign, verify, and record a *Notice of Completion* in accordance with Section 9204 of the Civil Code and in the general form of Exhibit C.
12. Ownership of Sewer Relocation. Upon completion of construction, and at no cost to the District, ACE shall execute and deliver to the District, free and clear of any claims, liens, or encumbrances, title to the Sewer Relocation and appurtenances by the way of a recordable *Bill of Sale* in form and content reasonably acceptable to the Chief Engineer and approved by District Counsel, and in the general form of Exhibit D.
13. Acceptance of Sewer Relocation. Upon completion of the construction and the inspection and acceptance of the work by the District, ACE shall convey, and the District will accept, good title to the Sewer Relocation if the Chief Engineer determines to his or her reasonable satisfaction that:
- a) ACE and the construction contractor have constructed the Sewer Relocation in strict accordance with the Plans, and in compliance with the Amended Standard Specifications;
 - b) ACE has fully performed and satisfied all conditions of this Agreement;
 - c) No legal actions or stop notice claims are pending or threatened concerning any of the provisions of this Agreement or any work of construction provided for in this Agreement; and
 - d) There are no liens or stop notices filed against the Sewer Relocation, ACE has fully complied with Section 9356 and 9362 of the California Civil Code, and at least sixty (60) calendar days have elapsed since the recording of a *Notice of Completion*.
14. Indemnity. This indemnity provision will survive the termination of this Agreement, and will continue in effect so long as the Sewer Relocation is in existence and owned and operated by the District or its assignee.
- a) ACE shall be responsible for all costs, expenses, losses, fines, penalties, civil administrative liabilities, and liabilities relating to the construction of the Sewer Relocation, subject to any applicable statute of limitations and shall indemnify, defend, and hold harmless the District, its officers, agents, and employees, and the other County Sanitation Districts of Los Angeles County, from all claims, demands, actions, costs, liabilities, losses, damages, including reasonable attorney's fees, claims for personal injury or property damages, penalties, fines, administrative civil

liabilities and remediation costs arising from or in any way associated with the following:

- (i) Ownership, operation, or maintenance of the Sewer Relocation before its acceptance by the District;
 - (ii) Construction of the Sewer Relocation, including but not limited to trenching, backfill work above the pipe zone, and pavement work; such liability and indemnification will exist so long as the Sewer Relocation is in existence, and owned and operated by District or its assignee.
 - (iii) Any overflows or spills of wastewater resulting from the Sewer Relocation prior to its acceptance by the District.
- b) The District shall hold ACE and its officers, agents, and employees harmless from all claims, demands, costs, expenses and liability or loss, and assume the defense of all actions for any damages or injuries arising out of the use, ownership, operation, or maintenance of the Sewer Relocation after the District accepts the Sewer Relocation, except that ACE shall remain liable for claims, demands, costs, expenses and liability or loss arising from construction of the Sewer Relocation as provided in Section 14(a).
15. No Attribution of Sewer Capacity. This Agreement does not provide ACE with any right to sewer capacity in the District's sewerage system.
16. District's Delegation of Authority. The District hereby delegates to the Chief Engineer the authority to act on behalf of the District in carrying out the terms of this Agreement. The Chief Engineer, or designee, may accept without further Board action the title to the Sewer Relocation and any required easements, licenses, and/or encroachment permits on behalf of District, and make other determinations and approvals on behalf of the District to fulfill all responsibilities of the District under this Agreement.
17. Project Manager. ACE designates as its project manager Ms. Rachel Korkos, whose address and telephone number is 4900 Rivergrade Road, Suite A120, Irwindale, CA 91706 and (626) 962-9292, extension 122. ACE shall provide District with immediate written notification of any change to the project manager or his contact information.
18. General Provisions.
- a) This Agreement contains the entire agreement between the parties concerning the Sewer Relocation construction and supersedes any prior agreements between the parties with respect to the Sewer Relocation. Any subsequent representations or modifications will be of no force or effect, except for a subsequent modification in writing executed by both parties.

- b) If the Project, which precipitated this Agreement, is cancelled or modified so as to eliminate the necessity of the Sewer Relocation, ACE will notify the District in writing and ACE may terminate this Agreement at any time prior to closure of the Existing Sewer by providing thirty (30) days' written notice to the District. ACE shall pay the District for all inspection costs incurred up to the date of termination, and the District shall reimburse ACE for any Estimated Inspection Costs on deposit with the District that remain unspent as of the date of termination.
- c) ACE will not pay the District for any increase in capacity or betterment of the District's facilities in the new location under this Agreement.
- d) If any term or provision of this Agreement is held to any extent to be invalid or unenforceable, the remainder of this Agreement will not be affected.
- e) Each party has participated in negotiating and drafting this Agreement, so if an ambiguity or a question of intent or interpretation arises, this Agreement is to be construed as if the parties had drafted it jointly.
- f) A waiver of any breach of any provision of this Agreement or of any failure to comply with any requirement of this Agreement will not be deemed a waiver of any other provision or requirement of this Agreement, and no waiver will be valid unless in writing and executed by the waiving party. An extension of time for performance of any obligation or act will not be deemed an extension of time for performance of any other obligation or act.
- g) This Agreement is to be executed in duplicate originals to be retained by each party.
- h) This Agreement will inure to the benefit of and will be binding upon the parties and their respective successors and assigns.
- i) This Agreement is to be governed and construed in accordance with California law.
- j) Each party shall execute and deliver any instruments, and perform any actions that may be necessary, or reasonably requested, in order to give full effect to this Agreement.

[Signature page follows]

ACE and the District are signing this Agreement as of the Effective Date.

**COUNTY SANITATION DISTRICT NO. 2
OF LOS ANGELES COUNTY**

By: _____
Chairperson, Board of Directors

ATTEST:

Secretary to the Board

APPROVED AS TO FORM:
Lewis Brisbois Bisgaard & Smith, LLP

By: _____
District Counsel

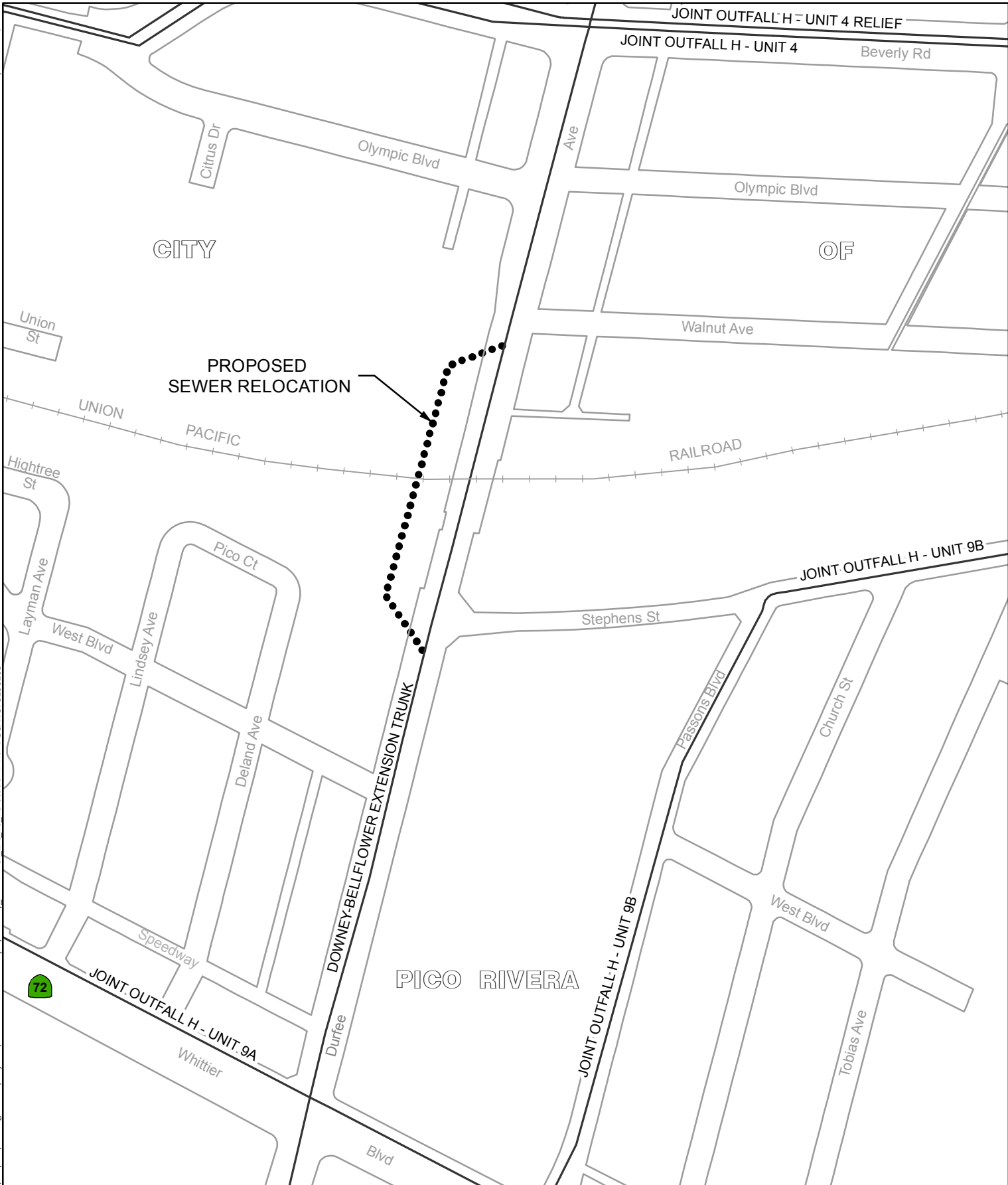
**ALAMEDA CORRIDOR EAST-
CONSTRUCTION AUTHORITY OF THE
SAN GABRIEL VALLEY COUNCIL OF
GOVERNMENTS,**
a California Joint Powers Authority

By: _____
Mark Christoffels
Chief Executive Officer

APPROVED AS TO FORM:

By: _____
ACE Counsel

(Signatures must be notarized)



RELOCATION OF A PORTION OF
DOWNEY BELLFLOWER EXTENSION TRUNK SEWER
COUNTY SANITATION DISTRICT NO. 2 OF LOS ANGELES COUNTY
GRACE ROBINSON HYDE - CHIEF ENGINEER & GEN'L MANAGER

Los Angeles County Landbase;
Department of Public Works
CAMS Centerline; LA County Sanitation
Districts Sewer Layer

NO SCALE

Exhibit B

RECORDING REQUESTED BY:
COUNTY SANITATION DISTRICTS
OF LOS ANGELES COUNTY
1955 WORKMAN MILL ROAD
PO BOX 4998
WHITTIER, CA 90607-4998

WHEN RECORDED, MAIL TO ABOVE ADDRESS

ATTN: ED STEWART
FACILITIES PLANNING DEPARTMENT

Exempt from Doc. Transfer Tax per R&TC § 11922
Exempt from Recording Fee per Gov. C. §§ 6103 & 27383

SPACE ABOVE THIS LINE FOR RECORDER'S USE

SEWER EASEMENT

Grantor's name(s) (“**Grantor**”) hereby grants to **COUNTY SANITATION DISTRICT NO. 2 OF LOS ANGELES COUNTY**, a county sanitation district organized and existing under the provisions of the County Sanitation District Act, California Health and Safety Code Section 4700 *et seq.* (the “**District**”), a perpetual easement (“**Easement**”) for sewer purposes (including the right to lay, construct, maintain, reconstruct, use, and operate sewers and appurtenances) in, on, under, over, through and across the real property situated in the County of Los Angeles, State of California, legally described on Exhibit A and depicted on Exhibit B (the “**Easement Area**”).

The Sewer Easement also includes the right of the District and its agents to enter upon and to pass and repass over and along the Easement Area, the right to deposit tools, implements, and other materials on the Easement Area for the purposes described in this Sewer Easement, and the right to enter upon and use the land adjoining the Easement Area for the purpose of ingress and egress.

The District shall restore and replace the surface of any ground disturbed by the District and shall replace or repair any damage to improvements caused by the District or its agents in or along the Easement Area.

Grantor shall not: 1) construct or install any improvements in, on, over, under, across or through the Easement Area without the express written consent of the District; or 2) cause or allow the weight loads over the Easement Area to be increased without the express written consent of the District; or 3) construct or install adjacent to the Easement Area any improvements that might adversely impact the District's sewer without the express written consent of the District.

This Sewer Easement runs with the land and will bind the respective successors and assigns of the Grantor and the District.

The Grantor is signing this instrument on (month and day), 20__.

Grantor's Name(s)

(Signatures must be notarized)

Easement No. _____ Parcel No. _____

Name of Sewer: _____

Exhibit C

Recording Requested By:

(Owner Name)
(Street Address)
(City, State, Zip)

NOTICE OF COMPLETION

In accordance with the provisions of Civil Code Section 9204, (Owner Name), the owner of the work of improvement hereinafter described, hereby gives the following notice:

1. The date of completion of the work of improvement hereinafter described is (Completion Date).
2. The owner of the work of improvement is (Owner Name), (Owner Address).
3. The nature of the interest or estate of the owner is a fee interest.
4. The work of improvement is located all within (City and/or Unincorporated County of Los Angeles), California and is particularly described as follows:

(Sewer Name), consisting of approximately (Length of Sewer) linear feet of (Diameter of Sewer) inch diameter vitrified clay/reinforced concrete/high density polyethylene pipe and appurtenant structures beginning at the intersection of (Street) and (Street), then (Direction in Name of Street and End Point).
5. The name of the original contractor for the work of improvement is (All Contractors).

**ALAMEDA CORRIDOR EAST-
CONSTRUCTION AUTHORITY OF THE
SAN GABRIEL VALLEY COUNCIL OF
GOVERNMENTS,**
a California Joint Powers Authority

By: _____
Print Name and Title

(Signature must be notarized)

Exhibit D

RECORDING REQUESTED BY:
COUNTY SANITATION DISTRICTS
OF LOS ANGELES COUNTY
1955 WORKMAN MILL ROAD
PO BOX 4998
WHITTIER, CA 90607-4998

WHEN RECORDED, MAIL TO ABOVE ADDRESS

ATTN: ED STEWART
FACILITIES PLANNING DEPARTMENT

This document is recorded for the benefit of County Sanitation District No. 2 of Los Angeles County and is therefore exempt from the payment of the recording fee pursuant to Government code Section 6103 and from the payment of the documentary transfer tax pursuant to Revenue and Taxation Code Section 11922.

SPACE ABOVE THIS LINE FOR RECORDER'S USE

BILL OF SALE

ACE Parcel Number: _____

Assessor's Parcel Number: _____
Federal Project No.: HP21L 6303 (017)

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, **ALAMEDA CORRIDOR-EAST CONSTRUCTION AUTHORITY**, on behalf of **THE SAN GABRIEL VALLEY COUNCIL OF GOVERNMENTS**, a California joint powers authority ("GRANTOR") hereby grants, sells and delivers to the **COUNTY SANITATION DISTRICT NO. 2 OF LOS ANGELES COUNTY**, a county sanitation district organized and existing under provisions pursuant to the County Sanitation District organized and existing pursuant to the County Sanitation Act, California Health and Safety Code 4700, *et seq.*, ("GRANTEE") all of the following improvements listed on Exhibit B and located as per Exhibit A attached hereto and made a part hereof, in the City of _____, County of Los Angeles, State of California.

GRANTOR hereby represents, warrants and covenants to GRANTEE that the Improvements hereby sold are free and clear of and from all liens, claims and encumbrances and that GRANTOR has the right to grant and sell the same, and GRANTOR, its successors and assigns, will warrant and defend the grant and sale of the Improvements against all lawful liens, claims and encumbrances of all persons claiming under or through them.

This Bill of Sale shall inure to the benefit of the GRANTEE and its successors and assigns and shall be binding upon the GRANTOR and its successors and assigns.

Dated this _____ day of _____, 20____.

GRANTOR

By: _____
Mark Christoffels
CEO and Chief Engineer



Alameda Corridor-East Construction Authority

4900 Rivergrade Rd. Ste. A120 Irwindale, CA 91706 (626) 962-9292 fax (626) 962-3552 www.theaceproject.org

MEMO TO: ACE Construction Authority Board Members & Alternates

FROM: Mark Christoffels
Chief Executive Officer

DATE: January 23, 2017

SUBJECT: Receive and File: Quarterly Project Progress & Financial Reports

RECOMMENDATION: Receive and file the ACE Program Quarterly Progress Reports for the period covering the 2nd quarter of Fiscal Year 2017.


BACKGROUND: To keep the ACE Board as well as the interested public informed about ACE's progress in designing and constructing the projects in the adopted ACE program, staff prepares and submits to the Board progress reports on a quarterly basis. The attached reports are prepared by the Project Managers for each respective active ACE project and provide a one-page summary of expenditures, schedules, work completed and to be done, as well as any areas of concerns. In addition to these reports, staff will make an oral presentation to provide updates on the following for the period from October 1 2016 through December 31 2016:

- Major Activities Completed
- Construction and Design Progress
- Current Project Schedules
- Current Project Cost Estimates
- Project Funding

ALAMEDA CORRIDOR-EAST PHASE II
AT-GRADE CROSSING SAFETY IMPROVEMENTS (City of Pomona)

As of December 2016

LOCATION:	Pomona	CONSTRUCTION MANAGER:	TBD
DESIGN CONSULTANT:	Railpros	CONTRACTOR:	TBD

PHOTO	Example of At-Grade Improvements	WORK COMPLETED PAST QUARTER
		<ul style="list-style-type: none"> Revised Concepts per UPRR Review Held the Concept Diagnostic Field Meeting with CPUC and UPRR Began the 35% Preliminary Engineering Phase Obtained UPRR Permit to Enter for Surveying Applied for Section 130 Funding Consideration

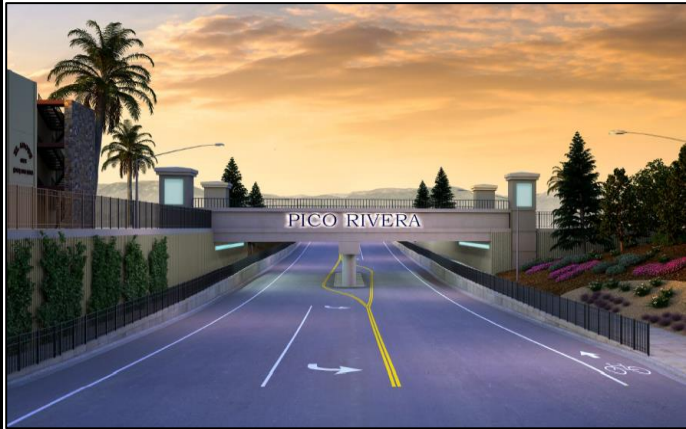
EXPENDITURE STATUS (\$ in Millions)				SCHEDULE ASSESSMENT			
ACTIVITIES	PERCENT EXPENDED	\$ CURRENT ESTIMATE	\$ EXPENDED AMOUNT	MAJOR SCHEDULE ACTIVITIES	PRIOR PLAN	CURRENT PLAN	VARIANCE WEEKS +/-
DESIGN (35% only)	23%	\$4.5	\$0.9	Environmental			
				Statutory Exemption	Jun-17	Aug-17	10
RIGHT-OF-WAY	0%	\$1.1	\$0.0	Design			
				Notice To Proceed	May-15 A	May-15 A	
				Final PS&E Complete	Mar-18	Aug-18	22
CONSTRUCTION	0%	\$17.4	\$0.0	Right-of-Way			
				All Parcels Available	N/A	N/A	
TOTAL	4%	\$22.9	\$0.9	Construction			
				Notice To Proceed	Jan-19	Mar-19	9
				Construction Complete	Sep-19	Nov-19	9

AREAS OF CONCERN				CRITICAL ACTIVITIES / 3 MONTH LOOK AHEAD			
				<ul style="list-style-type: none"> Continue work on the 35% Prelim Engineering Plan Development Complete the Final Hydrology and Hydraulics Report Address CPUC comments Complete Field Survey Work Obtain UPRR Right-of-Entry for Utility Potholing Complete Utility Potholing 			
ROW ACQUISITION	Plan	Acquired	Remaining				
o Permanent Parcels	TBD						
o Temporary Parcels	TBD						
o Total Parcels	0	0	0				

ALAMEDA CORRIDOR-EAST PHASE II
GRADE SEPARATION - DURFEE AVENUE (City of Pico Rivera)

As of December 2016

LOCATION:	Pico Rivera	CONSTRUCTION MANAGER:	PB Americas
DESIGN CONSULTANT:	URS	CONTRACTOR:	TBD

PHOTO	Photo Simulation of Future Grade Separation	WORK COMPLETED PAST QUARTER
		<ul style="list-style-type: none"> Continued Stakeholder, Utility, and Other Agency Coordination Completed the 100% PS&E Completed Constructability Review Continued ROW Acquisition and Relocation Activities Conducted demolition of buildings on Parcels 208GHI Continued Coordination with Private Property Owners for Final Approval of Site Improvements Conducted CPUC Field Diagnostic


EXPENDITURE STATUS (\$ in Millions)				SCHEDULE ASSESSMENT			
ACTIVITIES	PERCENT EXPENDED	\$ CURRENT ESTIMATE	\$ EXPENDED AMOUNT	MAJOR SCHEDULE ACTIVITIES	PRIOR PLAN	CURRENT PLAN	VARIANCE WEEKS +/-
DESIGN	84%	\$9.0	\$7.3	Environmental			
				NEPA/CEQA	Jul-14 A	Jul-14 A	
RIGHT-OF-WAY	40%	\$32.6	\$12.4	Design			
				Notice To Proceed	Oct-12 A	Oct-12 A	
				Final PS&E Complete	Feb-17	May-17	12
CONSTRUCTION	0%	\$49.5	\$0.0	Right-of-Way			
				All Parcels Available	Jan-17	Apr-17	11
TOTAL	22%	\$91.1	\$19.8	Construction			
				Notice To Proceed	Oct-17	Jan-18	13
				Construction Complete	Apr-20	Jul-20	13

AREAS OF CONCERN				CRITICAL ACTIVITIES / 3 MONTH LOOK AHEAD			
Schedule delayed due to right-of-way issues and utility companies' slow response to required relocation design.				<ul style="list-style-type: none"> Continue Stakeholder, Utility, and Other Agency Coordination Receive and address comments from 100% PS&E Reviews Address Comments from Constructability Review Continue ROW Acquisition and Relocation Activities Continue demolition activities Continue Coordination with Private Property Owners for Final Approval of Site Improvements 			
ROW ACQUISITION	Plan	Acquired	Remaining				
o Permanent Parcels	47	5	42				
o Temporary Parcels	41	0	41				
o Total Parcels	88	5	83				

ALAMEDA CORRIDOR-EAST PHASE II
GRADE SEPARATION - FAIRWAY AVENUE (LA Sub)(City of Industry)

As of December 2016

LOCATION:	City of Industry	CONSTRUCTION MANAGER:	PB Americas
DESIGN CONSULTANT:	CH2M Hill	CONTRACTOR:	OHL USA

PHOTO	20" waterline under UPRR tracks	WORK COMPLETED PAST QUARTER
		<p>Continued the installation of Phase 1 aggregate piers along UPRR.</p> <p>Continued the relocation of WVWD and Verizon facilities at the intersection</p> <p>Completed retaining wall #7, began construction of retaining wall No. 5</p> <p>Completed the relocation of Carl's Jr. Restaurant.</p> <p>Began working on the demolition portion of Lemon Avenue interchange</p>


EXPENDITURE STATUS (\$ in Millions)				SCHEDULE ASSESSMENT			
ACTIVITIES	PERCENT EXPENDED	\$ CURRENT ESTIMATE	\$ EXPENDED AMOUNT	MAJOR SCHEDULE ACTIVITIES	PRIOR PLAN	CURRENT PLAN	VARIANCE WEEKS +/-
DESIGN	100%	\$8.2	\$8.2	Environmental			
				IS/ND	Oct-12 A	Oct-12 A	
RIGHT-OF-WAY	80%	\$31.6	\$26.5	Design			
				Notice To Proceed	Apr-11 A	Apr-11 A	
				Final PS&E Complete	Jul-14 A	Jul-14 A	
CONSTRUCTION	22%	\$99.5	\$27.6	Right-of-Way			
				All Parcels Available	Apr-14 A	Apr-14 A	
TOTAL	45%	\$139.4	\$62.3	Construction			
				Notice To Proceed	Dec-14 A	Dec-14 A	
				Construction Complete	Aug-19	Oct-19	9

AREAS OF CONCERN				CRITICAL ACTIVITIES / 3 MONTH LOOK AHEAD			
				<p>Complete the WVWD reclaim line relocation</p> <p>Kick off the Verizon relocation work along Fairway.</p> <p>Kick off the relocation of CSD sewer line work.</p>			
ROW ACQUISITION	Plan	Acquired	Remaining				
o Permanent Parcels	40	12	28				
o Temporary Parcels	26	13	13				
o Total Parcels	66	25	41				

ALAMEDA CORRIDOR-EAST PHASE II
GRADE SEPARATION - FULLERTON ROAD (City of Industry)

As of December 2016

LOCATION:	City of Industry	CONSTRUCTION MANAGER:	Berg & Associates
DESIGN CONSULTANT:	Biggs Cardosa Associates	CONTRACTOR:	Shimmick Construction Co

PHOTO	Pump Station Excavation	WORK COMPLETED PAST QUARTER
		<p>Completed fiber optic relocation Completed Frontier relocation Continued reclaim and potable relocations Constructed Retaining Wall No. 9 Started Rowland/Lawson intersection improvements Started pump station shoring and continued excavation Started South Fullerton Road widening outside lanes</p>


EXPENDITURE STATUS (\$ in Millions)				SCHEDULE ASSESSMENT			
ACTIVITIES	PERCENT EXPENDED	\$ CURRENT ESTIMATE	\$ EXPENDED AMOUNT	MAJOR SCHEDULE ACTIVITIES	PRIOR PLAN	CURRENT PLAN	VARIANCE WEEKS +/-
DESIGN	100%	\$10.7	\$10.7	Environmental			
				Categorical Exemption IS/ND	Oct-13 A	Oct-13 A	
RIGHT-OF-WAY	95%	\$26.6	\$19.7	Design			
				Notice To Proceed	Oct-12 A	Oct-12 A	
				Final PS&E Complete	Dec-15 A	Dec-15 A	
CONSTRUCTION	6%	\$115.1	\$6.7	Right-of-Way			
				All Parcels Available	Oct-15 A	Oct-15 A	
TOTAL	24%	\$152.4	\$37.0	Construction			
				Notice To Proceed	Jul-16	Jul-16 A	
				Construction Complete	Apr-20	Apr-20	0

AREAS OF CONCERN				CRITICAL ACTIVITIES / 3 MONTH LOOK AHEAD			
				<p>Complete South Fullerton Road widening outside lanes</p> <p>Start South Fullerton Road widening inside lanes</p> <p>Complete Rowland/Lawson intersection widening</p> <p>Complete pump station excavation</p> <p>Start UPRR ROW grading</p>			
ROW ACQUISITION	Plan	Acquired	Remaining				
o Permanent Parcels	35	14	21				
o Temporary Parcels	18	11	7				
o Total Parcels	53	25	28				

**ALAMEDA CORRIDOR-EAST PHASE II
GRADE SEPARATION - Various (Montebello)**

As of December 2016


LOCATION:	Montebello	CONSTRUCTION MANAGER:	TBD
DESIGN CONSULTANT:	Moffat & Nichol	CONTRACTOR:	TBD

PHOTO Montebello Boulevard				WORK COMPLETED PAST QUARTER			
				<ul style="list-style-type: none"> Completed Final Traffic Study Completed Structures Type Selection Report Completed UPRR Concept Submittal Continued Coordination with Stakeholders and Impacted Property Owners Began the 35% Preliminary Engineering Phase Completed Early Acquisition of a Private Property 			
EXPENDITURE STATUS (\$ in Millions)				SCHEDULE ASSESSMENT			
ACTIVITIES	PERCENT EXPENDED	\$ CURRENT ESTIMATE	\$ EXPENDED AMOUNT	MAJOR SCHEDULE ACTIVITIES	PRIOR PLAN	CURRENT PLAN	VARIANCE WEEKS +/-
DESIGN (35% only)	18%	\$13.5	\$2.6	Environmental			
				Statutory Exemption	Dec-17	Mar-18	14
RIGHT-OF-WAY	0%	\$29.7	\$0.0	Design			
				Notice To Proceed	Sep-15 A	Sep-15 A	
				Final PS&E Complete	Jun-19	Aug-19	8
CONSTRUCTION	0%	\$116.9	\$0.0	Right-of-Way			
				All Parcels Available	Jun-19	Sep-19	11
TOTAL	2%	\$160.0	\$2.6	Construction			
				Notice To Proceed	Nov-19	Feb-20	12
				Construction Complete	Nov-22	Feb-23	12
AREAS OF CONCERN				CRITICAL ACTIVITIES / 3 MONTH LOOK AHEAD			
				<ul style="list-style-type: none"> Complete Traffic Study Addendum addressing construction issues Complete Final Hydrology and Hydraulics Memorandum Complete Site Specific Phase I ESA's Begin the Phase II Site Investigation Continue Coordination with Stakeholders and Impacted Property Owners Continue work on the 35% Prelim Engineering Plan Development Complete Utility Potholing for this Phase 			
ROW ACQUISITION	Plan	Acquired	Remaining				
o Permanent Parcels	TBD						
o Temporary Parcels	TBD						
o Total Parcels	0	0	0				

ALAMEDA CORRIDOR-EAST PHASE I
GRADE SEPARATION - NOGALES ST. (LA SUB) (INDUSTRY)

As of December 2016

LOCATION:	City of Industry	CONSTRUCTION MANAGER:	PB Americas
DESIGN CONSULTANT:	AECOM	CONTRACTOR:	Griffith Company

PHOTO	Traffic on new Nogales Street	WORK COMPLETED PAST QUARTER
		<p>Completed profilograph and final striping along Nogales and Gale.</p> <p>Continued to perform walk throughs with City and County.</p> <p>Continued to complete the project punch list items.</p> <p>Prepared the project final billings with Contractor.</p> <p>Performed final test for pump station and turn maintenance to County</p>


EXPENDITURE STATUS (\$ in Millions)				SCHEDULE ASSESSMENT			
ACTIVITIES	PERCENT EXPENDED	\$ CURRENT ESTIMATE	\$ EXPENDED AMOUNT	MAJOR SCHEDULE ACTIVITIES	PRIOR PLAN	CURRENT PLAN	VARIANCE WEEKS +/-
DESIGN	100%	\$4.7	\$4.7	Environmental			
				IS/EA	Sep-09 A	Sep-09 A	
RIGHT-OF-WAY	100%	\$50.3	\$46.9	Design			
				Notice To Proceed	Jul-08 A	Jul-08 A	
				Final PS&E Complete	Dec-09 A	Dec-09 A	
CONSTRUCTION	95%	\$63.5	\$60.0	Right-Of-Way			
				All Parcels Available	Mar-12 A	Mar-12 A	
TOTAL	94%	\$118.5	\$111.6	Construction			
				Notice To Proceed	Jan-13 A	Jan-13 A	
				Construction Complete	Jun-16	Jun-16 A	

AREAS OF CONCERN				CRITICAL ACTIVITIES / 3 MONTH LOOK AHEAD			
				<p>Complete all out-grant of easements and obtain final acceptances from all jurisdictional agencies</p> <p>Complete the project final closeout and present close out report to Caltrans</p>			
ROW ACQUISITION	Plan	Acquired	Remaining				
o Permanent Parcels	2	2	0				
o Temporary Parcels	40	40	0				
o Total Parcels	42	42	0				

ALAMEDA CORRIDOR-EAST PHASE II
GRADE SEPARATION - PUENTE AVENUE (City of Industry)

As of December 2016

LOCATION:	City of Industry	CONSTRUCTION MANAGER:	AECOM
DESIGN CONSULTANT:	Moffatt & Nichol	CONTRACTOR:	OHL USA

PHOTO	South Valley Blvd Bridge	WORK COMPLETED PAST QUARTER
		Southerly half of Valley Blvd. Completed. Pump Station exterior walls constructed.


EXPENDITURE STATUS (\$ in Millions)				SCHEDULE ASSESSMENT			
ACTIVITIES	PERCENT EXPENDED	\$ CURRENT ESTIMATE	\$ EXPENDED AMOUNT	MAJOR SCHEDULE ACTIVITIES	PRIOR PLAN	CURRENT PLAN	VARIANCE WEEKS +/-
DESIGN	100%	\$9.4	\$9.4	Environmental			
				Statutory Exemption	Apr-12 A	Apr-12 A	
RIGHT-OF-WAY	100%	\$30.8	\$24.8	Design			
				Notice To Proceed	Apr-11 A	Apr-11 A	
				Final PS&E Complete	Mar-14 A	Mar-14 A	
CONSTRUCTION	64%	\$57.1	\$25.6	Right-of-Way			
				All Parcels Available	Jan-14 A	Jan-14 A	
TOTAL	61%	\$97.4	\$59.8	Construction			
				Notice To Proceed	Sep-14 A	Sep-14 A	
				Construction Complete	Jul-18	Jul-18	2

AREAS OF CONCERN				CRITICAL ACTIVITIES / 3 MONTH LOOK AHEAD			
SCG to complete their work in Valley for traffic switch.				Switch traffic on Valley to new structure. Commence construction of northerly Valley Blvd. structure and southerly half of the UPRR structure.			
ROW ACQUISITION	Plan	Acquired	Remaining				
o Permanent Parcels	32	24	8				
o Temporary Parcels	3	3	0				
o Total Parcels	35	27	8				

**ALAMEDA CORRIDOR-EAST PHASE II
SAN GABRIEL TRENCH (City of San Gabriel)**

As of December 2016

LOCATION:	City of San Gabriel	CONSTRUCTION MANAGER:	Jacobs Engineering
DESIGN CONSULTANT:	Moffatt & Nichol	CONTRACTOR:	Walsh Construction

PHOTO	UPRR Switch Being Assembled	WORK COMPLETED PAST QUARTER
		-Main Trench work was accepted by UPRR

EXPENDITURE STATUS (\$ in Millions)				SCHEDULE ASSESSMENT			
ACTIVITIES	PERCENT EXPENDED	\$ CURRENT ESTIMATE	\$ EXPENDED AMOUNT	MAJOR SCHEDULE ACTIVITIES	PRIOR PLAN	CURRENT PLAN	VARIANCE WEEKS +/-
DESIGN	100%	\$33.5	\$33.5	Environmental			
				Statutory Exemption			
RIGHT-OF-WAY	100%	\$33.3	\$30.6	Design			
				NTP for Prel Design	Apr-08 A	Apr-08 A	
				Complete Prel Design	Jun-09 A	Jun-09 A	
				100 % Submittal	Nov-10 A	Nov-10 A	
CONSTRUCTION	85%	\$246.0	\$177.0	Right-of-Way			
				All Parcels Available	Jun-11 A	Jun-11 A	
TOTAL	77%	\$312.8	\$241.0	Construction			
				Notice To Proceed	Nov-11 A	Nov-11 A	
				Construction Complete	Jan-18	Jan-18	(3)

AREAS OF CONCERN				CRITICAL ACTIVITIES / 3 MONTH LOOK AHEAD			
-UPRR's completion of New Mainline will control overall schedule of				-UPRR New Mainline Completion. -Start of second phase of work will be critical to completion of overall project which is linked to UPRR New Mainline work.			
ROW ACQUISITION	Plan	Acquired	Remaining				
o Permanent Parcels	64	64	0				
o Temporary Parcels	62	62	0				
o Total Parcels	126	126	0				



Alameda Corridor-East Construction Authority

4900 Rivergrade Rd. Ste. A120 Irwindale, CA 91706 (626) 962-9292 fax (626) 962-3552 www.theaceproject.org

MEMO TO: ACE Construction Authority Board Members & Alternates

FROM: Mark Christoffels
Chief Executive Officer

DATE: January 23, 2017

SUBJECT: Receive and File: Environmental Mitigation Monitoring Reports

RECOMMENDATION: Receive and file the ACE Environmental Mitigation Monitoring Reports for the period covering the 2nd quarter of Fiscal Year 2017.

BACKGROUND: Appended to this report are the quarterly environmental mitigation monitoring and public contact reports for each of ACE's projects currently in construction. The monitoring reports track compliance during construction with environmental mitigations and best management practices, as well as a summary of third part complaints and ACE's response.



Alameda Corridor-East Construction Authority

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Construction Mitigation Measure Matrix Alameda Corridor-East Construction Authority 2nd Quarter Report (October 1, 2016 – December 31, 2016) Fairway Drive Grade Separation Project

Mitigation Measure		Mitigation Complete	
Air quality		YES	NO
1.	Use low sulfur fuel in construction equipment	<input checked="" type="checkbox"/>	
2.	Minimize Dust by Watering (Rule 403)	<input checked="" type="checkbox"/>	
3.	Cover Haul Trucks and Operate less than 15 MPH	<input checked="" type="checkbox"/>	
4.	Suspend construction operations in unpaved areas when winds are more than 25 MPH	<input checked="" type="checkbox"/>	
5.	Ballast wetted as it is unloaded from haul trucks	<input checked="" type="checkbox"/>	
6.	Asphalt paving materials comply with SCAQMD Rule 453 regarding compliant paving material	<input checked="" type="checkbox"/>	

Archaeo & Paleo Monitoring		YES	NO
7.	Worker education and briefing of monitoring archaeologists and construction inspectors conducted prior to construction	<input checked="" type="checkbox"/> Worker education briefing was conducted on July 20, 2015	
8.	Conduct Paleontological Monitoring where excavation exceeds 1.5 meters (5 ft.) below ground surface (may be reduced as warranted)	<input checked="" type="checkbox"/>	
9.	Plan in place for preservation and curation of significant paleontologic resources that may be discovered	<input checked="" type="checkbox"/> Archaeo/Paleo Resource Monitoring, Mitigation and Curation Plan, LSA, January 30, 2015	

Noise & Vibration		YES	NO
10.	Conduct construction in a manner that minimizes noise and maintains noise levels below City limits at noise sensitive land uses	<input checked="" type="checkbox"/>	
11.	Use effective noise mufflers on equipment	<input checked="" type="checkbox"/>	
12.	Minimize noise during the evening, at nighttime, week-ends and holidays	<input checked="" type="checkbox"/> Night time construction at Carl's Jr. to install utility trench.	
13.	Noise monitoring conducted to demonstrate compliance with noise limits		<input checked="" type="checkbox"/> There are no sensitive noise receptors. No pile driving is being conducted

14.	Vibration monitoring performed during vibration-intensive activities	<input checked="" type="checkbox"/>	Preconstruction bldg. condition video is on file at construction office for pre/post construction comparison of bldg. conditions. No pile driving during this phase.	
15.	Noise blanket used to reduce increased noise level during operation of detour route during construction			<input checked="" type="checkbox"/>

Water Quality & Erosion

		YES	NO
16.	No detrimental discharge into drainages and bodies of water	<input checked="" type="checkbox"/>	SWPPP compliance monitoring conducted weekly
17.	A Storm Water Pollution Prevention Plan (SWPPP) is available on-site from the RE	<input checked="" type="checkbox"/>	12/29/14 SWPP prepared by Incompli, revised 5/4/15
18.	Construction BMPs used to minimize erosion per SWPPP	<input checked="" type="checkbox"/>	
19.	Retaining walls constructed for long-term slope stabilization	<input checked="" type="checkbox"/>	A retaining wall is being constructed at Otterbine south of UPRR ROW.
20.	Erosion prevention planting used in conjunction with a geofabric, where feasible		<input checked="" type="checkbox"/> N/A in this phase of construction

Hazardous Material/Wastes

		YES	NO
21.	Construction materials that may adversely affect groundwater stored away from excavation and in a contained area (protected by a berm)	<input checked="" type="checkbox"/>	There are no VOCs currently stored on site.
22.	Construction equipment and materials checked daily for leaks and repaired immediately	<input checked="" type="checkbox"/>	
23.	Hazardous waste (including dewatering waste water, aerially deposited lead, etc.) disposed of in accordance with federal, state, and local regulations	<input checked="" type="checkbox"/>	

Biological Resources

		YES	NO
24.	Bird surveys conducted prior to pruning and/or tree removal	<input checked="" type="checkbox"/>	Yes. No vegetation clearing in this phase

General Construction Conditions

		YES	NO
25.	On-site construction manager available at all times	<input checked="" type="checkbox"/>	
26.	Minimize interruption to utility services	<input checked="" type="checkbox"/>	
27.	Mobile and stationary equipment maintained in proper working order	<input checked="" type="checkbox"/>	
28.	Non-potable water used for construction activities, when feasible		<input checked="" type="checkbox"/> Non-potable water is not available nearby

Traffic

		YES	NO
29.	Construction coordinated with other major public or private construction projects within a one-mile radius and construction contracts scheduled to avoid overlapping major activities	<input checked="" type="checkbox"/> Ongoing coordination with the Lemon On/off-ramp project.	
30.	Haul route should minimize intrusion to residential areas	<input checked="" type="checkbox"/>	
31.	Bridge construction that requires street closure scheduled so only one crossing in an area is affected at one time	<input checked="" type="checkbox"/> Fairway is open	
32.	Local residents and businesses notified in advance of proposed construction activities and road closures	<input checked="" type="checkbox"/>	
33.	Detour route to bypass construction area provided during Fairway Drive closure for bridge construction	<input checked="" type="checkbox"/> No closures current	
34.	Advance notice of proposed transit reroutes and any other changes in stops and service made	<input checked="" type="checkbox"/> Ongoing coordination with LA Metro and Foothill Transit	
35.	Traffic handling plans approved by the City of Industry		
36.	Coordinate with City of Industry, LA County and Caltrans to provide advance notice of proposed traffic detours and their duration to the public		
37.	Coordination with Caltrans (including frwy signage) and City of Industry to ensure acceptable traffic operations are maintained on SR-60 segment from WB off-ramp to intersection of Fairway Drive and Gale Avenue/Walnut Drive		

Public Contacts Quarterly Report

DATE	CONTACT	QUERY	RESOLUTION
10/14/16	Business Owner	Complaint regarding construction schedule and scope of work	Contractor removed construction equipment and modified work area

11/14/16	Resident	Report damage to vehicle as a result of construction activities	Processed claim for damages
11/14/16	Property Owner	Complaint regarding construction work area	Staff met with property owner to discuss scope of work and address concerns
12/1/16	Business Owner	Report damage to light fixture due to construction activities	Damaged light fixture was replaced



Alameda Corridor-East Construction Authority

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Construction Mitigation Measure Matrix Alameda Corridor-East Construction Authority 2nd Quarter Report (October 1, 2016 – December 31, 2016) Fullerton Road Grade Separation Project

Mitigation Measure		Mitigation Complete	
Air quality		YES	NO
1.	Use low sulfur fuel in construction equipment	<input checked="" type="checkbox"/>	
2.	Minimize Dust by Watering (Rule 403)	<input checked="" type="checkbox"/>	
3.	Cover Haul Trucks and Operate less than 15 MPH	<input checked="" type="checkbox"/>	
4.	Suspend construction operations in unpaved areas when winds are more than 25 MPH	<input checked="" type="checkbox"/>	
5.	Ballast wetted as it is unloaded from haul trucks	<input checked="" type="checkbox"/>	
6.	Asphalt paving materials comply with SCAQMD Rule 453 regarding compliant paving material	<input checked="" type="checkbox"/>	

Archaeo & Paleo Monitoring		YES	NO
7.	Worker education and briefing of monitoring archaeologists and construction inspectors conducted prior to construction	<input checked="" type="checkbox"/> The briefing was completed on September 12, 2016.	
8.	Conduct Paleontological Monitoring where excavation exceeds 1.5 meters (5 ft.) below ground surface (may be reduced as warranted)	<input checked="" type="checkbox"/> Grade separation excavation monitoring is being conducted on an as needed basis	
9.	Plan in place for preservation and curation of significant paleontologic resources that may be discovered	<input checked="" type="checkbox"/> Archaeo/Paleo Resource Monitoring, Mitigation and Curation Plan, LSA, September 19, 2016	

Noise & Vibration		YES	NO
10.	Conduct construction in a manner that minimizes noise and maintains noise levels below City limits at noise sensitive land uses	<input checked="" type="checkbox"/>	
11.	Use effective noise mufflers on equipment	<input checked="" type="checkbox"/>	
12.	Minimize noise during the evening, at nighttime, week-ends and holidays	<input checked="" type="checkbox"/>	
13.	Noise monitoring conducted to demonstrate compliance with noise limits	<input checked="" type="checkbox"/> Noise monitoring is being conducted on an as needed basis. Results are	

	kept on file at the construction office	
14. Vibration monitoring performed during vibration-intensive activities		<input checked="" type="checkbox"/> Preconstruction video of adjacent bldg. conditions is on file at construction office. Vibration monitoring will be conducted on an as needed basis.

Water Quality & Erosion

	YES	NO
15. No detrimental discharge into drainages and bodies of water	<input checked="" type="checkbox"/>	
16. A Storm Water Pollution Prevention Plan (SWPPP) is available on-site from the RE	<input checked="" type="checkbox"/> SWPPP by Rincon Consultants, Inc., July 5, 2016, is on file at construction office	
17. Construction BMPs used to minimize erosion per SWPPP	<input checked="" type="checkbox"/>	
18. Retaining walls constructed for long-term slope stabilization	<input checked="" type="checkbox"/>	
19. Erosion prevention planting used in conjunction with a geofabric, where feasible		<input checked="" type="checkbox"/> N/A in this phase of construction

Hazardous Material/Wastes

	YES	NO
20. Construction materials that may adversely affect groundwater stored away from excavation and in a contained area (protected by a berm)	<input checked="" type="checkbox"/>	
21. Construction equipment and materials checked daily for leaks and repaired immediately	<input checked="" type="checkbox"/>	
22. Hazardous waste (including dewatering waste water, aerally deposited lead, etc.) disposed of in accordance with federal, state, and local regulations	<input checked="" type="checkbox"/>	

Biological Resources

	YES	NO
23. Bird surveys conducted prior to pruning and/or tree removal	<input checked="" type="checkbox"/>	

General Construction Conditions

	YES	NO
24. On-site construction manager available at all times	<input checked="" type="checkbox"/>	
25. Minimize interruption to utility services	<input checked="" type="checkbox"/>	
26. Mobile and stationary equipment maintained in proper working order	<input checked="" type="checkbox"/>	

27.	Non-potable water used for construction activities, when feasible		<input checked="" type="checkbox"/> Non-potable water is not available nearby
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Traffic

		YES	NO
28.	Construction coordinated with other major public or private construction projects within a one-mile radius and construction contracts scheduled to avoid overlapping major activities	<input checked="" type="checkbox"/>	
29.	Haul route should minimize intrusion to residential areas	<input checked="" type="checkbox"/>	
30.	Bridge construction that requires street closure scheduled so only one crossing in an area is affected at one time	<input checked="" type="checkbox"/>	
31.	Local residents and businesses notified in advance of proposed construction activities and road closures	<input checked="" type="checkbox"/>	
32.	Detour route to bypass construction area provided during Fullerton Road closure for bridge construction	<input checked="" type="checkbox"/>	
33.	Advance notice of proposed transit reroutes and any other changes in stops and service made		N/A
34.	Traffic handling plans approved by the City of Industry	<input checked="" type="checkbox"/>	
35.	Coordinate with City of Industry and LA County to provide advance notice of proposed traffic detours and their duration to the public	<input checked="" type="checkbox"/>	

Public Contacts Quarterly Report

DATE	CONTACT	QUERY	RESOLUTION
11/22/16	Resident	Concern regarding project duration	Provided project update
12/12/16	Business Owner	Report traffic signal light malfunction at intersection causing delays	Signal light malfunction not construction related. Issue referred to county and city staff.



Alameda Corridor-East Construction Authority

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Construction Mitigation Measure Matrix Alameda Corridor-East Construction Authority 2nd Quarter Report (October 1, 2016 – December 31, 2016) Puente Avenue Grade Separation Project

Mitigation Measure	Mitigation Complete	
	YES	NO
<u>Air quality</u>		
1. Use low sulfur fuel in construction equipment	<input checked="" type="checkbox"/>	
2. Minimize Dust by Watering (Rule 403)	<input checked="" type="checkbox"/>	
3. Cover Haul Trucks and Operate less than 15 MPH	<input checked="" type="checkbox"/>	
4. Suspend construction operations in unpaved areas when winds are more than 25 MPH	<input checked="" type="checkbox"/>	
5. Ballast wetted as it is unloaded from haul trucks	<input checked="" type="checkbox"/>	
6. Asphalt paving materials comply with SCAQMD Rule 453 regarding compliant paving material	<input checked="" type="checkbox"/>	

	Mitigation Complete	
	YES	NO
<u>Archaeo & Paleo Monitoring</u>		
7. Worker education and briefing of monitoring archaeologists and construction inspectors conducted prior to construction	<input checked="" type="checkbox"/> The briefing was completed on 3/30/15.	
8. Conduct Paleontological Monitoring where excavation exceeds 1.5 meters (5 ft) below ground surface (may be reduced as warranted)	<input checked="" type="checkbox"/> Grade separation excavation monitoring will be conducted on an as needed basis	
9. Plan in place for preservation and curation of significant paleontologic resources that may be discovered	<input checked="" type="checkbox"/> Archaeo/Paleo Resource Monitoring, Mitigation and Curation Plan, LSA, Oct 31, 2014	

	Mitigation Complete	
	YES	NO
<u>Noise & Vibration</u>		
10. Conduct construction in a manner that minimizes noise and maintains noise levels below City limits at noise sensitive land uses	<input checked="" type="checkbox"/>	
11. Use effective noise mufflers on equipment	<input checked="" type="checkbox"/>	
12. Minimize noise during the evening, at nighttime, week-ends and holidays	<input checked="" type="checkbox"/> Night work for paving on Valley	
13. Noise monitoring conducted to demonstrate compliance with noise limits	<input checked="" type="checkbox"/> Noise monitoring is being conducted on an as needed	

	basis. Results are kept on file at the construction office	
14. Vibration monitoring performed during vibration-intensive activities		<input checked="" type="checkbox"/> Preconstruction video of adjacent bldg. conditions is on file at construction office. No vibration monitoring is planned.

Water Quality & Erosion

	YES	NO
15. No detrimental discharge into drainages and bodies of water	<input checked="" type="checkbox"/>	
16. A Storm Water Pollution Prevention Plan (SWPPP) is available on-site from the RE	<input checked="" type="checkbox"/> 10/15/14 SWPPP by MWH and Amendment 1, 5/14/15 are on file at construction office	
17. Construction BMPs used to minimize erosion per SWPPP	<input checked="" type="checkbox"/>	
18. Retaining walls constructed for long-term slope stabilization	<input checked="" type="checkbox"/>	
19. Erosion prevention planting used in conjunction with a geofabric, where feasible		<input checked="" type="checkbox"/> N/A in this phase of construction

Hazardous Material/Wastes

	YES	NO
20. Construction materials that may adversely affect groundwater stored away from excavation and in a contained area (protected by a berm)	<input checked="" type="checkbox"/>	
21. Construction equipment and materials checked daily for leaks and repaired immediately	<input checked="" type="checkbox"/>	
22. Hazardous waste (including dewatering waste water, aerially deposited lead, etc.) disposed of in accordance with federal, state, and local regulations	<input checked="" type="checkbox"/> No contaminated soil is currently stored on site.	

Biological Resources

	YES	NO
23. Bird surveys conducted prior to pruning and/or tree removal	<input checked="" type="checkbox"/>	

General Construction Conditions

	YES	NO
24. On-site construction manager available at all times	<input checked="" type="checkbox"/>	
25. Minimize interruption to utility services	<input checked="" type="checkbox"/>	

26.	Mobile and stationary equipment maintained in proper working order	<input checked="" type="checkbox"/>	
27.	Non-potable water used for construction activities, when feasible		<input checked="" type="checkbox"/> Non-potable water is not available nearby

Traffic

		YES	NO
28.	Construction coordinated with other major public or private construction projects within a one-mile radius and construction contracts scheduled to avoid overlapping major activities	<input checked="" type="checkbox"/>	
29.	Haul route should minimize intrusion to residential areas	<input checked="" type="checkbox"/>	
30.	Bridge construction that requires street closure scheduled so only one crossing in an area is affected at one time	<input checked="" type="checkbox"/> Puente Ave is closed	
31.	Local residents and businesses notified in advance of proposed construction activities and road closures	<input checked="" type="checkbox"/>	
32.	Detour route to bypass construction area provided during Puente Avenue closure for bridge construction	<input checked="" type="checkbox"/> Connector Rd is open	
33.	Advance notice of proposed transit reroutes and any other changes in stops and service made	<input checked="" type="checkbox"/> Ongoing coordination with LA Metro and Foothill Transit	
34.	Traffic handling plans approved by the City of Industry	<input checked="" type="checkbox"/>	
35.	Coordinate with City of Industry and LA County to provide advance notice of proposed traffic detours and their duration to the public	<input checked="" type="checkbox"/>	

Public Contacts Quarterly Report

DATE	CONTACT	QUERY	RESOLUTION
11/28/16	Resident	Concern regarding construction schedule	Provided project update



Alameda Corridor-East Construction Authority

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Construction Mitigation Measure Matrix Alameda Corridor-East Construction Authority 2nd Quarter Report (October 1, 2016 – December 31, 2016) San Gabriel Trench Grade Separation Project

Mitigation Measure	Mitigation Complete	
	YES	NO
<u>Air quality</u>		
1. Use low sulfur fuel in construction equipment	<input checked="" type="checkbox"/>	
2. Dust control plan is available from RE. Compliance with Caltrans' Standard Specifications Sections 7-10F and 10	<input checked="" type="checkbox"/> Walsh Approved April 23, 2013	
3. Minimize Dust by Watering (Rule 403)	<input checked="" type="checkbox"/>	
4. Cover Haul Trucks and Operate less than 15 MPH	<input checked="" type="checkbox"/>	
5. Suspend construction operations in unpaved areas when winds more than 25 MPH	<input checked="" type="checkbox"/>	
6. Ballast wetted as it is unloaded from haul trucks	<input checked="" type="checkbox"/>	
7. Asphalt paving materials comply with SCAQMD Rule 453 regarding compliant paving material	<input checked="" type="checkbox"/>	

	Mitigation Complete	
	YES	NO
<u>Archaeo & Paleo Monitoring</u>		
8. Archaeological Monitor in attendance at initial clearing and grading activities	<input checked="" type="checkbox"/> Archaeological Monitor and Native American Monitor on-site as needed during excavation.	
9. Conduct Paleontological spot checking for excavations up to 4 feet in depth to ensure sensitive sediments are not being impacted. Conduct monitoring where excavation exceeds 4 feet below ground surface. Monitoring requirements may be adjusted based upon the confirmed depth of sensitive sediments at the site	<input checked="" type="checkbox"/> Ongoing Paleo monitoring as needed during excavation activities.	

	Mitigation Complete	
	YES	NO
<u>Noise & Vibration</u>		
10. Noise Plan is available from RE. The plan includes noise monitoring to demonstrate compliance with noise limits specified in the MMRP	<input checked="" type="checkbox"/> ABE Construction Services Approved November 26, 2012	
11. Avoid construction processes that generate high vibration levels within 76.5 meters (250 ft) of any residence	<input checked="" type="checkbox"/> Piles are drilled. No pile driving.	

12.	Vibration intensive construction activities (such as pile driving) limited to weekdays during daytime hours	<input checked="" type="checkbox"/>	N/A. There are no driven piles for this project	
13.	Use effective noise mufflers on equipment	<input checked="" type="checkbox"/>		
14.	Minimize noise during the evening, at nighttime, week-ends and holidays	<input checked="" type="checkbox"/>		
15.	Temporary noise barriers used to reduce construction noise at sensitive land uses per the MMRP	<input checked="" type="checkbox"/>	Temporary noise blankets installed at 2 locations per the project plans.	
16.	Vibration monitoring performed during vibration-intensive activities	<input checked="" type="checkbox"/>	Vibration monitoring is being conducted as needed and results are on file in the construction office.	

Water Quality & Erosion

		YES	NO
17.	No detrimental discharge into drainages and bodies of water	<input checked="" type="checkbox"/>	
18.	A Storm Water Pollution Prevention Plan (SWPPP) is available on-site from the RE	<input checked="" type="checkbox"/>	David Sluga December 2012 – Approved 12/17/12
19.	BMPs used to minimize erosion	<input checked="" type="checkbox"/>	
20.	Retaining walls constructed for long-term slope stabilization	<input checked="" type="checkbox"/>	
21.	Erosion prevention planting used in conjunction with a geofabric, where feasible	<input checked="" type="checkbox"/>	

Hazardous Material/Wastes

		YES	NO
22.	Construction materials that may adversely affect groundwater stored away from excavation and in a contained area (protected by a berm)	<input checked="" type="checkbox"/>	
23.	Construction equipment and materials checked daily for leaks and repaired immediately	<input checked="" type="checkbox"/>	
24.	Hazardous waste (including dewatering waste water, aerially deposited lead, etc.) disposed of in accordance with federal, state, and local regulations	<input checked="" type="checkbox"/>	No VOC containing soils are currently stored on-site.

General Construction Conditions

		YES	NO
25.	On-site construction manager available at all times	<input checked="" type="checkbox"/>	
26.	Emergency Response Plan available from RE	<input checked="" type="checkbox"/>	Walsh Approved 10/26/12

27.	Minimize interruption to utility services	<input checked="" type="checkbox"/>	
28.	Mobile and stationary equipment maintained in proper working order	<input checked="" type="checkbox"/>	
29.	Non-potable water used for construction activities, when feasible		<input checked="" type="checkbox"/> Non-potable water is not available nearby

Traffic

		YES	NO
30.	Construction coordinated with other major public or private construction projects within a one-mile radius and construction contracts scheduled to avoid overlapping major activities	<input checked="" type="checkbox"/>	
31.	Haul Route Plan is available from RE. Haul routes should minimize intrusion to residential areas	<input checked="" type="checkbox"/> Haul routes on plan sheets 257 to 264	
32.	Bridge construction that requires street closure scheduled so only one crossing in an area is affected at one time	<input checked="" type="checkbox"/> There are no bridge closures at this time.	
33.	Local residents and businesses notified in advance of proposed construction activity	<input checked="" type="checkbox"/>	
34.	Advance notice of proposed transit reroutes and any other changes in stops and service made	<input checked="" type="checkbox"/> Coordination with LA Metro is ongoing	
35.	Traffic handling plans approved by the City of San Gabriel, the City of Alhambra and the City of Rosemead.	<input checked="" type="checkbox"/>	
36.	Coordinate with City of San Gabriel and the City of Alhambra to provide advance notice of proposed traffic detours and their duration provided to the public	<input checked="" type="checkbox"/> There is ongoing coordination with the Cities of San Gabriel, Alhambra and Rosemead.	



Alameda Corridor-East Construction Authority

4900 Rivergrade Rd. Ste. A120 Irwindale, CA 91706 (626) 962-9292 fax (626) 962-3552 www.theaceproject.org

MEMO TO: ACE Construction Authority Board Members and Alternates

FROM: Mark Christoffels, Chief Executive Officer

DATE: January 23, 2017

SUBJECT: Approval of Support Position for TCIF provisions of AB 1 (Frazier), SB 1 (Beall) and Governor's budget proposal

RECOMMENDATION: Staff recommends your approval of a support position for the Trade Corridors Improvement Fund (TCIF) provisions of Assembly Bill 1 (Frazier), Senate Bill 1 (Beall) and of the 2017-2018 State Budget proposed by Governor Brown. The TCIF program administered by the California Transportation Commission supports infrastructure improvements along regionally and nationally significant trade corridors and is the single largest source of funding for the ACE projects.

Board support for these TCIF provisions is consistent with your prior support for similar legislation and would fulfill the Board's legislative goal of ensuring revenues are made available for the TCIF program with the pending depletion of \$2 billion in revenues from the one-time Proposition 1B of 2006. Existing law supported by ACE continues the TCIF program in existence in order to receive revenues from other sources, including new state revenues contemplated in the legislative proposals and from federal revenues.

Upon approval of this recommendation, staff will prepare and transmit letters of support to Governor Brown, Senator Beall, Assemblyman Frazier, and the members of the San Gabriel Valley Legislative Caucus.

BACKGROUND:

Introduced by Senator Jim Beall and Assemblyman Jim Frazier as chairs of the Senate and Assembly transportation committees, respectively, SB 1 and AB 1 are comprehensive transportation funding proposals which provide for a variety of new revenues, primarily from motor fuel tax increases, revenue re-allocations and reforms. The State Budget proposed by Governor Brown also includes new revenues, although at more modest levels than the legislative proposals, and re-allocations of existing funding intended to stabilize and enhance funding for transportation infrastructure and programs.

The TCIF provisions of the three legislative proposals are outlined here:

Legislative Proposal	Annual TCIF Amount (est.)	Source of Funds
Assembly Bill 1	\$720 million	20 cents of diesel excise tax increase plus state's share of federal freight formula funds estimated at \$120 million per year
Senate Bill 1	\$720 million	20 cents of diesel excise tax increase plus state's share of federal freight formula funds estimated at \$120 million per year
2017-18 State Budget	\$358 million (in first year) \$250 million (subsequent years)	\$2.5 billion in new revenues over 10 years and \$323 million from loan repayments

Of significance to the ACE program is the strong and consistent support for the TCIF program evidenced by the two major transportation revenue and funding packages introduced in the Legislature and by the state budget proposed by Governor Brown. The bills and budget proposal are expected to be assigned to be heard in policy committees over the next month.

In addition, staff proposes monitoring Senate Bill 4 (Mendoza) which would place the Goods Movement and Clean Trucks Bond Act on the June 5, 2018 statewide primary election ballot for voter approval. The act would authorize the issuance of \$600 million in general obligation bonds for the following purposes: \$200 million for the TCIF program; \$200 million to the State Air Resources Board (ARB) for the Goods Movement Emission Reduction Program; and \$200 million to the ARB for zero- and near-zero emission trucks in areas designated as severe or extreme nonattainment areas for ozone and particulate matter.

Attachments: AB 1 Fact Sheet
 SB 1 Fact Sheet
 SB 4 Fact Sheet
 Transportation budget summary

TRANSPORTATION

The Transportation Agency is responsible for developing and coordinating the policies and programs of the state's transportation entities to improve the mobility, safety, and environmental sustainability of the state's transportation system. The Agency consists of the following six state entities:

- Department of Transportation (Caltrans)
- California Transportation Commission
- High-Speed Rail Authority
- Department of Motor Vehicles
- California Highway Patrol
- Board of Pilot Commissioners

The Office of Traffic Safety operates within the Office of the Secretary for Transportation and the New Motor Vehicle Board operates within the Department of Motor Vehicles.

The Budget includes total funding of \$18.1 billion for all programs administered within the Agency. In addition, the Shared Revenues budget in the General Government area allocates over \$1.6 billion in fuel excise tax to cities and counties for local streets and roads (including \$200 million from the Governor's transportation package).

INVESTMENTS IN TRANSPORTATION INFRASTRUCTURE

California has a vast state transportation infrastructure, which includes 50,000 lane miles of state and federal highways, 304,000 miles of locally owned roads, operation of three of the top six Amtrak intercity rail services in the nation (nearly 900 miles of track), and numerous transit systems operated by 180 local transit agencies. Efficient operation of this network is a key component of the state's continued economic growth. The state's transportation infrastructure serves a large portion of the country's trade, with nearly 20 percent of the goods imported to the United States moving through California ports, highways, and railways.

The repair, maintenance, and efficient operation of the state's transportation system are vital to California's economic growth. State funding has fallen dramatically below the levels needed to maintain the system, and a recent transportation study found that Californians spend on average \$762 annually on vehicle repair costs due to poorly maintained roads. California continues to be in the top five states with the longest commute duration. Annual maintenance and repair needs on the state's highway system are significantly more than can be funded within existing resources, with a current identified annual funding gap of almost \$6 billion. The Governor's transportation package addresses the state's most urgent transportation needs and reflects the following principles:

- Focusing new revenue primarily on "fix-it-first" investments to repair neighborhood roads and state highways and bridges.
- Making key investments in trade corridors to support continued economic growth and implementing a sustainable freight strategy.
- Providing funding to match locally generated funds for high-priority transportation projects.
- Continuing measures to improve performance, accountability and efficiency at Caltrans.
- Investing in passenger rail and public transit modernization and improvement.
- Avoiding an impact on the General Fund.

The Budget reflects the Governor's transportation funding and reform package. First outlined in September 2015, the package includes a combination of new revenues, additional investments of Cap and Trade auction proceeds, accelerated loan repayments,

Caltrans efficiencies and streamlined project delivery, accountability measures, and constitutional protections for the new revenues.

REVENUES TO SUPPORT NEW INVESTMENT:

The 10-year funding plan will provide a total of almost \$43 billion in new funding and redirected savings from efficiencies for transportation priorities. Specifically, the proposal includes annualized resources as follows:

- Road Improvement Charge—\$2.1 billion from a new \$65 fee on all vehicles, including hybrids and electrics.
- Stabilize Gasoline Excise Tax—\$1.1 billion by setting the gasoline excise tax at the 2013-14 rate of 21.5 cents and eliminating the current annual adjustments. The broader gasoline tax would then be adjusted annually for inflation to maintain purchasing power.
- Diesel Excise Tax—\$425 million from an 11-cent increase in the diesel excise tax. This tax would also be adjusted annually for inflation to maintain purchasing power.
- Cap and Trade—\$500 million in additional Cap and Trade proceeds.
- Caltrans Efficiencies—\$100 million in cost-saving reforms.

Additionally, the Budget includes a General Fund commitment to transportation by accelerating \$706 million in loan repayments over the next three years. These funds will support additional investments in the Transit and Intercity Rail Capital Program, trade corridor improvements, and repairs to the state highway system.

10-YEAR INVESTMENT PLAN

Over the next 10 years, the Governor's transportation package will provide almost \$43 billion for transportation investments with revenues split evenly between state and local transportation priorities. It places an emphasis on repairing and maintaining existing infrastructure with major new funding for both state highways and local roads. The plan also includes a significant investment in public transit and active transportation. Figure TRN-01 lists expenditure totals for 2017-18 as well as anticipated annualized expenditures over the course of the 10-year plan. Key components of the 10-year plan are as follows:

- Active Transportation Program—\$1 billion Cap and Trade for Caltrans to expand the grant program for local projects that encourage active transportation such as

Figure TRN-01
Governor's Transportation Package
(Dollars in Millions)

<i>Investment Category</i>	<i>Program</i>	<i>2017-18 Amount</i>	<i>Annualized Amount^{1/}</i>
Local Streets and Roads / Partnership Programs	Active Transportation Program	\$100	\$100
	Local Road Maintenance & Repairs	\$206	\$1,163
	Local Partnership Grants ^{2/}	\$0	\$250
	SB 375 Local Planning Grants	\$25	\$25
	Corridor Mobility Program	\$275	\$275
Transit	Transit Capital ^{3/}	\$485	\$400
State Highway Repair and Maintenance ^{4/}	Pavement ^{3/}	\$129	\$997
	Bridges and Culverts	\$91	\$554
	Traffic Management Systems	\$12	\$100
	Maintenance	\$120	\$120
Trade Corridors	Improved Goods Movement ^{3/}	\$358	\$250
Total		\$1,801	\$4,234

^{1/} Excludes one-time loan repayments totaling \$706 million.
^{2/} Provides up to \$250 million per year beginning in 2018-19.
^{3/} The 2017-18 totals include anticipated loan repayments.
^{4/} Annualized amounts include \$100 million per year in Caltrans efficiency savings.

bicycling and walking, with at least 50 percent of the funds directed to benefit disadvantaged communities.

- Local Streets and Roads/Local Partnership Funds—About \$11.4 billion in Shared Revenues to be allocated by the Controller to cities and counties for local road maintenance according to existing statutory formulas, and over \$2.2 billion in state-local partnership grants.

- **Sustainable Transportation Grants**—An increase of \$25 million annually for competitive planning grants to assist regions and local governments in achieving the sustainable transportation requirements in Chapter 728, Statutes of 2008 (SB 375), and other State objectives.
- **Corridor Mobility Improvements**—An increase of over \$2.7 billion for multi-modal investments on key congested commute corridors that demonstrate best practices for quality public transit and managed highway lanes such as priced express lanes or high-occupancy vehicle lanes. Included is also \$25 million annually to expand the freeway service patrol program.
- **Transit and Intercity Rail Capital Program**—An increase of over \$4.2 billion (including \$4 billion in additional Cap and Trade as well as \$256 million from loan repayments) for transit capital investments that provide greenhouse gas reductions, with at least 50 percent of the funds directed to benefit disadvantaged communities.
- **Highway Repairs and Maintenance**—An increase of almost \$18 billion (including \$1 billion from Caltrans efficiency savings) for Caltrans to fund repairs and maintenance on the state highway system.
- **State Transportation Improvement Program (STIP)**—An augmentation and stabilization to the STIP, which should not only allow the California Transportation Commission to restore funding for \$750 million worth of projects cut from the program in 2016, but also program approximately \$800 million in new projects in the 2018 STIP.
- **Trade Corridor Improvements**—An increase of over \$2.8 billion (including \$2.5 billion in new revenues and \$323 million from loan repayments) for Caltrans to fund projects along the state's major trade corridors, providing ongoing funding for a program originally established with \$2 billion in one-time Proposition 1B bond funding.

REFORMS AND CALTRANS EFFICIENCIES

The transportation package also includes the following reforms and efficiencies at Caltrans to streamline project delivery and advance projects more quickly:

- **State Highway Performance Plan**—Establish measurable targets for improvements including regular reporting to the California Transportation Commission, the Legislature, and the public.

TRANSPORTATION

- Streamlined Project Delivery—Provide a limited California Environmental Quality Act (CEQA) exemption for projects on existing rights-of-way with previously completed CEQA approval; remove the sunset date for the federal delegation of environmental reviews so federal and state environmental review can be completed concurrently.
- Advanced Mitigation—Advance project environmental mitigation to get early permitting approval as well as stakeholder and advocate buy-in on activities, reducing the challenges that can occur later which sometimes delay projects.
- Job Order Contracting—Complete a limited-term, focused pilot program for procuring routine highway, bridge, and applicable culvert projects using the job order contracting method. This will allow the state to complete a large number of routine maintenance activities in a given area with a single, competitively bid contract while eliminating much of the time and expense of the current process of separately bidding each project contract.
- Extend Public-Private Partnership Authority—Allow for these partnerships through 2027 by extending the current sunset date by 10 years.
- California Transportation Commission Oversight—Expand the Commission’s oversight to cover each phase of project delivery to better track Caltrans’ staffing needs and increase transparency.

In addition to the efficiencies being proposed in the transportation package, Caltrans is continuing its pilot program to explore the viability of what is expected to be a revenue-neutral mileage-based alternative to the current consumption-based fuel excise tax. A report on the outcome of this pilot project is scheduled to be released in December 2017.

IMPROVING PERFORMANCE

The transportation package will improve performance of California’s transportation system. A 10-year investment of the increased funding on state highways, bridges, and culverts—totaling over \$17.7 billion—will achieve measurable improvements for the state’s network as outlined in Figure TRN-02. Across these categories, new funding directed to preventative maintenance would save up to \$5.8 billion.

Figure TRN-02
Ten-Year Highway Condition
With and Without the Governor's Transportation Package

Asset	Performance Target	Without New Investment	With New Investment
Pavement (50,000 lane miles)	98% Good or Fair Condition	Lane miles in poor condition will grow to 9,500	17,000 lane miles of pavement fixed, resulting in 98% good or fair condition
Bridges (13,100 bridges)	98.5% Good or Fair Condition	Bridges in poor condition will grow to 500	500 bridges fixed, resulting in 98.5% good or fair condition
Culverts (205,000 culverts)	90% Good or Fair Condition	Culverts in fair or poor condition will grow to 74,000	55,000 culverts fixed, resulting in 90% in good or fair condition
Traffic Management Systems (TMS) (48,850 elements)	90% Good Condition	8,000 TMS elements that are inoperable, representing ramp meters, cameras, changeable message signs, and loop detectors	7,700 TMS elements fixed, resulting in 90% in good condition
Maintenance (assets identified above)	90% - 95% Good Condition	Graffiti, litter, pothole repairs, and other indicators do not achieve performance targets	Pothole repairs, seal cracks, graffiti/litter removal, and other indicators achieve performance targets at least 90% meeting the good performance target

DEPARTMENT OF TRANSPORTATION

The Department of Transportation (Caltrans) has almost 20,000 employees and a budget of \$10.9 billion. Caltrans designs and oversees the construction of state highways, operates and maintains the highway system, funds three intercity passenger rail routes, and provides funding for local transportation projects. The Department maintains 50,000 road and highway lane miles and more than 12,000 state bridges, and inspects 407 public-use and special-use airports and heliports. The largest sources of funding for transportation projects are excise taxes paid on fuel consumption, federal funds also derived from fuel taxes, and weight fees on trucks.

TRANSPORTATION

ENVIRONMENTAL SUSTAINABILITY

The Administration has made significant progress in recent years towards improving the environmental sustainability of the state's transportation system.

- Sustainable Freight, Planning, and Zero Emission Vehicle (ZEV) Facilities—Caltrans is working to integrate sustainability into all aspects of the Department's planning, project management, operations, and maintenance efforts. Caltrans has outlined these changes in the Caltrans Strategic Management Plan, 2015-20, the Caltrans Sustainability Plan, the Sustainable Freight Action Plan, and the Caltrans Zero Emission Vehicle Implementation Action Plan. The Department has created an internal sustainability program to coordinate these efforts, and has been working closely with the California Air Resources Board, the California Energy Commission, the Governor's Office of Business and Economic Development, and a variety of stakeholders to reach the goals of the program. The Department has committed to making 25 percent of its light-duty fleet purchases ZEVs by 2020, reducing its greenhouse gas emissions 40 percent by 2030, and constructing public charging stations at 30 locations statewide on Department rights-of-way within 30 months.

Significant Adjustments:

- Replacement of IT Infrastructure—\$12 million State Highway Account for Caltrans to begin a multi-year effort to replace a broad range of IT equipment.
- IT Security—\$4 million State Highway Account over three years for Caltrans to upgrade and improve the Department's Information Technology Cyber Security Program.

CALIFORNIA HIGHWAY PATROL

The California Highway Patrol (CHP) promotes the safe, convenient, and efficient transportation of people and goods across the state highway system and provides the highest level of safety and security to the facilities and employees of the State of California. The Budget proposes \$2.5 billion, all from non-General Fund sources, and 10,748.7 positions for support of the CHP.

Significant Adjustments:

- Phone System Replacement—\$2.8 million Motor Vehicle Account for the CHP to replace its older phone systems at both the CHP Academy and the

Dignitary Protection Section-North Command, with Voice over Internet Protocol (VoIP) systems.

- IT Privacy and Risk Management—\$1.8 million Motor Vehicle Account and 14 positions for the CHP to establish a Privacy and Risk Management Program to protect personally identifiable information stored within the CHP's information technology infrastructure and to address other information technology needs.
- Cloud-Based Disaster Recovery Solution—\$1.2 million Motor Vehicle Account and 2 positions for the CHP to establish a cloud-based disaster recovery system to replace its tape-based system.

DEPARTMENT OF MOTOR VEHICLES

The Department of Motor Vehicles (DMV) promotes driver safety by licensing drivers, and protects consumers and ownership security by issuing vehicle titles and regulating vehicle sales. Most recently, DMV has successfully addressed the initial workload associated with expanded eligibility for driver licenses, and the Department continues to explore alternatives for addressing the requirements of the federal Real ID Act. The Budget proposes \$1.1 billion, mostly from non-General Fund sources, and more than 8,200 positions, to support DMV operations.

Significant Adjustments:

- Expanded Eligibility for Driver Licenses—\$8.6 million Motor Vehicle Account for the extension of 91 positions to continue processing and investigating license applications.
- Implementation of Legislation—\$1 million Motor Vehicle Account for implementation of new legislation, including \$730,000 and 5 positions for inspecting ignition interlock devices, pursuant to Chapter 783, Statutes of 2016 (SB 1046), and \$294,000 for investigator travel, casework, and overtime, and a data aggregation tool to search websites for patterns of suspicious sale activity, as part of the joint task force to address unlicensed auto dismantling businesses that was created by Chapter 449, Statutes of 2016 (AB 1858).

Transportation Infrastructure and Economic Investment Act

Senate Bill 1 (Beall)

A \$6 billion funding package to improve our roads and transportation infrastructure

Where will the money come from?

Revenues Adjustments and Enhancements: \$5 billion annually

The transportation funding package proposes a series of new revenue enhancements and adjustments to fix our roads and improve mobility throughout the state. Specifically, this proposal eliminates the Board of Equalization's annual adjustment of the gas excise tax, restores the price-based gas excise tax rate to 17.3 cents, plus enhances and indexes the base gas excise tax by an additional 12 cents to raise approximately \$2.9 billion annually at the end of the phase-in period. The base gas tax would be increased gradually over three years; increasing by 6 cents in the first fiscal year, to 9 cents in year two, ultimately to 12 cents in year three. The proposal also increases the diesel excise tax by 20 cents and sales tax by 4% to generate an estimated \$853 million annually and, specifically, approximately \$300 for transit. Additional revenue enhancements include an annual \$100 fee for zero-emission vehicles, and a vehicle registration adjustment of \$38 per vehicle.

Restoration of existing weight fees: \$500 million

- Vehicle weight fees generate approximately \$1 billion annually and are currently used to pay down transportation debt service. The package will progressively shift a portion of these revenues back to transportation by annually redirecting a portion of weight fee revenues in gradual amounts (\$100 million increments) over a five year period (i.e. \$100 million – year one, \$200 million – year two, etc) until \$500 million in weight fees are restored and used for transportation purposes. The estimated \$500 million remaining will continue to be used to pay down transportation debt service.

Increase Cap and Trade allocation for transit

- Existing law requires a portion of C&T revenues to fund several transit related programs. This package increases the existing percentage of funding for the C&T's Transit and Intercity Rail Capital Program from the current 10% allocation to 20% and the Low Carbon Transit Operations Program from the current 5% to 10% in order to increase transit services that reduce greenhouse gas emissions throughout the state.

CalTrans Efficiency improvements: Estimated \$70 Million

- The package authorizes Caltrans to generate up to \$70 million in department efficiencies. The revenue generated through the efficiencies will be allocated to the Active Transportation Program.

Accelerate General Fund Loan Repayment obligations: \$706 million in one-time revenue

- This package provides that outstanding loans (approximately \$706 billion) made to the General Fund from the State Highway Account, the Motor Vehicle Fuel Account, the Highway Users Tax Account, and the Motor Vehicle Account will be repaid over a two year period. The package would further evenly split these revenues to provide transportation dollars to local agencies and SHOPP.

Total Estimated funding: \$5.5 billion annually + \$706 million one-time revenue

How will the money be spent?

Funding for Self-Help Counties

- To assist local governments in maximizing transportation dollars to invest in improving California's transportation infrastructure, this proposal sets aside \$200 million annually to local agencies that have adopted local sales tax measures commonly referred to as "self-help" counties as well as local agencies that have adopted fees (such as uniform developer fees) that are used for transportation improvements.

50/50 funding split between state and local agencies

- The package establishes a balanced approach to ensure transportation maintenance and rehabilitation needs are sufficiently met throughout the state. Thus, new transportation revenue will be split equally between locals and state for road and bridge repair and maintenance.

Trade Corridors

- As regional ports serve as one of the primary economic engines for the state, the transportation funding package allocates 20 cents of the diesel excise tax or approximately \$600 million annually to support the movement of goods in California's critically important trade corridors.

Transit

- Additional funding for the State Transit Assistance (STA) program will provide for additional resources for local transit providers throughout the state. This revenue will provide transit agencies with the opportunity to purchase zero-emissions buses and be used for various capital projects. Additionally, a portion of the diesel sales tax will be specifically allocated to improve intercity and commuter passenger rail services.

Workforce, job training, & Opportunity Act (Pre-Apprenticeship Programs)

- The transportation package addresses the state's projected labor shortage by providing high-quality training and skills development to individuals entering the workforce. The proposal specifies all projects funded with new transportation revenue will be required to engage in a pre-apprenticeship program for individuals, including low-income/disadvantaged individuals. State and local California Conservation Corps shall be an eligible partner under this act. The transportation package additionally requires Caltrans to develop a plan to increase participation from small and disadvantage businesses.

Reforms:

CTC Independence

- The package establishes CTC as an independent agency as a means to design a more efficient project delivery system and use of state resources. Further transfers responsibility for the approval of the State Highway Operations and Protection Program (SHOPP) from Caltrans to CTC. Specifically, requires Caltrans to submit additional information on the proposed SHOPP program prior to CTC review and approval including cost, scope, schedule, and performance metrics. Additionally requires CTC to conduct public hearings in Northern and Southern California to get feedback on the proposed SHOPP from stakeholders and the public.

Office of Transportation Inspector General

- Creates the Office of the Transportation Inspector General (OIG) and notes that the TIG shall not be a subdivision of any other governmental entity. Specifies the TIG is to serve as an independent office to ensure that all state agencies expending state transportation funds are operating efficiently, effectively, and in compliance with federal and state laws. The TIG will be appointed by the Governor and confirmed by the Senate for a six-year term.

Additional transportation improvements:

Active Transportation

- Improve existing Active Transportation Program through increased funding from an annual appropriation of \$80 million plus any additional revenues generated through Caltrans efficiencies.

Improved Project Delivery

- Provides a number of statutory changes that will improve and make more efficient the project delivery process for transportation infrastructure projects.

AB 1 (Frazier) Transportation Funding Package

- A \$6 billion annual funding package to repair and maintain our state and local roads, improve our trade corridors, and support public transit and active transportation.
- A \$706 million repayment of outstanding transportation loans for state and local roads.
- Eliminates the BOE “true up” that causes funding uncertainty and is responsible for drastic cuts to regional transportation projects.
- Indexes transportation taxes and fees to the California CPI to keep pace with inflation.
- Includes reforms and accountability for state and local governments to protect taxpayers.
- Streamlines transportation project delivery to help complete projects quicker and cheaper.
- Protects transportation revenue from being diverted for non-transportation purposes.*
- Helps local governments raise revenue at home to meet the needs of their communities.*

New Annual Funding

- **State** -- \$1.9 billion annually for maintenance and rehabilitation of the state highway system.
- **Locals** -- \$2.4 billion annually for maintenance and rehabilitation of local streets and roads.
- **Regions** -- \$577 million annually to help restore the cuts to the State Transportation Improvement Program (STIP).
- **Transit** -- \$563 million annually for transit capital projects and operations.
- **Freight** -- \$600 million annually for goods movement.
- **Active Transportation** -- \$80 million annually, with up to \$150 million possible through Caltrans efficiencies, for bicycle and pedestrian projects.
- Constitutional Amendment to help locals raise funding at home by lowering the voter threshold for transportation tax measures to 55 percent.*

Reforms and Accountability

- Restores the independence of the California Transportation Commission (CTC).
- Creates the Office of Transportation Inspector General to oversee all state spending on transportation.
- Increases CTC oversight and approval of the State Highway Operations and Protection (SHOPP) program.
- Requires local governments to report streets and roads projects to the CTC and continue their own funding commitments to the local system.

Streamlining Project Delivery

- Permanently extends existing CEQA exemption for improvements in the existing roadway.
- Permanently extends existing federal NEPA delegation for Caltrans.
- Creates an Advance Mitigation program for transportation projects to help plan ahead for needed environmental mitigation.

New Annual Funding Sources

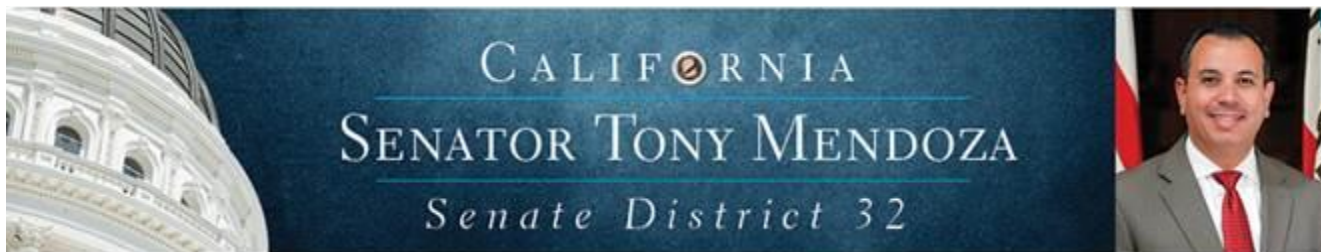
- Gasoline Excise Tax -- \$1.8 billion (12 cents per gallon increase)
- End the BOE “true up” -- \$1.1 billion
- Diesel Excise Tax -- \$600 million (20 cents per gallon increase)
- Vehicle Registration Fee -- \$1.3 billion (\$38 per year increase)
- Zero Emission Vehicle Registration Fee -- \$21 million (\$165 per year starting in 2nd year)
- Truck Weight Fees -- \$500 million (return to transportation over five years)
- Diesel Sales Tax -- \$263 million (increase increment to 5.25%)
- Cap and Trade -- \$300 million (from unallocated C&T funds)
- Miscellaneous transportation revenues -- \$185 million

Keeping Promises and Protecting Revenues

- One-time repayment of outstanding loans from transportation programs over two years. (\$706 million)
- Return of half of the truck weight fees to transportation projects over five years. (\$500 million)
- Constitutional amendment to ensure new funding cannot be diverted for non-transportation uses.

**These provisions will be in companion bills.*

**Revenue estimates using 2016 LAO funding projections and \$500 million weight fee return in 2021*



SB 4 (Mendoza)

As Introduced

GOODS MOVEMENT AND CLEAN TRUCKS BOND ACT

Fact Sheet

SUMMARY

SB 4 will provide \$1.18 billion in funding to decrease health risks for Californians living in trade corridors by reducing air pollution emissions from freight movement. SB 4 funding will also improve the infrastructure for the State's goods movement network thereby promoting further economic growth.

BACKGROUND

The Ports of Los Angeles and Long Beach comprise the largest port complex in the United States, handling a quarter of all container cargo traffic in the nation. Furthermore, as the 6th-largest economy in the world, California and its 11 public ports are a robust and intricate freight transportation system that supports significant international trade and domestic goods movement demands.

While the movement of goods continues to be a major economic force for California and is a critically important element to its growth, the health risks of pollution and the need to upgrade our infrastructure and transportation system continue to be a major concern.

In order to address this matter, California established The Trade Corridors Improvement Fund (TCIF), on November 7, 2006. This \$2 billion program within The Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006 was approved by the voters as Proposition 1B.

Consequently, the funds from TCIF are made available to the California Transportation

Commission by appropriation in the annual Budget passed by the Legislature. These funds are intended for infrastructure improvements along federally-designated "Trade Corridors of National Significance" in this state or along other corridors within this state that have a high volume of freight movement. To further that goal in 2014, SB 1228 (Hueso) preserved the existence of the TCIF in order to allow it to receive revenues from new funding sources and continue its vital purpose.

At the federal level, on December 4, 2015, President Obama signed the Fixing America's Surface Transportation (FAST) Act into law, authorizing \$305 billion between 2016 and 2020 for highway, transit, and rail programs. For the duration of the FAST Act, California will receive an annual average apportionment of \$116 million.

Even though California continues to receive funding through various state and federal programs for the improvement of its goods movement network, the issue still remains critical to relieve congestion on freeways and increase mobility for all Californians. Although these goods movement activities are vital to the state's economy, it is necessary to address the adverse effects on communities, the environment, and infrastructure that result from our active goods transportation system.

To that end, SB 4 addresses these issues by providing \$1.18 billion in funding to reduce emissions and health risks and also to improve the infrastructure of California's goods movement network.

CURRENT LAW

- The TCIF is a \$2 billion program within The Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006, approved by the voters as Proposition 1B on November 7, 2006.
- The Goods Movement Emission Reduction Program (GMERP) was also created by Proposition 1B and received \$1 billion in one-time money distributed over multiple years. [Government Code Section 8879.23 (c) (1) (C)]. Under GMERP, local agencies apply to the California Air Resources Board (CARB) and those agencies offer financial incentives to owners of equipment used in freight movement to upgrade to cleaner technologies. Projects funded under GMERP must achieve early or extra emission reductions not otherwise required by law or regulation.

THIS BILL

- Enacts the Goods Movement and Clean Trucks Bond Act, subject to voter approval at the June 5, 2018 statewide primary election, to authorize \$600 million of state general obligation bonds. Specifically, this bill:
 - Allocates an additional \$200 million to the TCIF for trade corridor improvements and requires consultation with the Sustainable Freight Action Plan for project selection under TCIF.
 - Reduces emissions and health risks from freight operations in California's priority trade corridors through incentives by allocating \$200 million to the GMERP.
 - Allocates \$200 million to a new program that would increase the state's efforts to get old trucks off the road, which contribute to pollution at the ports and along trade corridors, and replace them with cleaner, more efficient trucks.

- Supports regional needs along California's trade corridors by requiring federal freight revenues apportioned to California from the FAST Act to be deposited in the TCIF, an amount anticipated to be \$580 million. This funding is not tied to the \$600 million of state general obligation bonds and does not require voter approval.

STATUS

- Senate Rules Committee

SUPPORT

- None

OPPOSITION

- None

FOR MORE INFORMATION

Dorian Almaraz
Office of Senator Tony Mendoza
(916) 651-4032