



**Contra
Costa
County**

To: Board of Supervisors
From: Brian M. Balbas, Public Works Director/Chief Engineer
Date: September 14, 2021

Subject: Memorandum of Understanding with Contra Costa Transportation Authority for State Route 239, East County area.

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Public Works Director, or designee, to execute the first amendment to the Amended and Restated Memorandum of Understanding between Contra Costa County and the Contra Costa Transportation Authority (CCTA) to update Project Management costs for the State Route 239 (SR239) Project, East County. (Project No. 0676-6P1012)

FISCAL IMPACT:

The Local Road Fund will be used to pay for the additional \$560,473 in project management costs.

BACKGROUND:

The County is a partner with CCTA and Caltrans to develop the SR239 Project. SR239 is a legislatively adopted, but unconstructed route in the state highway system between State Route 4 (SR4) in Brentwood to Interstate 580 west of Tracy in San Joaquin County. SR239 is intended to improve access and regional connectivity between eastern Contra Costa County and San Joaquin County, support planned development and job realization, support inter-regional north-south goods movement operations, and improve access to the Byron

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **09/14/2021** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Diane Burgis, District III Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: September 14, 2021

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: Stacey M. Boyd, Deputy

Contact: Nancy Wein,
925.313.2275

cc:

Airport. A route was never formally adopted by the California Transportation Commission (CTC) or constructed.

BACKGROUND: (CONT'D)

In 2005, the County received two federal appropriations totaling \$14 million for the planning and construction of the SR239 Project. The County initiated planning work for the project which was transferred to CCTA due to CCTA's broader geographic area of responsibility, and direct relationships with involved state and regional agencies. This was formalized in an MOU with CCTA in January 2012. Under the terms of the MOU, CCTA assumed responsibility for the planning and future phases of the project with the County reimbursing CCTA for the local matching funds and project management costs up to a maximum amount of \$1.45 million. The Project Feasibility Study was completed in May 2014 and a Project Initiation Document (PID), with Caltrans oversight, was completed in August 2015.

In 2018, CCTA, Caltrans and the County agreed that the project was ready to proceed to the Project Approval and Environmental Document (PA&ED) phase and this work is currently underway. Caltrans is the CEQA and NEPA lead for this phase and the federal funds require that some portion of the project is constructed by 2024.

During this phase, the alignment for SR239 will be identified to allow formal right of way protection and preservation of the ultimate corridor. It will also advance the first phase of the project to the “shelf ready” stage in order to compete for future funding opportunities. These are essential steps towards meeting the federal funding progress requirement. Engineering and environmental clearance is being performed for the first initial phase of SR239, the Vasco Road - Byron Highway- Connector. These activities will facilitate its construction should funding become available. The Byron Highway-Vasco Road Connector is already designated to receive \$10 million under Regional Measure 3 approved by voters in 2018.

In October 2019, the County and CCTA amended the existing MOU and it became the “Amended and Restated Memorandum of Understanding”. Under the terms of the Amended and Restated MOU, CCTA is responsible for managing activities necessary to complete the PA&ED phase of the project. The County is responsible for local match funds as well as CCTA’s project management costs. Because of the project complexity, the project management effort needed could not be properly scoped during the development of the Amended and Restated MOU. As a result, the Amended and Restated MOU included an interim budget and required CCTA and the County to review the project management cost annually and to revise the budget based on mutual agreement.

Staff from CCTA and the County have recently reviewed the anticipated level of effort and cost for managing the remaining PA&ED work for the project. Based on current projections, it is anticipated that the total project management cost will increase by \$560,473 to \$1,201,199 through Fiscal Year 24/25.

It is proposed to amend the Restated and Amended MOU to increase the maximum reimbursement amount by \$560,473 from \$3,635,000 to a new maximum reimbursement

amount of \$4,195,473, which includes the increase in project management costs.

CONSEQUENCE OF NEGATIVE ACTION:

If the recommended actions are not taken the SR239 Project will not have sufficient funding to complete the PA&ED phase or project management costs.

ATTACHMENTS

Amendment