

ROAD REPAIR AND ACCOUNTABILITY ACT OF 2017
PROJECT BASELINE AGREEMENT

Port of Stockton Rail Bridge Replacement and Rail Improvements

Resolution TCEP-P-2122-02B

(will be completed by CTC)

1. FUNDING PROGRAM

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

2. PARTIES AND DATE

- 2.1 This Project Baseline Agreement (Agreement) for the *Port of Stockton Rail Bridge Replacement and Rail Improvements*, effective on, January 2022 (will be completed by CTC), is made by and between the California Transportation Commission (Commission), the California Department of Transportation (Caltrans), the Project Applicant, *Port of Stockton*, and the Implementing Agency, *Port of Stockton*, sometimes collectively referred to as the "Parties".

3. RECITAL

- 3.2 Whereas at its December 2, 2020 meeting the Commission approved the Trade Corridor Enhancement Program, and included in this program of projects the *Port of Stockton Rail Bridge Replacement and Rail Improvements*, the parties are entering into this Project Baseline Agreement to document the project cost, schedule, scope and benefits, as detailed on the Project Programming Request Form attached hereto as Exhibit A and the Project Report attached hereto as Exhibit B, as the baseline for project monitoring by the Commission.
- 3.3 The undersigned Project Applicant certifies that the funding sources cited are committed and expected to be available; the estimated costs represent full project funding; and the scope and description of benefits is the best estimate possible.

4. GENERAL PROVISIONS

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

- 4.1 To meet the requirements of the Road Repair and Accountability Act of 2017 (Senate Bill [SB] 1, Chapter 5, Statutes of 2017) which provides the first significant, stable, and on-going increase in state transportation funding in more than two decades.
- 4.2 To adhere, as applicable, to the provisions of the Commission:
- Resolution *Insert Number*, "Adoption of Program of Projects for the Active Transportation Program", dated
 - Resolution *Insert Number*, "Adoption of Program of Projects for the Local Partnership Program", dated
 - Resolution *Insert Number*, "Adoption of Program of Projects for the Solutions for Congested Corridors Program", dated
 - Resolution *Insert Number*, "Adoption of Program of Projects for the State Highway Operation and Protection Program", dated
 - Resolution G-20-77, "Adoption of Program of Projects for the Trade Corridor Enhancement Program", dated December 2, 2020

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

5. SPECIFIC PROVISIONS AND CONDITIONS

5.1 Project Schedule and Cost

See Project Programming Request Form, attached as Exhibit A.

5.2 Project Scope

See Project Report or equivalent, attached as Exhibit B. At a minimum, the attachment shall include the cover page, evidence of approval, executive summary, and a link to or electronic copy of the full document.

5.3 Other Project Specific Provisions and Conditions

In the event of a cost overrun the state will cover a share proportionate to the state contribution of the TCEP funding identified in the Project Programming Request (PPR) attached to this baseline agreement. (For example, if the state/regional TCEP funding share was a 40/60 ratio, the state may fund no more than 40% of the cost overrun.)

Attachments:

Exhibit A: Project Programming Request Form

Exhibit B: Project Report

SIGNATURE PAGE
TO
PROJECT BASELINE AGREEMENT

Port of Stockton Rail Bridge Replacement and Rail Improvement
Resolution TCEP-P-2122-02B


Richard Aschieris 3/25/2021
Date

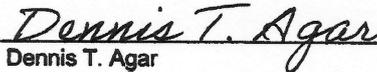
Port Director, Port of Stockton

Project Applicant


Richard Aschieris 3/25/2021
Date

Port Director, Port of Stockton

Implementing Agency


Dennis T. Agar 10/28/21
Date

District Director

California Department of Transportation


Toks Omishakin 2.25.22
Date

Director

California Department of Transportation


Mitchell Weiss 4/28/22
Date

Executive Director

California Transportation Commission