

1 [Freeway Operations and Maintenance Agreement - State of California - Bus Rapid Transit
2 Facilities on State Route 101/Van Ness Avenue]

3 **Resolution approving a Freeway Operations and Maintenance Agreement with the State**
4 **of California apportioning maintenance responsibilities for Highway 101/Van Ness**
5 **Avenue and authorizing the Director of Public Works to execute said Agreement on**
6 **behalf of the City.**

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8 WHEREAS, The State of California, acting by and through the Department of
9 Transportation(“Caltrans”), and the San Francisco County Transportation Authority executed
10 State Cooperative Agreement No. 04-2229 to convert existing traffic lanes on Van Ness
11 Avenue, Route 101, into dedicated bus lane; and

12 WHEREAS, A copy of said Agreement is on file with the Clerk of the Board of
13 Supervisors in File No. _____ and is incorporated herein by reference; and

14 WHEREAS, Caltrans and Public Works, acting on behalf of the City, mutually desire to
15 clarify the division of maintenance responsibility for such improvements constructed pursuant
16 to said Cooperative Agreement as to City streets or portions thereof and improvements and
17 landscaped areas within or outside the freeway limits; and

18 WHEREAS, Caltrans and City staff have negotiated the Freeway Operations and
19 Maintenance Agreement for Bus Rapid Transit Facilities on State Route 101 (the
20 “Agreement”), a copy of which is on file with the Clerk of the Board of Supervisors in File No.
21 _____ and is incorporated herein by reference; and

22 WHEREAS, Said Agreement establishes maintenance responsibility for the above-
23 mentioned Bus Rapid Transit Facilities; and

24 WHEREAS, The Agreement, except as specifically provided for herein, does not affect
25 the terms of prior written agreements, which include, but are not limited to, the Agreement for

1 Maintenance of State Highways in the City of San Francisco of July 2, 2009, between
2 Caltrans and the City, which the Board approved in Resolution No. 209-09; and

3 WHEREAS, A copy of said agreement is on file with the Clerk of the Board in File No.
4 090630; and

5 WHEREAS, The Board accepts the recommendations set forth in DPW Order No.
6 _____ concerning said Agreement; and

7 WHEREAS, A copy of the DPW Order is on file with the Clerk of the Board of
8 Supervisors in File No. _____ and is incorporated herein by reference; and

9 WHEREAS, Public Works and other affected City departments will be entering into an
10 interdepartmental Memoranda of Understanding that delineate the responsibilities of each
11 department in regard to the City maintained improvements; now, therefore, be it

12 RESOLVED, That the Board of Supervisors approves the Freeway Operations and
13 Maintenance Agreement for Bus Rapid Transit Facilities on State Route 101 and authorizes
14 the Director of Public Works to execute the Agreement with Caltrans; and, be it

15 FURTHER RESOLVED, As part of this action, the Board authorizes the City to assume
16 the maintenance responsibilities over the particular Bus Rapid Transit Facilities that are
17 mentioned in the Agreement; and, be it

18 FURTHER RESOLVED, That the Board of Supervisors delegates to the Director of
19 Public Works the authority to administratively approve minor amendments to the Agreement;
20 and, be it

21 FURTHER RESOLVED, That the Board hereby directs the Clerk to send four (4)
22 certified copies of this resolution to Caltrans care of Alireza Rezaee, Branch Chief,
23 maintenance Agreements and District Communications Center, Division of Maintenance, MS
24 4A Department of Transportation, P.O. Box 23660 Oakland, California 94623-06600.

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