

October 14, 2009

Mr. Bijan Sartipi, District 4 Director
California Department Transportation
111 Grand Avenue
Oakland, CA 94612

Dear Mr. Sartipi:

**SUBJECT: US 101 OPERATIONAL IMPROVEMENTS
I-280/680 to Yerba Buena Road**

As part of the part of the US 101 Operational Improvements project (I-280/680 to Yerba Buena Road), the City of San José and the Santa Clara Valley Transportation Authority desire to reduce the lane widths and shoulder configurations on the new US 101/Tully Road overcrossing. It is noted that our collective interest in reducing lane widths is consistent with local, regional and statewide policy development activities that support multi-modal and complete-street design approaches.

However, due to the fact that the desired lane width of 11-feet is non-standard in the context of the Caltrans Highway Design Manual (that requires 12-feet), Caltrans has requested that the City of San José indemnify Caltrans from all claims and liabilities that may occur as a result of the non-standard lane widths on new Tully Road overcrossing. It is noted that City standards do provide for 11-foot travel lanes and that the lane widths on the approaches to the overcrossing are currently designed to be 11-feet wide.

In response to your request, this is to inform you of the City's intent to cooperate in the development of a Joint Use Maintenance Agreement (JUMA). It is our understanding that the JUMA will address the City's interest in operating the Tully Road overcrossing and/or assuming the responsibility and liability associated with the decision to incorporate the above discussed non-standard design elements.

We appreciate your attention to this matter and look forward to our continued collaboration.

Sincerely,

for  , Deputy
James R. Helmer
Director of Transportation

c: John Ristow, VTA