

**Metropolitan Transportation Commission
Administration Committee****April 13, 2022****Agenda Item 5a - 22-0538****MTC Resolution No. 4458, Revised -****FY 2021-22 Overall Work Program (OWP) Amendment No. 3**

Subject:

A requests that the Committee refer Metropolitan Transportation Commission (MTC) Resolution No. 4458, Revised, the MTC FY 2021-22 Overall Work Program (OWP), Amendment No. 3 to the Commission.

Background:

The Fixing America's Surface Transportation Act (FAST Act) calls for the development of the OWP by the federally designated Metropolitan Planning Organization (MPO). MTC, as the federally designated MPO for the nine-county San Francisco Bay Area region, annually develops and maintains the OWP. The OWP is the principal document governing the budget, allocation, and use of federal and state transportation planning funds in the nine-county San Francisco Bay Area region.

The OWP is subject to periodic adjustments resulting from changes in activities, scope of work, transportation planning tasks and deliverables as well as revisions in revenues and expenditures during the fiscal year. The proposed FY 2021-22 OWP Amendment No. 3 includes apportionment adjustments of Federal Highway Administration Planning (FHWA PL) and Federal Transit Administration (FTA) 5303 transportation planning funds, and work element title and scope changes.

The initial FY 2021-22 FHWA PL grant award was \$8,271,690 and the revised amount is \$9,283,882, resulting in an overall \$1,012,192 increase. The initial FY 2021-22 FTA 5303 grant award was \$4,093,241 and the revised amount is \$3,557,462, resulting in an overall decrease of \$535,779. The funding adjustments are programmed in Work Element 1122 - Analyze Regional Data Using GIS and Planning Models to conduct ongoing transportation planning activities as follows:

- \$300,000 - consultant to perform regional transit onboard travel surveys
- \$176,413 – staff costs

Subsequent to Commission approval of the FY 2021-22 OWP Amendment No. 3, Caltrans will review and approve the amendment. Any revisions to the FY 2021-22 OWP Amendment No. 3 proposed by Caltrans will be incorporated in the final OWP amendment.

An electronic version of the FY 2021-22 OWP and amendments are available to view/download at the following link: <https://mtc.ca.gov/about-mtc/administrative-requirements/overall-work-program-owp>

Recommendations:

Staff recommends that the Committee refer MTC Resolution No. 4458, Revised to the Commission for approval.

Attachments:

- MTC Resolution No. 4458, Revised, FY 2021-22 Overall Work Program (OWP) Amendment No. 3



Therese W. McMillan

Date: April 28, 2021
W.I.: 1152
Referred by: Administration Committee
Revised: 10/27/2021-C
12/15/2021-C
04/27/2022-C

ABSTRACT

MTC Resolution No. 4458, Revised

This resolution approves MTC's Overall Work Program (OWP) for transportation planning activities in the nine-county San Francisco Bay Area for FY 2021-22, certifies that the planning process of the Metropolitan Transportation Commission (MTC) is in conformance with the applicable joint metropolitan transportation planning and programming regulations of the U.S. Department of Transportation (DOT), and authorizes MTC's Executive Director to apply for and execute agreements with the DOT for grants to aid in the financing of the OWP.

Amendment No. 1 to the FY 2021-22 OWP includes new grant awards as well as certain revisions to the scope of some work elements and OWP budget shifts within work elements: new Federal Transit Administration (FTA) 5304 \$500,000 for Network Management—Planning for Implementation; Senate Bill (SB)1 formula funding \$18,696; \$500,000 Federal Highway Administration (FHWA) State Planning and Research (SP&R) funds shifted to a new work item in the Overall Work Program (OWP) for the Next Generation Bay Area Freeways Study; and scope update on BART Metro 2030.

Amendment No. 2 to the FY 2021-22 OWP adds the following unspent carryover from FY 2020-21: Federal Highway Administration Planning (FHWA PL) - \$331,834.32; Federal Transit Administration (FTA) 5303 Statewide and Metropolitan Planning - \$1,649,918.01; FTA 5304 Strategic Partnerships - \$866,559; Road Maintenance and Rehabilitation Account Senate Bill (SB) 1 Sustainable Communities Formula (FY 2019-20) - \$242,162.20; Road Maintenance and Rehabilitation Account SB1 Sustainable Communities Formula (FY 2020-21) - \$393,197.35; Road Maintenance and Rehabilitation Account SB1 Sustainable Communities Competitive (FY 2020-21) - \$539,534; Public Transportation Account (PTA) Adaptation Planning - \$26,641.05.

Included also is \$64,013 unprogrammed (FY 2020-21) RMRA (SB1) Sustainable Communities Formula funds which is being programmed into (FY 2021-22).

Amendment No. 3 to the FY 2021-22 OWP includes apportionment adjustments of Federal Highway Administration Planning (FHWA PL) and Federal Transit Administration (FTA) 5303

transportation planning funds and work element title and scope changes. The FHWA PL allocation increased by \$1,1012,192 and the FTA 5303 decreased by \$535,779. The funding is programmed in Work Element 1122 - Analyze Regional Data Using GIS and Planning Models to conduct ongoing transportation planning activities as follows:

- \$300,000 - consultant to perform regional transit onboard travel surveys
- \$176,413 – staff costs

Further discussion of the OWP is contained in the MTC Administration Committee Summary Sheets dated April 14, 2021, October 13, 2021, December 8, 2021, and April 13, 2022.

Re: Overall Work Program for Fiscal Year 2021-22, Certification of Compliance with Requirements of Federal Metropolitan Transportation Planning and Programming Regulations, and Authorization to Apply for and Execute Agreements for Federal Grants.

METROPOLITAN TRANSPORTATION COMMISSION

RESOLUTION NO. 4458

WHEREAS, the Metropolitan Transportation Commission (MTC) is the regional transportation planning agency for the San Francisco Bay Area pursuant to Government Code Section 66500 *et seq.*; and

WHEREAS, MTC is also the designated Metropolitan Planning Organization (MPO) for the Bay Area and is charged with carrying out the metropolitan transportation planning and programming process required to maintain the region's eligibility for federal funds for transportation planning, capital improvements, and operations; and

WHEREAS, MTC has articulated goals and objectives for the region's transportation system through its current Regional Transportation Plan (RTP)/Sustainable Communities Strategy (SCS) entitled Plan Bay Area 2040, which was adopted in July 2017; and

WHEREAS, MTC has developed, in cooperation with the State of California and with publicly-owned operators of mass transportation services, a work program for carrying out continuing, comprehensive, and cooperative transportation planning; and

WHEREAS, an Overall Work Program (OWP) for planning activities in the Bay Area for FY 2021-22 has been prepared by MTC, the Association of Bay Area Governments, the California Department of Transportation (Caltrans), the Federal Highway Administration (FHWA), and the Federal Transit Administration (FTA); and

WHEREAS, the OWP for Fiscal Year 2021-22 includes Caltrans' Unified Work Program for the fiscal year to achieve the goals and objectives in MTC's Regional Transportation Plan (RTP); and

WHEREAS, MTC's Administration Committee has reviewed and recommended adoption of the OWP for FY 2021-22; and

WHEREAS, 23 Code of Federal Regulations (CFR) 450.334 requires that the designated MPO certify each year that the planning process is being conducted in conformance with the applicable requirements; and

WHEREAS, MTC desires to apply for and execute one or more agreements with the United States Department of Transportation (DOT) for a grant(s) to aid in the financing of MTC's Overall Work Program for fiscal year 2021-22; now, therefore, be it

RESOLVED, that MTC does hereby adopt the FY 2021-22 OWP and proposed budget therein, attached hereto as Attachment A to this Resolution and incorporated herein as though set forth at length; and be it further

RESOLVED, that MTC certifies that MTC's planning process is addressing the major issues in the metropolitan area and will be conducted in accordance with 23 CFR 450.334 and the Fixing America's Surface Transportation Act (FAST Act) and applicable requirements that are set forth in Attachment B to this Resolution and incorporated herein as though set forth at length; and be it further

RESOLVED, that MTC's Administration Committee shall monitor, direct, and update the OWP as necessary during Fiscal Year 2021-22 and shall incorporate any amendments into appropriate supplements to the OWP; and be it further

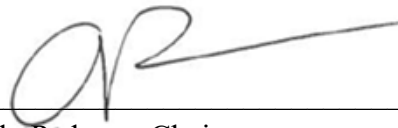
RESOLVED, that the Executive Director or her designee is authorized to apply for and execute any agreements with DOT for grants to aid in the financing of MTC's Overall Work Program included in Attachment A to this Resolution and to execute any subsequent amendments to such agreement(s) consistent with Attachment C to this Resolution; and be it further

RESOLVED, that the Executive Director or designee is authorized to execute and file with such application assurances or other documentation requested by DOT of

MTC's compliance with applicable federal statutory and regulatory requirements; and be it further

RESOLVED, that the Executive Director or designee is authorized to make administrative changes to the grant application(s) so long as such changes do not affect the total amount of the grant or scope of work.

METROPOLITAN TRANSPORTATION COMMISSION

A handwritten signature in dark ink, appearing to be 'AP' followed by a long horizontal stroke, positioned above a solid horizontal line.

Alfredo Pedroza, Chair

The above resolution was entered into by the Metropolitan Transportation Commission at a regular meeting of the Commission held in San Francisco, California and at other remote locations on April 28, 2021.

Date: April 28, 2021
W.I.: 1152
Referred by: Administration Committee
Revised: 10/27/2021-C
12/15/2021-C
04/27/2022-C

Attachment A
Resolution No. 4458
Page 1 of 1

Attachment A is the FY 2021-22 Overall Work Program for Planning Activities in the San Francisco Bay Area. Copies are on file at the MTC library.

Attachment B
Resolution No. 4458
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In accordance with 23 CFR part 450, the California Department of Transportation and the Metropolitan Transportation Commission (MTC), the designated Metropolitan Planning Organization for the San Francisco Bay Area urbanized area(s), hereby certify that the transportation planning process is being carried out in accordance with all applicable requirements including:

- 1) 23 U.S.C. 134, 49 U.S.C. 5303, and subpart C of 23 CFR part 450;
- 2) In nonattainment and maintenance areas, sections 174 and 176(c) and (d) of the Clean Air Act, as amended (42 U.S.C. 7504, 7506(c) and (d)) and 40 CFR part 93;
- 3) Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. 2000d-1) and 49 CFR part 21;
- 4) 49 U.S.C. 5332, prohibiting discrimination on the basis of race, color, creed, national origin, sex, origin in employment or business opportunity;
- 5) Section 1101(b) of the FAST Act (Pub. L. 114-94) and 49 CFR part 26 regarding the involvement of disadvantaged business enterprises in USDOT funded projects;
- 6) 23 CFR part 230, regarding the implementation of an equal employment opportunity program on Federal and Federal-aid highway construction contracts;
- 7) The provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) and 49 CFR parts 27, 37, and 38;
- 8) The Older Americans Act, as amended (42 U.S.C. 6101), prohibiting discrimination on the basis of age in programs or activities receiving Federal financial assistance;
- 9) Section 324 of title 23 U.S.C. regarding the prohibition of discrimination based on gender; and
- 10) Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and 49 CFR part 27 regarding discrimination against individuals with disabilities.

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Attachment C
Resolution No. 4458
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Attachment C includes all amendments and supplements to the FY 2021-22 Overall Work Program for Planning Activities in the San Francisco Bay Area. Copies are on file at the MTC offices.

Amendment No. 1 to the FY 2021-22 OWP includes new grant awards as well as certain revisions to the scope of some work elements and OWP budget shifts within work elements: new Federal Transit Administration (FTA) 5304 \$500,000 for Network Management—Planning for Implementation; Senate Bill (SB)1 formula funding \$18,696; \$500,000 Federal Highway Administration (FHWA) State Planning and Research (SP&R) funds shifted to a new work item in the Overall Work Program (OWP) for the Next Generation Bay Area Freeways Study; and scope update on BART Metro 2030.

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