

Metropolitan Transportation Commission

October 26, 2022

Agenda Item 11a - 22-1240

MTC Resolution No. 4516, Revised FY 2022-23 Overall Work Program (OWP) Amendment No. 1

Subject:

Staff requests approval of MTC Resolution No. 4516, Revised, for the MTC FY 2022-23 Overall Work Program (OWP), Amendment No. 1, which reconciles unexpended Consolidated Planning Grant (CPG) carryover as of June 30, 2022, incorporates a new grant awarded by the Federal Transit Administration, and includes modifications to the OWP scope of work, transportation planning tasks and deliverables, as well as revisions to revenue and expense line items.

Background:

The Overall Work Program (OWP) is an annual or biennial statement of work identifying the transportation planning priorities and activities to be carried out within a metropolitan planning area. At a minimum, an OWP includes a description of the planning work and resulting products, who will perform the work, time frames for completing the work, the cost of the work, and the source(s) of funds. Metropolitan Planning Organizations (MPOs) are required to develop an OWP to govern work programs for the expenditure of Federal Highway Administration (FHWA), Federal Transit Administration (FTA), and State planning funds pursuant to Title 23 Code of Federal Regulations (CFR) 450.308(b). The FY 2022-23 OWP is developed, monitored, and amended in consultation and coordination with the regions transit operators, county transportation agencies (CTAs), the Association of Bay Area Governments (ABAG), Caltrans, the FHWA, and the FTA. The FY 2022-23 OWP also includes Caltrans' Overall Work Program and transportation and air quality related planning activities proposed for the nine-county San Francisco Bay Area region for the state fiscal year, July 1, 2022 through June 30, 2023.

On November 15, 2021, President Joe Biden signed into law the Infrastructure Investment and Jobs Act, or IIJA. This new Bipartisan Infrastructure Law is intended to rebuild and improve roads, bridges, rails, ports, airports and more. This five-year bill replaced the Fixing America's Surface Transportation Act, or the FAST Act, which expired in 2020 but was extended through fiscal year 2021. The legislation provides states and MPOs funding from the Highway Trust Fund and General Fund over the next five years. Grant funding provided through the infrastructure law is included in the FY 2022-23 OWP under the Consolidated Planning Grant (CPG).

The Metropolitan Transportation Commission (MTC), as the federally designated MPO for the nine-county San Francisco Bay Area region, and pursuant to the Bipartisan Infrastructure Law (BIL) annually develops, maintains, and amends the OWP, which is the principal document governing the budget, allocation, and use of federal and state transportation planning funds under the Consolidated Planning Grant (CPG).

The OWP is subject to periodic adjustments resulting from changes in activities, scope of work, transportation planning tasks and deliverables as well as revisions to revenue and expense line items during the fiscal year. The proposed FY 2022-23 OWP Amendment No. 1 includes the following revisions:

- reconciles unexpended carryover apportionment adjustments of Federal Highway Administration Planning (FHWA PL), Federal Transit Administration (FTA) 5303, Senate Bill 1 (SB1) Sustainable Communities, and State Highway Account (SHA) transportation planning funds. Projected carryover funding was included in the FY 2022-23 OWP and the MTC operating budget in the amount of \$7,419,283, the amendment reconciles the carryover funding to the allocation that was actually available as of June 30, 2022 in the amount of \$4,999,306.20. Therefore, there is an overall funding decrease of \$2,419,976.80. Unencumbered expense line items were also reduced;
- includes a Caltrans rescission of the FY 2022-23 Senate Bill 1 (SB1) Sustainable Communities Formula funding from \$2,106,140 to \$2,099,814, resulting in an overall decrease of \$6,326;
- revenue and expense line item changes as a result of actual carryover funding being less than projected;
- Work element tasks and scope changes;
- new grant award for \$500,000 for San Francisco Municipal Transportation Agency (SFMTA) Muni Metro Modernization Planning Study;
- two new work elements: 1522 for the SFMTA Muni Metro Modernization Planning Study; and 1162 for Websites Services;
- in compliance with the IJJA requirement, the FY 2022-23 OWP Amendment No. 1 dedicates at least 2.5% of FHWA Planning (PL) funding for Active

Transportation/Multimodal/Complete Streets related tasks and deliverables in work element 1125; and

- incorporation of transportation projects and activities of regional significance which are funded by federal, state, and local sources.

Subsequent to Commission approval of MTC Resolution No. 4516, Revised, FY 2022-23 OWP Amendment No. 1, Caltrans will review and approve the amendment. Any revisions to the FY 2022-23 OWP Amendment No. 1 proposed by Caltrans will be incorporated in the final OWP amendment. FY 2022-23 OWP revenue and expenses revisions are included in the MTC FY 2022-23 Operating and Capital Budget Amendment No. 1.

An electronic version of the FY 2022-23 OWP and amendments are available to view/download at the following link: <https://mtc.ca.gov/about-mtc/administrative-requirements/overall-work-program-owp>.

Recommendation:

Staff recommends that the Commission approve MTC Resolution No. 4516, Revised, MTC FY 2022-23 Overall Work Program (OWP) Amendment No. 1.

Attachments:

MTC Resolution No. 4516, Revised, FY 2022-23 Overall Work Program (OWP) Amendment No. 1



Therese W. McMillan

Date: April 27, 2022
W.I.: 1121
Revised: October 26, 2022 - C

ABSTRACT

Metropolitan Transportation Commission (MTC) Resolution No. 4516. Revised

This resolution approves the Metropolitan Transportation Commission's FY 2022-23 Overall Work Program (OWP) for transportation planning activities in the nine-county San Francisco Bay Area, authorizes the Metropolitan Transportation Commission (MTC) to monitor, direct and update the OWP for FY 2022-23, and authorizes MTC's Executive Director or designee to apply for grants and execute agreements to secure federal and state funds for transportation planning activities, execute and file assurances as requested by the California Department of Transportation (DOT) and to make administrative changes to grant applications.

Amendment No. 1 to the FY 2022-23 OWP reconciles unexpended Consolidated Planning Grant (CPG) carryover as of June 30, 2022, incorporates a new grant awarded by the Federal Transit Administration, and includes modifications to the OWP scope of work, transportation planning tasks and deliverables, as well as revisions to revenue and expense line items.

Date: April 27, 2022

W.I.: 1121

Re: FY 2022-23 Overall Work Program (OWP) Planning Process Self-Certification, Authorization to the Administration Committee to monitor the OWP and take related actions, and Authorization to the Executive Director for Execution of Agreements for Federal and State Planning Grants, Execution of Amendments to Grant Applications and Filing of Assurances.

METROPOLITAN TRANSPORTATION COMMISSION

RESOLUTION NO. 4516

WHEREAS, MTC is the federally designated Metropolitan Planning Organization (MPO) for the Bay Area and maintains a continuing, comprehensive, and cooperative metropolitan transportation planning and programming process required to preserve the region's eligibility for federal and state funds for transportation planning, capital improvements, and operations; and

WHEREAS, the Metropolitan Transportation Commission (MTC) is also the Regional Transportation Planning Agency (RTPA) for the San Francisco Bay Area pursuant to Government Code Section 66500 *et seq.*; 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 2050, which was adopted in October 2021; and

WHEREAS, MTC has developed, in cooperation with the State of California Department of Transportation (Caltrans) 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 2022-23 has been prepared by MTC, the Association of Bay Area Governments, the California Department of Transportation (Caltrans), the Federal

Highway Administration (FHWA), the Federal Transit Administration (FTA), and public transportation operators; and

WHEREAS, the OWP for Fiscal Year 2022-23 includes Caltrans' Overall 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 referred approval of the OWP for FY 2022-23; and

WHEREAS, 23 Code of Federal Regulations (CFR) 450.308 requires that the designated MPO shall document metropolitan transportation planning activities performed with funds provided under title 23 U.S.C. and title 49 U.S.C. Chapter 53 in a unified planning work program; 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 2022-23; now, therefore, be it

RESOLVED, that MTC does hereby adopt the FY 2022-23 OWP, which authorizes the programming for approximately \$20 million in transportation funds and , attached hereto as Attachment A 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 2022-23 and shall incorporate any amendments into appropriate supplements to the OWP; and be it further

RESOLVED, that the Executive Director or designee is authorized to apply for and execute any agreements with the DOT for grants to aid in the financing of MTC's Overall Work Program included in Attachment A 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) for the Overall Work Program included as Attachment A 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 black ink, consisting of a large, stylized 'A' followed by a long horizontal line extending to the right.

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 27, 2022.

Date: April 27, 2022
W.I.: 1121
Revised: October 26, 2022 - C

Attachment A
Resolution No. 4516
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Attachment A is the FY 2022-23 Overall Work Program Amendment No. 1 for Planning Activities in the San Francisco Bay Area. Copies are on file at the MTC library.

Attachment B
Resolution No. 4516
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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.

Date: April 27, 2022
W.I.: 1121
Referred by: Administration Committee
Revised: October 26, 2022

Attachment C
Resolution No. 4516
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Attachment C includes all amendments and supplements to the FY 2022-23 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 2022-23 OWP reconciles unexpended Consolidated Planning Grant (CPG) carryover as of June 30, 2022, incorporates a new grant awarded by the Federal Transit Administration, and includes modifications to the OWP scope of work, transportation planning tasks and deliverables, as well as revisions to revenue and expense line items.