



Metropolitan Transportation Commission

101 Eighth Street,
Joseph P. Bort
MetroCenter
Oakland, CA

Meeting Agenda

Metropolitan Transportation Commission

Dave Cortese, Chair Jake Mackenzie, Vice Chair

Wednesday, October 28, 2015

9:45 AM

Lawrence D. Dahms Auditorium

This meeting is scheduled to be audiocast live on the Metropolitan Transportation Commission's
Web site: www.mtc.ca.gov

Call Meeting to Order

1. Roll Call / Confirm Quorum

2. Chair's Report – Cortese

- 2a. [15-0935](#) Authorize the Executive Director to take steps to implement a
Functionally Consolidated Planning Department.

Action: Commission Approval

Attachments: [2a_Functional Consolidation of Planning Depts and Ext of MTC_ABAG Interage](#)

- 2b. [15-0963](#) Approve Amendment #2 to the FY2014-15 MTC/ABAG Interagency
Agreement, to extend through FY2015-16.

Action: Commission Approval.

3. Policy Advisory Council Report – Randi Kinman

4. Executive Director's Report – Heminger

5. Commissioner Comments

6. Consent Calendar:

- 6a. [15-0936](#) Minutes - September 23, 2015.

Action: Commission Approval

Attachments: [6a_September 23, 2015_MeetingMinutes](#)

Administration Committee

- 6b. [15-0910](#) MTC Resolution No. 4203 - Small Business Enterprise (SBE) Construction Project Program.

Action: Commission Approval

Attachments: [6b Admin Resolution No 4203 SBE](#)

Programming and Allocations Committee

- 6c. [15-0896](#) Revision to FY2015-16 Regional Measure 2 (RM2) Operating Program to add new projects. MTC Resolution 4185, Revised.

Action: Commission Approval

Attachments: [6c Reso-4185 RM2 Revisions](#)

- 6d. [15-0897](#) Revisions to the Surface Transportation Program/Congestion Mitigation and Air Quality Improvement (STP/CMAQ) One Bay Area Grant (OBAG) Program. MTC Resolution No. 4035, Revised.

Action: Commission Approval

Attachments: [6d Reso-4035 STP-CMAQ OBAG Revisions](#)

- 6e. [15-0905](#) FY 2015-16 Fund Estimate Revision. MTC Resolution No. 4177, Revised.

Action: Commission Approval

Attachments: [6e Reso-4177 Fund Estimate Revisions](#)

- 6f. [15-0899](#) Allocate \$45.1 million in FY2015-16 Transportation Development Act (TDA) and State Transit Assistance (STA) funds to SamTrans and Union City in support of transit operations. MTC Resolution Nos. 4187, Revised and 4188, Revised.

Action: Commission Approval

Attachments: [6f Resos-4187-4188 SamTrans&UnionCity Allocation](#)

- 6g. [15-0902](#) Revisions to the Transit Capital Priorities program for FY2014-15 and AB664 bridge toll program and allocations for FY2014-15. MTC Resolution Nos. 4162, Revised, 4163, Revised and 4165, Revised.

Action: Commission Approval

Attachments: [6g Resos-4162-4163-4165 TCP Revisions and AB664 P&A](#)

- 6h. [15-0904](#) Adoption of the 2015 Regional Active Transportation Program (ATP) Cycle 2 Program of Projects. MTC Resolution No. 4172, Revised.

Action: Commission Approval

Attachments: [6h Reso-4172 Cycle 2 ATP Revised](#)

Legislation Committee

- 6i. [15-0880](#) S. 1994 (Carper)
- Tax Relief And #FixTheTrustFund For Infrastructure Certainty Act of 2015 (TRAFFIC)
- Action: Support / Commission Approval
- Attachments: [6i LEG S. 1994 Carper](#)

Committee Reports

7. Operations Committee - Haggerty

- 7a. [15-0771](#) Contract Approval: Amended and Restated Clipper® Memorandum of Understanding (MOU).
- Amendment and restatement of the 2011 MOU between MTC and transit operators participating in the Clipper® program to clarify existing roles and responsibilities and define new roles and responsibilities for the ongoing operation and maintenance of Clipper®.
- Action: Commission Approval
- Attachments: [7a Contract Approval Clipper MOU](#)
- 7b. [15-0831](#) MTC Resolution No. 3983, Revised: Clipper® Fare Payment System Operating Rules.
- This resolution delegates future revisions to the Clipper® Fare Payment System Operating Rules to a regional Clipper® Executive Board effective upon the full execution of the Amended and Restated Clipper® MOU.
- Action: Commission Approval
- Attachments: [MTC Res. No. 3983, Revised - Revised.pdf](#)

8. Public Comment / Other Business

9. Adjournment / Next Meeting

The next meeting of the Commission will be November 18, 2015, 1:35 p.m. in the Lawrence D. Dahms Auditorium, First Floor, 101 Eighth Street, Oakland, CA

Public Comment: The public is encouraged to comment on agenda items at Committee meetings by completing a request-to-speak card (available from staff) and passing it to the Committee secretary. Public comment may be limited by any of the procedures set forth in Section 3.09 of MTC's Procedures Manual (Resolution No. 1058, Revised) if, in the chair's judgment, it is necessary to maintain the orderly flow of business.

Meeting Conduct: If this meeting is willfully interrupted or disrupted by one or more persons rendering orderly conduct of the meeting unfeasible, the Chair may order the removal of individuals who are willfully disrupting the meeting. Such individuals may be arrested. If order cannot be restored by such removal, the members of the Committee may direct that the meeting room be cleared (except for representatives of the press or other news media not participating in the disturbance), and the session may continue.

Record of Meeting: Committee meetings are recorded. Copies of recordings are available at a nominal charge, or recordings may be listened to at MTC offices by appointment. Audiocasts are maintained on MTC's Web site (mtc.ca.gov) for public review for at least one year.

Accessibility and Title VI: MTC provides services/accommodations upon request to persons with disabilities and individuals who are limited-English proficient who wish to address Commission matters. For accommodations or translations assistance, please call 510.817.5757 or 510.810.5769 for TDD/TTY. We require three working days' notice to accommodate your request.

可及性和法令第六章：MTC 根據要求向希望來委員會討論有關事宜的殘疾人士及英語有限者提供服務/方便。需要便利設施或翻譯協助者，請致電 510.817.5757 或 510.817.5769 TDD / TTY。我們要求您在三個工作日前告知，以滿足您的要求。

Acceso y el Titulo VI: La MTC puede proveer asistencia/facilitar la comunicación a las personas discapacitadas y los individuos con conocimiento limitado del inglés quienes quieran dirigirse a la Comisión. Para solicitar asistencia, por favor llame al número 510.817.5757 o al 510.817.5769 para TDD/TTY. Requerimos que solicite asistencia con tres días hábiles de anticipación para poderle proveer asistencia.

Attachments are sent to Committee members, key staff and others as appropriate. Copies will be available at the meeting.

All items on the agenda are subject to action and/or change by the Committee. Actions recommended by staff are subject to change by the Committee.

MTC's Chair and Vice-Chair are ex-officio voting members of all standing Committees.



Metropolitan Transportation Commission

101 Eighth Street,
Joseph P. Bort MetroCenter
Oakland, CA

Legislation Details (With Text)

File #: 15-0935 **Version:** 1 **Name:**

Type: Report **Status:** Commission Approval

File created: 10/1/2015 **In control:** Metropolitan Transportation Commission

On agenda: 10/28/2015 **Final action:** 10/28/2015

Title: Authorize the Executive Director to take steps to implement a Functionally Consolidated Planning Department.

Sponsors:

Indexes:

Code sections:

Attachments: [2a Functional Consolidation of Planning Depts and Ext of MTC ABAG Interagency Agree thru](#)

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

Authorize the Executive Director to take steps to implement a Functionally Consolidated Planning Department.

Commission Approval



**METROPOLITAN
TRANSPORTATION
COMMISSION**

Joseph P. Bort MetroCenter
101 Eighth Street
Oakland, CA 94607-4700
TEL 510.817.5700
TDD/TTY 510.817.5769
FAX 510.817.5848
E-MAIL info@mtc.ca.gov
WEB www.mtc.ca.gov

Memorandum

TO: Commission

DATE: October 23, 2015

FR: Executive Director

W. I. 1121

RE: Functional Consolidation of Planning Departments and Extension of MTC/ABAG Interagency Agreement through FY2015-16: MTC Resolution No. 4210

This item follows up the robust discussion by the Commission at its September 23rd meeting on the proposal to consolidate the MTC and ABAG planning departments into an Integrated Regional Planning Department that supports both the MTC Commission and the ABAG Executive Board.

The attached presentation provides additional information in response to Commissioners' questions and concerns. Among the topics covered are the scope of the proposed integration; financial and pension implications; timeline and critical elements for successful integration; labor relations; ABAG Executive Board authority; and a comprehensive merger study. The presentation also outlines staff's recommendation in light of these considerations.

Consistent with the recommendation included in the presentation, MTC Resolution No. 4210 authorizes the Executive Director to take steps to implement the consolidation of the MTC and ABAG Planning Departments into an Integrated Regional Planning Department, sets forth principles to guide the implementation, revises the multi-year funding framework, and extends the MTC/ABAG Interagency Agreement through the end of FY2015-16.

Steve Heminger

Attachments

J:\COMMITTEE\Commission\2015\10_October_2015\Chair's Report_CoverMemo.doc

Functional Consolidation of Planning Departments

COMMISSION MEETING

OCTOBER 28, 2015

Efficiency vs. Effectiveness

- They are not synonymous, but they are not always at odds
- Regional planning dysfunction in the Bay Area is neither efficient nor effective
- Every hour MTC and ABAG spend "coordinating" with each other is an hour not spent making a better Plan Bay Area



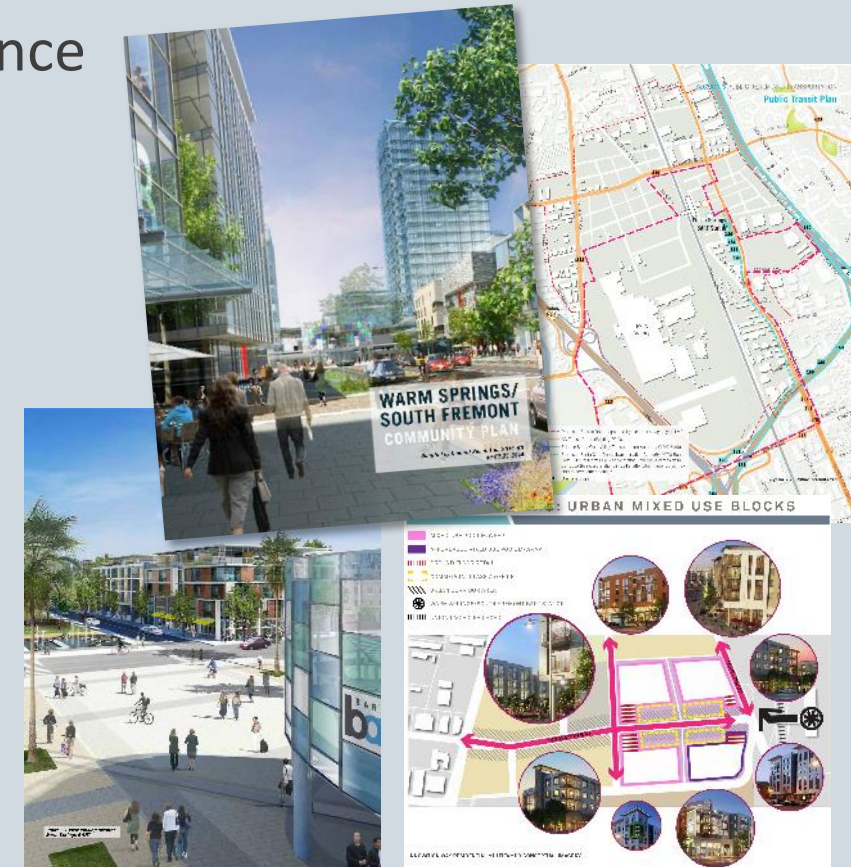
Efficiency vs. Effectiveness

- Senate Bill 375 finding:
 - **“Without improved transportation and land use policy, California will not be able to achieve the goals of AB32.”**
- State law integrated transportation and housing *planning*; now we need to integrate the transportation and housing *planners*
- We propose to create an integrated Regional Planning Department serving both MTC and ABAG



Benefits of Integrated Regional Planning

- Creates a “one-stop-shop” for expanded technical assistance and grants focused on serving local governments better
- Uses taxpayer dollars more productively by improving communications between regional agencies and cities
- Bolsters staff resources on policy development and analysis to develop solutions to the region’s challenges
- Enables local elected officials, business leaders, and the public to speak with one voice on the most important state and federal policy issues



Scope of Integration

- Continue to recommend that Bay Trail and Resiliency employees (total of 7) remain at ABAG, and that BATA continue to fund Bay Trail
- Recommend that ABAG retain two (2) planners to perform RHNA function funded by ABAG member dues
- Recommend that MTC retain funds to offer 13 new MTC positions for work on development and implementation of Plan Bay Area



Current and Future MTC Expense Comparison

Expense	In Million \$	
	MTC/ABAG Interagency Actual	Consolidated Planning Department
Planners Salaries and Benefits*	\$2.1	\$2.0
Planners Overhead*	\$1.1	\$1.1
Other Planning Staff and Overhead Costs	\$0.7	N/A
OPEB	Included in benefits above	\$0.2
TOTAL	\$3.9	\$3.3

* 15 under current agreement; 13 under proposed Integrated Regional Planning Department

ABAG Finances

- ABAG finances are precarious whether integrated planning department is approved or not
- ABAG faces \$12 million unfunded pension liability and \$5 million under-funded OPEB obligation
- ABAG staff says \$3 million unrestricted reserve in FY14 audit will be restated as \$9 million deficit in FY15 as a result of booking pension liability
- Are there further revelations to come from embezzlement in FAN subsidiary?

ABAG Overhead: Fairly Allocated?

- MTC absorbs a disproportionate share of distributed overhead
 - MTC planning funds represent 15% of all funds
- MTC funding source absorbs 74% of distributed overhead
 - MTC funds are assessed at 45%
 - Enterprise funds are assessed at 24%

ABAG Overhead: Fairly Allocated?

- The difference represents an enterprise subsidy of nearly \$900,000

	Planning & Research	Bay Trail & Other	Agency Management	Total	Enterprise	TOTAL ALL
Revenue	\$3,894,000	\$1,650,000	\$3,047,822	\$8,591,822	\$18,115,000	\$26,706,822
Personnel	\$2,619,803	\$853,798	\$4,028,422	\$7,502,023	\$4,152,736	11,654,759
Pass Through	—	—	—	—	12,329,793	12,329,793
Other Direct	96,595	412,420	617,228	1,126,243	653,447	1,779,690
Overhead	1,177,602	383,782	(1,597,828)	(36,444)	979,024	942,580
TOTAL	\$3,894,000	\$1,650,000	\$3,047,822	\$8,591,822	\$18,115,000	\$26,706,822
Rate	44.95%	44.95%			23.58%	

ABAG Pension Liability: Independent Review

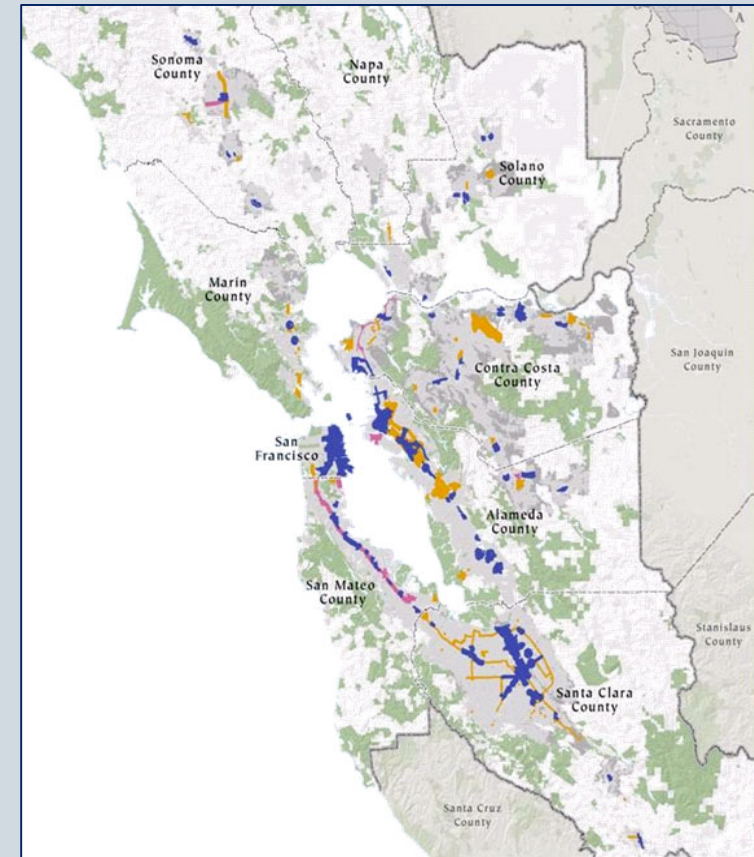
- Staff contacted Milliman Financial Risk Management
- Milliman confirmed ABAG Pension/OPEB findings provided at September meeting
 - Annual pension cost should be reduced by \$250,000
 - PERS and OPEB costs will be reduced proportionate to the reduction in payroll and staff
 - Only the unfunded liability will remain
 - The liability is fixed and belongs to ABAG
 - The rates will go up as payroll goes down but the cost will actually be lower

ABAG Budget Impact Under the Proposal

Expense	Change	Net Budget Impact, Million \$
15 – Planners’ Salaries and Benefits	The cost and revenue for 13 planners are eliminated; 2 remain without commensurate MTC revenue.	\$0.3
15 – Planners’ Overhead	The overhead cost for the planners previously billed to MTC remains at ABAG but the revenue is eliminated.	\$1.1
Other Planning Staff and Overhead Costs	The overhead and direct costs for the other planners and executive staff remain, but the revenue is eliminated.	\$0.7
Annual Pension Cost	PERS cost reduced proportionately; ABAG is relieved of the OPEB liability for the 13 planners.	-\$0.3
TOTAL		\$1.8

Continued ABAG Funding

- Recommend that MTC provide \$1.2 million in continued near-term funding to cover ABAG overhead costs
- Funding should be targeted at specific expense (such as pension liability) that can be audited
- ABAG could cover \$600,000 remaining annual overhead expense through combination of dues increase, new grants, reallocation of overhead charges, and cost control
- \$600,000 = 2% of current ABAG budget



Labor Relations

- MTC currently has employee organization, Committee for Staff Representation (CSR), which is directly elected by staff
- CSR is officially recognized collective bargaining unit for 167 MTC employees
- CSR is similar to employee organizations at BAAQMD and numerous Bay Area municipalities
- Commission-approved MOU in place through June 30, 2018
- CSR also advocates for employees in grievance proceedings and to improve working conditions at 101 8th Street and 375 Beale Street.

Labor Relations

- Successful 2006 transition of SEIU-represented toll accountants from state service to MTC employment
- Maintain neutrality and adhere to MTC employer-employee organization relations resolution which allows consideration of a change in representation six months prior to the end of the third year of an MOU, or January 1, 2017
- "Right of first refusal" retention process will ensure former ABAG planners retain accumulated pension and other benefits with equal or better salary package

Timeline for Planning Department Integration

Approximately eight month process

October 2015	Approve Integrated Regional Planning Department
Fall/Winter 2015	Consultation with local government and interested stakeholders
Early 2016	Meet with ABAG management/employees on transition Finalize job description, classifications, and salary/benefits
March 2016	Offer letters sent to new hires
March/April 2016	MTC HR/Exec team available to answer questions before
May 2016	MTC Budget Revision to add additional positions
June 2016	Hire date

Focus on Successful Integration

- **Ensure fair and attractive employment offers**
 - Independent review by Koff & Associates of MTC/ABAG classifications
 - Preliminary finding of general equivalency based on skills and education
- **Bring in consultant expertise for implementation**
 - Finalize operational design
 - Acknowledge different cultures and expectations
 - Transition of two departments into one cohesive Integrated Regional Planning Department

ABAG Executive Board

- Existing statutory authority would be respected and maintained
- Role in preparing/approving Plan Bay Area and RHNA unchanged
- Annual MTC resolution would identify scope of staffing services, including ability of ABAG Board to commission additional studies and other activities



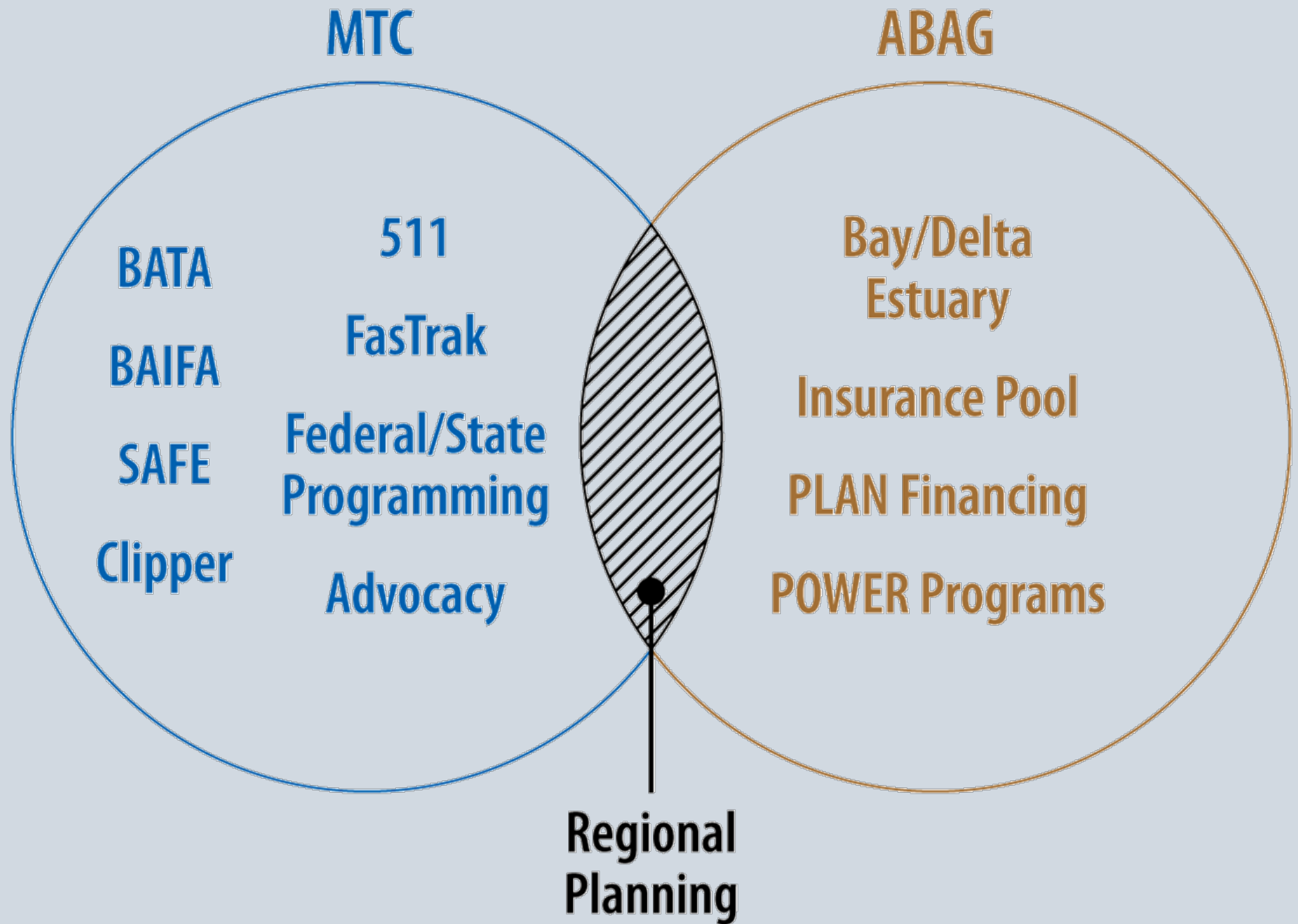
Annual Resolution – Sample Work Elements

- Prepare and present deliverables for implementing and updating the SCS (Plan Bay Area)
- Develop, manage, and monitor progress related to PDA and PCA implementation
- Conduct research, engagement, and information sharing to remove barriers to housing production, increase funding for affordable housing, and promote affordable housing preservation
- Conduct regional research and modeling, including demographic and economic trends
- Present to city and county associations on key regional policy issues
- Certain amount of “task order” hours for unforeseen work

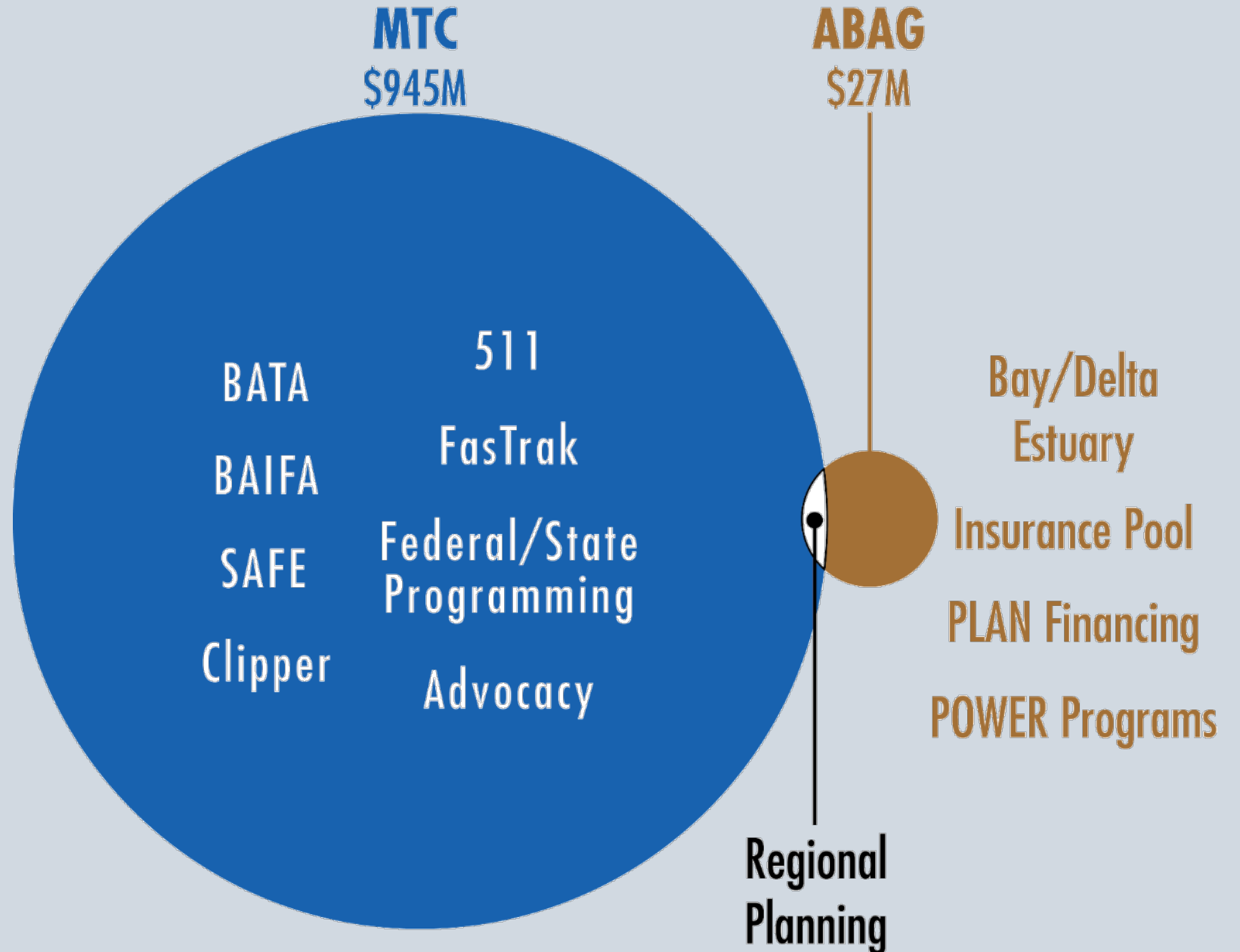
Merger Study

- **Scope:** Policy, management, financial and legal analysis of steps toward further integration, up to and including institutional merger between MTC and ABAG
- **Schedule:** 12 months
- **Budget:** \$275, 000, to be paid for by MTC
- **Consultant:** To be selected by MTC
- **Governance to oversee study:** Joint board committee appointed by MTC chairman and ABAG President, with regular meetings subject to Brown Act

Regional Planning Overlap



Regional Planning Overlap (Budget Adjusted)



MTC Staff Recommendations

1. MTC provides remaining six months of FY 2015-16 planning funds at current levels, with re-opener if new employees hired sooner.
2. MTC retains \$2.7 million in planning funds beginning FY 2016-17.
3. MTC offers positions at equal or better compensation to 13 ABAG planners.
4. ABAG retains two planners to perform RHNA and five employees for Bay Trail and resiliency work.

MTC Staff Recommendations (continued)

5. BATA continues to fund Bay Trail at current levels.
6. MTC provides \$1.2 million annually in transition funding to ABAG through at least FY 2020-21 (end of multi-year agreement).
7. Adhere to MTC employer-employee organization relations resolution and current MOU with CSR while maintaining neutrality
8. MTC retains consultant to conduct merger study in FY 2016-17.

Date: October 28, 2015

W.I.: 1121

ABSTRACT

MTC Resolution No. 4210

This resolution approves the functional consolidation of planning departments within MTC, revises the multi-year funding framework between MTC and the Association of Bay Area Governments (ABAG) consistent with the functional consolidation, and extends the FY2014-15 funding agreement, as amended, through FY 2015-16 or until completion of the functional consolidation, whichever occurs first.

Further discussion of this subject is contained in Commission memoranda dated September 18, 2015 and October 23, 2015.

Re: Approval of the Functional Consolidation of Planning Departments within MTC

METROPOLITAN TRANSPORTATION COMMISSION
RESOLUTION NO. 4210

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

WHEREAS, MTC is the federally designated Metropolitan Planning Organization (MPO), pursuant to Section 134(d) of Title 23 of the United States Code (USC) for the nine-county San Francisco Bay Area region (the Bay Area or region); and

WHEREAS, the Association of Bay Area Governments (ABAG) was created in 1961 and serves as the Council of Governments for the region; and

WHEREAS, California Government Code § 65080 *et seq.* requires MTC to prepare and update a long-range Regional Transportation Plan (RTP), including a Sustainable Communities Strategy (SCS); and

WHEREAS, Senate Bill 375 (Steinberg, 2008) requires that each metropolitan planning organization in California prepare and adopt an SCS to bring together transportation and land use planning; and

WHEREAS, in the Bay Area's case, there is a unique section in the law (Government Code 65080 (b)(2)(B)) that assigns responsibility for preparing the various elements of the SCS to either MTC, ABAG or both, based on the traditional roles each agency has historically performed; and

WHEREAS, the current bifurcated structure between the MTC and ABAG planning departments leads to significant duplication, inefficiencies and missed opportunities in preparing

the SCS and to best serve the needs of the Bay Area and its local communities; now, therefore, be it

RESOLVED, that MTC supports an integrated planning department incorporating staff from MTC and ABAG planning departments as the best near-term approach to carry out the significant and challenging responsibilities set forth in Senate Bill 375; and be it further

RESOLVED, that MTC approves principles to guide the creation of an integrated regional planning department attached hereto as Attachment A and incorporated herein as though set forth at length; and be it further

RESOLVED, that MTC approves the revisions to the MTC/ABAG Funding Framework attached hereto as Attachment B and incorporated herein as though set forth at length; and be it further

RESOLVED, that MTC approves the amendment to the Interagency Agreement between MTC and ABAG for Planning substantially in the form attached hereto as Attachment C and incorporated as though set forth at length; and be it further

RESOLVED, that MTC directs staff to move forward to create an integrated regional planning department, including consultation with local government and other interested stakeholders, consistent with Attachments A, B, and C.

METROPOLITAN TRANSPORTATION COMMISSION

Dave Cortese, Chair

This resolution was entered into by the Metropolitan Transportation Commission at a regular meeting of the Commission held in Oakland, California on October 28, 2015.

Principles for Functional Consolidation of MTC-ABAG Planning Departments

1. MTC shall provide the remaining six months of FY 2015-16 planning funds at current levels, unless the functional consolidation and transition is accomplished sooner, as detailed in Amendment #2 to the MTC/ABAG Interagency Agreement (Attachment C).
2. MTC shall offer positions at equal or better compensation to 13 ABAG planners through a right of first refusal retention process, and together with MTC's planning department, shall create an integrated regional planning department (regional planning department).
3. The regional planning department shall be employed and receive performance reviews through MTC. The regional planning department shall serve both the MTC Commission and the ABAG Executive Board.
4. Creation of the regional planning department shall respect and maintain the existing statutory authority of MTC Commission and ABAG Executive Board. Further, the respective agency roles in preparing/approving the Regional Housing Needs Analysis (RHNA) and Plan Bay Area will be unchanged.
5. After consultation with ABAG, MTC shall annually adopt a resolution identifying the scope of staffing services to support the work of the ABAG Executive Board, including the ability of the ABAG Executive Board to commission additional studies and other activities.
6. ABAG will retain two planners to perform RHNA and five employees for Bay Trail and resiliency work (based on FY2015-16 staffing levels).
7. BATA shall continue to fund Bay Trail activities at current funding levels and the function will remain the responsibility of ABAG.
8. MTC shall provide \$1.2 million in transition funding to ABAG through at least FY 2020-21, as detailed in Attachment B. The funding will be directed to ABAG's pension liability or other specific expense to improve the financial stability of the agency, and will be subject to an annual fiscal audit.
9. With the exception of principle #8 above, MTC shall retain the remaining planning funds (that were subject to the MTC/ABAG Interagency Agreement prior to Amendment #2) beginning in FY 2016-17, consistent with the revised MTC/ABAG Funding Framework (Attachment B).

Attachment A

MTC Resolution No. 4210

Page 2 of 2

10. In the event that a question concerning representation of MTC employees arises, MTC will adhere to its adopted MTC employer-employee organization relations resolution and current Memorandum of Understanding with the Committee for Staff Representation while maintaining neutrality
11. MTC shall retain a consultant to conduct a merger study of MTC and ABAG in FY 2016-17. The study shall examine the policy, management, financial and legal issues associated with further integration, up to and including institutional merger between MTC and ABAG.

Attachment B
MTC/ABAG Funding Framework
REVISED MTC Funding Commitments
October 2015

Date: 10/28/15
WI: 1121
Attachment B
MTC Resolution No. 4210
Page 1 of 1

	FY2013-14	FY2014-15	FY2015-16	FY2016-17	FY2017-18	FY2018-19	FY2019-20	FY2020-21	Total
Current Framework									
Planning & Research	3,755,000	3,687,000	3,742,000	3,798,000	3,855,000	3,913,000	3,972,000	4,031,000	\$ 30,753,000
Tenant Improvements	400,000	400,000	450,000	550,000	600,000	600,000	600,000	600,000	\$ 4,200,000
Total	4,155,000	4,087,000	4,192,000	4,348,000	4,455,000	4,513,000	4,572,000	4,631,000	\$ 34,953,000
Revised Framework									
Planning & Research	3,755,000	3,687,000	3,742,000 ⁽¹⁾	-	-	-	-	-	\$ 7,442,000
Transition Cost Support				1,200,000	1,200,000	1,200,000	1,200,000	1,200,000	\$ 6,000,000
Tenant Improvements	400,000	400,000	450,000	550,000	600,000	600,000	600,000	600,000	\$ 4,200,000
Total	4,155,000	4,087,000	4,192,000	1,750,000	1,800,000	1,800,000	1,800,000	1,800,000	\$ 21,384,000
Difference	-	-	-	(2,598,000)	(2,655,000)	(2,713,000)	(2,772,000)	(2,831,000)	(13,569,000)

⁽¹⁾ Unless modified pursuant to Attachment C.

AMENDMENT NO. 2 TO INTERAGENCY AGREEMENT
Between METROPOLITAN TRANSPORTATION COMMISSION
And ASSOCIATION OF BAY AREA GOVERNMENTS
For PLANNING
FISCAL YEARS 2014-15 and 2015-2016

THIS AMENDMENT, effective as of October 28, 2015 is Amendment No. 2 to the Interagency Agreement by and between the Metropolitan Transportation Commission ("MTC") and the Association of Bay Area Governments ("ABAG") for Planning, dated July 1, 2014 (collectively the "Agreement") and as amended on July 1, 2015. This Amendment No. 2 extends the term of the Agreement to June 30, 2015 and applies to planning occurring in Fiscal Year 2015-16.

NOW, THEREFORE, the parties agree to modify the subject Agreement as originally executed, as follows:

1. Section 3.0 Funding is revised to add subparagraph (e) as follows:
(e) Notwithstanding the foregoing, ABAG agrees that any amount of State Planning Funds spent during FY 2014-15 or FY 2015-16 in excess of the \$697,965 amount described in subparagraph (a) above shall offset MTC's \$3,075,092 funding commitment to ABAG for FY 2015-16.

2. Section 3.1 FUNDING FOR FIRST SIX MONTHS OF FY 2015-16, is superseded by the following:
FUNDING FOR FY 2015-16

ABAG and MTC mutually agree that MTC shall pay ABAG a total of three million seventy-five thousand ninety-two dollars (\$3,075,092) for Fiscal Year 2015-16. Payment shall be from the following sources in the following amounts:

SOURCE	Payment Amounts for FY 2015-16
General Fund/TDA Planning	\$456,204
FTA 5303 (Toll Credit for match)	\$244,888
FHWA PL (Toll Credit for match)	\$1,015,000
STP 6084 (175)	\$699,000
STP 6084 (187)	\$660,000
Total	\$3,075,092

- (a) In addition to these amounts, \$728,908 (representing \$666,908 to be credited towards MTC's funding commitment for FY 2015-16 as described below plus \$62,000 to cover the ABAG planner referenced below) in state planning funds may be made available to the region in FY 2015-16 to support ABAG's research, planning and implementation activities ("FY 2015-16 State Planning Funds"). ABAG shall make a good faith effort to invoice in a timely manner for eligible expenses against the FY 2015-16 State Planning Funds. MTC and ABAG agree that \$666,908 of the FY 2015-16 State Planning Funds shall be credited toward MTC's funding commitment for FY 2015-16 (which amount together with the \$3,075,092 of funding set forth in the table above equals MTC's \$3,742,000 for FY 2015-16 per the funding framework), provided that the first \$62,000 of FY 2015-16 State Planning funds received by ABAG shall not be credited toward MTC's funding commitment but instead shall be used to cover expenses associated with a new ABAG planner.
- (b) If an amount less than the \$666,908 of FY 2015-16 State Planning Funds applicable to FY 2015-16 is invoiced and received by ABAG, and credited towards MTC's annual funding commitment in accordance with paragraph (a) above, MTC agrees to cover the difference through such other mechanisms as shall be reflected in an amendment to this Agreement prior to April 30, 2016.
- (c) MTC and ABAG shall work cooperatively to develop a plan and identify reasonable parameters for the future fiscal year re-allocation of any unspent portion of the General Fund/TDA Planning funds, subject to the availability of funds and approval of appropriate contract and budget amendments by the Commission for future expenses.
- (d) ABAG agrees that any FY 2015-16 State Planning Funds remaining unspent per subparagraphs (a) and (b) above and any State Planning Funds remaining unspent per Section 3, subparagraphs (a) and (b), of the originally executed agreement shall be carried over into ensuing fiscal years' Interagency Agreements for expenditure by ABAG, and as an offset to MTC's funding commitment to ABAG for those fiscal years, with a goal of providing capacity over the term of the eight-year funding framework to meet anticipated agency expenses and to offset potential lower State funding levels.
- (e) Notwithstanding the foregoing, ABAG agrees that any amounts for FY 2015-16 State Planning Funds spending during FY 2015-16 in excess of \$728,908 amount described in

subparagraph (a) above shall offset MTC's \$3,075,092 funding commitment to ABAG for FY 2015-16.

3. Appendix B, **Funding for First Six Months of FY 2015-16** is revised as follows:

Funding for FY 2015-16

WORK ELEMENT 2015-16	FTA (Toll Credit for match)	FHWA (Toll Credit for match)	TDA/ General Fund	STP 6084 (175)	STP 6084 (187)	TOTAL:
Regional planning, modeling, research and outreach, including intergovernmental coordination.	\$244,888	\$1,015,000	\$456,204	\$699,000	\$660,000	\$3,075,092
TOTAL:	\$244,888	\$1,015,000	\$456,204	\$699,000	\$660,000	\$3,075,092

4. Condition for Release of FY2015-16 Funds. Payment for work performed after November 1, 2015 shall be subject to the condition listed in Attachment 1, attached hereto and incorporated herein by this reference.
5. Reduction of Amounts Due in the Event of Consolidation. In the event the planning functions of ABAG and MTC are consolidated through action by MTC to offer ABAG planners positions at MTC, the total amount payable to ABAG under this Agreement shall be reduced in an amount equal to \$256,258 times the number of months remaining until June 30, 2016, calculated from the first day of the month succeeding the date any ABAG employee commences employment at MTC. MTC shall apply a corresponding prorata credit to each funding source listed in Appendix B.
6. Retention of Contract Provisions. Except as provided herein, all other terms and conditions of the Agreement remain unchanged.

IN WITNESS WHEREOF, the parties have executed this Amendment on the date indicated above.

METROPOLITAN TRANSPORTATION
COMMISSION

ASSOCIATION OF BAY AREA
GOVERNMENTS

Steve Heminger, Executive Director

Ezra Rapport, Executive Director

Attachment 1

The condition is as follows:

Separation of Direct and Indirect Costs: ABAG shall continue to cooperate with MTC and Caltrans on questions related to costs for personnel that have been charged as direct and also included as part of the indirect pool.



Metropolitan Transportation Commission

101 Eighth Street,
Joseph P. Bort MetroCenter
Oakland, CA

Legislation Details (With Text)

File #:	15-0963	Version:	1	Name:	
Type:	Allocation	Status:		Commission Approval	
File created:	10/8/2015	In control:		Metropolitan Transportation Commission	
On agenda:	10/28/2015	Final action:		10/28/2015	
Title:	Approve Amendment #2 to the FY2014-15 MTC/ABAG Interagency Agreement, to extend through FY2015-16.				
Sponsors:					
Indexes:					
Code sections:					
Attachments:					

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

Approve Amendment #2 to the FY2014-15 MTC/ABAG Interagency Agreement, to extend through
FY2015-16.
Commission Approval.



Metropolitan Transportation Commission

101 Eighth Street,
Joseph P. Bort MetroCenter
Oakland, CA

Legislation Details (With Text)

File #: 15-0936 **Version:** 1 **Name:**

Type: Minutes **Status:** Consent

File created: 10/1/2015 **In control:** Metropolitan Transportation Commission

On agenda: 10/28/2015 **Final action:** 10/28/2015

Title: Minutes - September 23, 2015.

Sponsors:

Indexes:

Code sections:

Attachments: [6a September 23, 2015 MeetingMinutes](#)

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

Minutes - September 23, 2015.
Commission Approval



Metropolitan Transportation Commission

Meeting Minutes - Draft

101 Eighth Street,
Joseph P. Bort
MetroCenter
Oakland, CA

Metropolitan Transportation Commission

Dave Cortese, Chair Jake Mackenzie, Vice Chair

Wednesday, September 23, 2015

9:45 AM

Lawrence D. Dahms Auditorium

Call Meeting to Order

1. Roll Call / Confirm Quorum

Present: 15 - Chairperson Cortese, Vice Chair Mackenzie, Commissioner Baker, Commissioner Bates, Commissioner Campos, Commissioner Haggerty, Commissioner Halsted, Commissioner Kinsey, Commissioner Liccardo, Commissioner Luce, Commissioner Pierce, Commissioner Schaaf, Commissioner Spering, Commissioner Tissier, and Commissioner Wiener

Absent: 3 - Commissioner Aguirre, Commissioner Glover, and Commissioner Rein Worth

Non-Voting Members Present: Commissioner Azumbrado, Commissioner Giacomini and Commissioner Sartipi

2. Chair's Report – Cortese

[15-0857](#) Functional Consolidation of Planning Departments.

Action: Information

The following individuals spoke on this item:

Ezra Rapport, ABAG Executive Director
Pilar Lorenzana-Campo, NonProfit Housing
John Rahaim, San Francisco Planning Department
Patricia Perry, ABAG Retiree
Sharon McCreadie, ABAG Retiree
Aksel Wilson, ABAG employee
Christy LeFall, ABAG employee
Pedro Galvao, ABAG employee
Gillian Adams, ABAG employee
Athena Honore, San Francisco Estuary Partnership
Arrietta Chalus, ABAG Consultant
Dana Brechwald, ABAG employee
Leah Zippert, ABAG employee
Maureen Gaffney, ABAG employee
Al Savay, City of San Carlos
Lee Huo, ABAG employee/SEIU representative
Debbie EgterVanWissekerke, ABAG Retiree

Henry Gardner, ABAG Retiree
Caitlin Sweeney, San Francisco Estuary Partnership
Pedro Galvao spoke for Mark Shorett
Jill Keimach, Town of Moraga
Halima Anderson, ABAG employee
Pat Ecklund, Mayor Pro Tem City of Novato
Barbara Halliday, Mayor City of Hayward
Jerry Lahr, ABAG employee
Karen Mitchoff, Contra Costa Board of Supervisors
Joyce Roy
Gabriel Haaland, SEIU
Egon Terplan, SPUR
Colette Meunier
Hing Wong, ABAG employee
Bruce Samax, ABAG employee
Matt Vander Sluis, Greenbelt Alliance
Clarrissa Cabansagan, Transform
Bob Allen, Urban Habitat
Jim Davis, City of Sunnyvale, ABAG Board
Michael Germeraad, ABAG employee
Miriam Chion, ABAG employee
Duane Bay, ABAG employee
Leon Garcia, Mayor City of American Canyon

3. Policy Advisory Council Report – Kinman

4. Executive Director's Report – Heminger

5. Commissioner Comments

6. Consent Calendar:

Upon the motion by Commissioner Spering and second by Commissioner Halsted, the Commission unanimously approved the Consent Calendar by the following vote:

Aye: 15 - Cortese, Mackenzie, Baker, Bates, Campos, Haggerty, Halsted, Kinsey, Liccardo, Luce, Pierce, Schaaf, Spering, Tissier and Wiener

Absent: 3 - Aguirre, Glover and Rein Worth

6a. [15-0851](#) Commission Meeting Minutes - July 22, 2015.

Action: Commission Approval

Programming and Allocations Committee

- 6b. [15-0811](#) 2015 Transportation Improvement Program (TIP) Amendment 2015-17. MTC Resolution No. 4175, Revised.
Action: Commission Approval
- 6c. [15-0821](#) Revisions to the Cycle 1 Surface Transportation Program/Congestion Mitigation and Air Quality Improvement (STP/CMAQ) for the Climate Initiatives Outreach, and Freeway Performance Initiative (FPI) Programs. MTC Resolution No. 3925, Revised.
Action: Commission Approval
- 6d. [15-0824](#) Allocate \$3.6 million in FY2015-16 Transportation Development Act (TDA) funds to Fairfield and Suisun Transit (FAST) in support of transit operations. MTC Resolution 4187, Revised.
Action: Commission Approval
- 6e. [15-0816](#) Proposition 1B - Transit: FY2014-15 Population-based Funds Policy Update and Allocation Request for approximately \$1.2 million for the upgrade of 70-80 BART Ticket Vending Machines (TVM) to vend Clipper cards. MTC Resolution Nos. 3880, Revised and 3814, Revised.
Action: Commission Approval
- 6f. [15-0833](#) Short-Range Transit Plan (SRTP) Funding Recommendations and Guidelines for FY2015-16. MTC Resolution No. 4117, Revised.
Action: Commission Approval
- 6g. [15-0813](#) Policies, Procedures and Project Selection Criteria for the 2016 Regional Transportation Improvement Program (RTIP). MTC Resolution No. 4208.
Action: Commission Approval
- 6h. [15-0814](#) Allocation of \$6.1 million in Regional Measure 2 (RM2) funds to the Sonoma Marin Area Rail Transit District (SMART) for vehicle procurement activities and revision to the Surface Transportation Program/Congestion Mitigation and Air Quality Improvement (STP/CMAQ) One Bay Area Grant (OBAG) Program to revise the County Congestion Management Agency (CMA) program. MTC Resolution Nos. 3712, Revised and 4035, Revised.
- An allocation request of \$6.1 million in RM2 funds from SMART for the acquisition of rail vehicles, and a request from Sonoma County Transportation Authority to amend its OBAG program to update the project for the Sonoma Marin Area Rail Transit District (SMART) by redirecting OBAG funds from the SMART vehicles to the SMART Larkspur extension.

Action: Commission Approval

- 6i. [15-0817](#) Revisions to the FY2014-15 Transit Capital Priorities (TCP) program to reprogram \$25 million of TCP funds from SFMTA's Light Rail Vehicle (LRV) project back to the original fixed guideway projects, and reduce the AB 664 bridge tolls programmed to the LRV expansion project by \$16 million for future reprogramming for fleet replacement. MTC Resolution Nos. 4162, Revised, 4163, Revised, and 4169, Revised.

Re-programming of approximately \$25 million in FTA 5337 funds and \$16 million in AB 664 bridge toll funds from SFMTA's light rail vehicle (LRV) expansion project back to the original projects they had been programmed for, as a result of SFMTA receiving \$41 million in Cap and Trade funds towards the LRV expansion project.

Action: Commission Approval

Legislation Committee

- 6j. [15-0804](#) MTC Policy Advisory Council.

MTC Resolution No. 3931, Revised - Appointments to Policy Advisory Council.

Action: Commission Approval

Committee Reports

7. Operations Committee - Haggerty

- [15-0768](#) Contract - 511 SF Bay System Integrator: Iteris Inc. (\$8,906,908).

New contract to integrate systems, and implement, operate, and maintain traveler information data management and dissemination services for a four-year term, with an option to extend up to an additional five years at MTC's discretion.

Action: Commission Approval

Upon the motion by Commissioner Haggerty and second by Commissioner Tissier, the Commission unanimously authorized the Executive Director or his designee to enter into a contract with Iteris, Inc. to integrate 511 systems and implement, operate, and maintain traveler information data management and dissemination services, and authorized the Chief Financial Officer to set aside funds in the total amount of \$8,906,908 for such contract. The motion carried by the following vote:

Aye: 15 - Cortese, Mackenzie, Baker, Bates, Campos, Haggerty, Halsted, Kinsey, Liccardo, Luce, Pierce, Schaaf, Sperling, Tissier and Wiener

Absent: 3 - Aguirre, Glover and Rein Worth

8. Planning Committee - Spering

8a. [15-0779](#) Amendment to Plan Bay Area:

- (a) Proposed Final Transportation-Air Quality Conformity Analysis (MTC Resolution No. 4196).
- (b) Proposed Final Addendum to Plan Bay Area Environmental Impact Report (MTC Resolution No. 4197).
- (c) Proposed Final Amendment to Plan Bay Area (MTC Resolution No. 4198).
- (d) Proposed Final Amendment to 2015 Transportation Improvement Program (TIP Revision Number 2015-18) (MTC Resolution No. 4175, Revised).

Approval of the Amendments to Plan Bay Area and 2015 Transportation Improvement Program (TIP) to include the Richmond-San Rafael Bridge Access Improvement Project, and approval of related technical Transportation-Air Quality Conformity Analysis and Addendum to Plan Bay Area EIR that demonstrate the Plan and TIP comply with federal transportation conformity and California Environmental Quality Act (CEQA) requirements. Public comment period on all four planning documents closed on July 20, 2015, and a summary of comments and responses will be presented.

- Action:**
- (a) Approve MTC Resolution No. 4196 to Approve the Final Transportation-Air Quality Conformity Analysis for the Amendment to Plan Bay Area and Amendment to 2015 Transportation Improvement Program (Revision 2015-18).
 - (b) Approve MTC Resolution No. 4197, to Certify the Final Addendum to the Plan Bay Area Final Environmental Impact Report.
 - (c) Approve MTC Resolution No. 4198 to Adopt the Final Amendment to Plan Bay Area.
 - (d) Approve MTC Resolution No. 4175, Revised to Adopt the Final 2015 Transportation Improvement Program (Revision 2015-18).

Upon the motion by Commissioner Spering and second by Vice Chair Mackenzie, the Commission unanimously approved Resolution No. 4196 - Final Transportation- Air Quality Conformity Analysis for the Amendment to Plan Bay Area and Amendment to 2015 Transportation Improvement Program (Revision Number 2015-18); Resolution No. 4197 - Certification of the Final Addendum to the Plan Bay Area Final Environmental Impact Report; Resolution No. 4198 - Final Amendment to Plan Bay Area; and Resolution No. 4175, Revised - Adoption of the 2015 Transportation Improvement Program Revision 2015-18. The motion carried by the following vote:

Aye: 15 - Cortese, Mackenzie, Baker, Bates, Campos, Haggerty, Halsted, Kinsey, Liccardo, Luce, Pierce, Schaaf, Spering, Tissier and Wiener

Absent: 3 - Aguirre, Glover and Rein Worth

8b. [15-0778](#) Plan Bay Area 2040 Goals & Targets - Revised Staff Recommendation.

Presentation on a revised staff recommendation for goals and performance targets related to Plan Bay Area 2040.

Action: Commission Approval

Upon the motion by Commissioner Spering and second by Commissioner Halsted, the Commission unanimously approved Resolution No. 4204 - Goals and Performance Targets for Plan Bay Area 2040. The motion carried by the following vote:

Aye: 15 - Cortese, Mackenzie, Baker, Bates, Campos, Haggerty, Halsted, Kinsey, Liccardo, Luce, Pierce, Schaaf, Spering, Tissier and Wiener

Absent: 3 - Aguirre, Glover and Rein Worth

9. Public Comment / Other Business

9a. [15-0924](#) Letter Submitted Under Public Comment

10. Adjournment/Next Meeting

The Commission adjourned its meeting in memory of Deb Hubsmith, former Executive Director of the Marin County Bicycle Coalition who passed away in late August.

The next meeting of the Commission will be October 28, 2015, at 9:35 a.m. in the Lawrence D. Dahms Auditorium, First Floor, Joseph P. Bort MetroCenter, 101 Eighth Street, Oakland, CA.

Dave Cortese, Chair



Metropolitan Transportation Commission

101 Eighth Street,
Joseph P. Bort MetroCenter
Oakland, CA

Legislation Details (With Text)

File #: 15-0910 **Version:** 1 **Name:**

Type: Resolution **Status:** Committee Approval

File created: 9/17/2015 **In control:** Administration Committee

On agenda: 10/28/2015 **Final action:** 10/28/2015

Title: MTC Resolution No. 4203 - Small Business Enterprise (SBE) Construction Project Program.

Sponsors:

Indexes:

Code sections:

Attachments: [6b Admin Resolution No 4203 SBE](#)

Date	Ver.	Action By	Action	Result
10/14/2015	1	Administration Committee		

Subject:
MTC Resolution No. 4203 - Small Business Enterprise (SBE) Construction Project Program.

Presenter:
Denise Rodrigues

Recommended Action:
Commission Approval



METROPOLITAN
TRANSPORTATION
COMMISSION

Joseph P. Bort MetroCenter
101 Eighth Street
Oakland, CA 94607-4700
Tel: 510.464.7700
TDD/TTY: 510.464.7769
Fax: 510.464.7848

Memorandum

TO: Administration Committee

DATE: October 7, 2015

FR: Executive Director

W.I. 1150

RE: MTC Resolution No. 4203 – Small Business Enterprise (SBE) Construction Project Program

This memo requests the Committee refer MTC Resolution No. 4203, Construction Project Small Business Enterprise (SBE) Program, to the Commission for approval. Similar SBE programs were adopted by the Bay Area Toll Authority and the Bay Area Infrastructure Authority in September.

Background

In an effort to increase competition on MTC construction projects, promote SBE firm participation on MTC construction contracts, and increase SBE construction contracting opportunities with MTC, staff has developed a proposed Construction Project SBE Program (“Program”).

There are a variety of programs giving certain types of contractor preference in place in the region. The types of programs and preferences vary greatly throughout the region and are applied based on requirements for size (SBE programs), ownership (Disadvantaged Business Enterprise (DBE) programs), or location (Local Business Enterprise (LBE) programs).

Since MTC is a regional agency and many of MTC’s construction projects are state and locally funded, it was determined that a SBE Program was most appropriate for MTC as it intended to:

1. Increase the number of certified SBEs competing for MTC’s construction projects and increase overall competition on these projects, potentially allowing for the completion of projects at a lower overall cost;
2. Ensure that only firms (prime or subcontractor) that are certified by the State of California as SBEs per the requirements listed at <http://www.dgs.ca.gov/pd/Programs/OSDS/SBEligibilityBenefits.aspx> (see Attachment A) are eligible for the bid preference allowed under the Program; and
3. Help remove barriers to the participation of SBEs in MTC’s construction contracts.

DBE and SBE Outreach

Staff works with other transportation partner agencies as the Business Outreach Committee (BOC) to implement race-neutral measures to increase SBE and DBE participation in contracting. The BOC provides business outreach, networking events with prime contractors and agency procurement officers, a quarterly newsletter that includes upcoming procurement opportunities, and direct referral of SBEs and DBEs to prime contractors.

Recent events hosted by the BOC and MTC were the “Meet the Buyers” event on March 25th, and the “Why Get Certified” webinar in July 2015. Staff also participated in the Caltrans District 4 Quarterly Professional Liaison and Cal-Mentor Program meeting and networking events on May 5th and July 23rd, and in the Northern California Construction Management Association of America (CMAA) Owners’ Night on July 15th. The most recent newsletters and flyers for the outreach events staff planned and participated in are included in Attachment B.

DBE and SBE Monitoring

Staff has implemented contract compliance software that will facilitate monitoring and reporting of SBE/DBE utilization for all agency contracts regardless of fund type. The software will facilitate automated workflows to reduce the manual paper processing currently in place. In addition to the current practice of noting SBE/DBE status on committee memoranda, staff will include SBE/DBE utilization information in all committee memoranda requesting contract approval or additional funding for contract amendments after the compliance software is fully implemented. This will allow Commissioners to be better informed of SBE/DBE participation on all agency contracts.

SBE Program

The Program, attached as Attachment C, includes:

- Designation of a SBE Liaison Officer (SBELO), who will be Mamie Lai of MTC staff;
- A requirement for State of California Department of General Services (DGS) SBE certification;
- A SBE preference of 5% in the form of a bid discount, when the bidder meeting specifications is a certified SBE and is performing 40% of the work **or** a SBE preference of 5% when a non-SBE prime contractor subcontracts with a SBE firm or firms for 40% of the work;
- A requirement that SBE subcontractors not be removed or replaced, unless prior written concurrence of SBE substitution is provided by the SBELO; and
- A compliance component that requires monitoring and refinement of these initiatives.

Staff reviewed the Santa Clara Valley Transportation Authority (VTA), the City of Oakland, and San Francisco Bay Area Rapid Transit (BART) SBE programs to assist in the development of this Program.

Recommendation

Staff recommends that the Committee refer MTC Resolution No. 4203, Construction Project Small Business Enterprise (SBE) Program, to the Commission for approval.



Steve Heminger

Attachments

J:\COMMITTEE\Administration\2015 by Month\10_October 2015\4d_SBE Memo.docx

Attachment A



Procurement Division

[Programs & Services \(http://www.dgs.ca.gov/pd/Programs.aspx\)](http://www.dgs.ca.gov/pd/Programs.aspx) > [Office of Small Business & Disabled Veteran Business Enterprise Services \(OSDS\) \(http://www.dgs.ca.gov/pd/Programs/OSDS.aspx\)](http://www.dgs.ca.gov/pd/Programs/OSDS.aspx) > [Small Business Certification Eligibility Requirements & Benefits \(http://www.dgs.ca.gov/pd/Programs/OSDS/SBEligibilityBenefits.aspx\)](http://www.dgs.ca.gov/pd/Programs/OSDS/SBEligibilityBenefits.aspx)

Small Business Eligibility Requirements

In order for a small business to be eligible for certification, the small business must meet the following requirements:

- Be independently owned and operated;
- Not dominant in field of operation;
- Principal office located in California;
- Owners (officers, if a corporation) domiciled in California; and,
- Including affiliates, be either,
 - A business with 100 or fewer employees; an average annual gross receipts of \$14 million or less, over the last three tax years;
 - A manufacturer* with 100 or fewer employees; or,
 - A microbusiness. A small business will automatically be designated as a microbusiness, if gross annual receipts are less than \$3,500,000; or the small business is a manufacturer with 25 or fewer employees.

* For Small Business Certification purposes, a manufacturer is a business that is both of the following:

1. Primarily engaged in the chemical or mechanical transformation of raw materials or processed substances into new products.
2. Classified between Codes 31 to 339999, inclusive, of the North American Industrial Classification System (NAICS) Manual, published by the United States Census Bureau, 2007 edition.

Small Business Certification Benefits

Upon meeting the Small Business Certification eligibility requirements, certified small business (SBs) and microbusinesses (MBs) are entitled to the following benefits:

- A five percent (5%) bid preference on applicable State solicitations;
- As a certified small business/microbusiness, you are eligible for the State's Small Business Participation Program. This program sets a goal for the use of small businesses in at least 25% of the State's overall annual contract dollars;
- Under the Prompt Payment Act, the State must pay a certified SB / MB higher interest penalties for late payment of an undisputed invoice. Prompt payment penalties for construction firms are addressed separately under Public Contract Code, Section 10261.5);
- State agencies may use a streamlined process, known as the SB/DVBE Option, by contracting directly with a California certified small business/microbusiness for goods, services, information technology and Public Works projects. The solicitation must be valued at more than \$5,000 and the State agency must obtain price quotes from at least two California certified small business/microbusiness;

Effective January 1, 2010, the maximum thresholds are:

Goods, Services, or Information Technology - \$249,999.99

Public Works - \$250,000

Effective January 12, 2012, the maximum thresholds are:

Goods, Services, or Information Technology - \$249,999.99

Public Works - \$281,000 (Effective 1/30/14: BL 14-01)

- The DGS-PD charges State and local agencies an administrative fee, when contracting with a California Multiple Award Schedules

Attachment A

(CMAS) vendor. As an incentive, the fee is waived, if the CMAS vendor is a certified small business/microbusiness;

- As an incentive, a non-small business prime contractor, who uses certified small business/microbusiness subcontractors for at least 25% of its net bid price, is eligible for a bid preference of five percent (5%) of the lowest responsible bid, when competing against another non-small business; and, When applying bidder preferences, in which non-small business bidders may be eligible, certified small business/microbusiness bidders have precedence over non-small business bidders.

NOTE: Small business/microbusiness bids cannot be displaced by non-small business/microbusiness bids, when applying any applicable lawful preferences.

If you have any questions regarding the Small Business Certification eligibility requirements and benefits, please contact OSDS Help at (916) 375-4940 or by [email \(mailto:OSDSHelp@dgs.ca.gov\)](mailto:OSDSHelp@dgs.ca.gov).

What's New

- [How to do Business with the State Webinars ... \(/pd/NewsEvents.aspx#1079\)](/pd/NewsEvents.aspx#1079)
- [Release of Cloud Computing Special Provisions for ... \(/pd/NewsEvents.aspx#1040\)](/pd/NewsEvents.aspx#1040)
- [Small Business & DVBE Outreach Events 2015 ... \(/pd/NewsEvents.aspx#856\)](/pd/NewsEvents.aspx#856)

[View All news and events items \(/pd/NewsEvents.aspx\)](/pd/NewsEvents.aspx)

PD Quick Links

- [Notice of Rulemaking \(/pd/Programs/OSDS/NoticeofRulemaking.aspx\)](/pd/Programs/OSDS/NoticeofRulemaking.aspx)
- [SB/DVBE Legislation & Executive Orders \(/pd/Programs/OSDS/legislation.aspx\)](/pd/Programs/OSDS/legislation.aspx)
- [Broadcast Bulletins \(/pd/Resources/BroadcastBulletins.aspx\)](/pd/Resources/BroadcastBulletins.aspx)
- [Communications & Outreach \(/pd/Programs/OSDS/CommunicationsOutreach.aspx\)](/pd/Programs/OSDS/CommunicationsOutreach.aspx)
- [RESD Small Business and DVBE Outreach Program \(/resd/RESDSBDVBEOutreach.aspx\)](/resd/RESDSBDVBEOutreach.aspx)
- [SB/DVBE Reports \(/pd/Programs/OSDS/ContractReporting.aspx\)](/pd/Programs/OSDS/ContractReporting.aspx)
- [eProcurement \(/pd/Programs/eprocure.aspx\)](/pd/Programs/eprocure.aspx)
- [Prompt Payment \(/pd/Programs/OSDS/PromptPayment.aspx\)](/pd/Programs/OSDS/PromptPayment.aspx)
- [DVBE Substitution Instructions and Form \(http://www.documents.dgs.ca.gov/pd/delegations/pac011910_DVBE.pdf\)](http://www.documents.dgs.ca.gov/pd/delegations/pac011910_DVBE.pdf)
- [How to Establish Disabled Veteran Business Enterprise \(DVBE\) Equipment Ownership for **New Certifications** \(http://www.documents.dgs.ca.gov/pd/smallbus/DVBE_Equipment_Ownership_Requirements-New.pdf\)](http://www.documents.dgs.ca.gov/pd/smallbus/DVBE_Equipment_Ownership_Requirements-New.pdf)
- [How to Establish Disabled Veteran Business Enterprise \(DVBE\) Equipment Ownership for **Renewal Certifications** \(http://www.documents.dgs.ca.gov/pd/smallbus/DVBE_Equipment_Ownership_Requirements-Renewal.pdf\)](http://www.documents.dgs.ca.gov/pd/smallbus/DVBE_Equipment_Ownership_Requirements-Renewal.pdf)

[Accessibility](#)

[Conditions of Use](#)

[Privacy Policy](#)

[Disclaimer](#)

[Download Free Readers](#)

[Report a Web problem](#)

Copyright © 2014 State of California



Professional Liaison

NEW DATE: FEBRUARY 24, 2015

Enhancing the growth potential of small business

What: Caltrans District 4 Jt. Professional Liaison — Calmentor Program Quarterly Meeting

When: February 24, 2015, 1:00 p.m. to 3:00 p.m.

Where: Caltrans District 4 Office, 111 Grand Avenue, 15th Floor, Park View Room, Oakland.

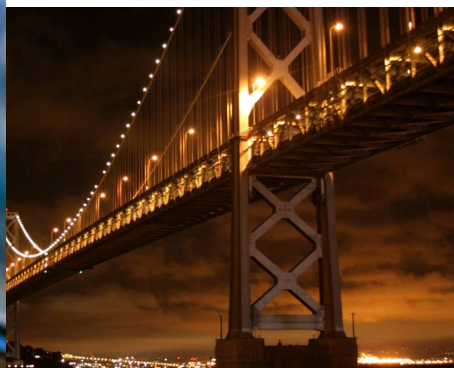
Meeting Agenda

- ⇒ Caltrans Look Ahead
- ⇒ Local Public Agency Updates
- ⇒ Presentation on California High Speed Rail Project
- ⇒ Protégé Firm 5-Minute Marketing Pitches
- ⇒ Formal Networking Session with Senior Public Transportation Agency Managers, Mentor Firms & Protégé Firms

The Joint Professional Liaison—Calmentor Program Quarterly Meeting facilitates networking opportunities with senior public transportation agency managers.

Register online today:

<http://goo.gl/forms/HyKe4gi1Xf>





Attachment B

CALTRANS DISTRICT 4 OFFICE
JOINT PROFESSIONAL LIAISON-CALMENTOR PROGRAM
QUARTERLY MEETING

AGENDA

Thursday, February 24, 2015
 1:00 p.m. - 3:00 p.m.
 Park View Room, 15th Floor, 15-700
 111 Grand Avenue, Oakland, California

Item	Topics	Presenter(s)
1	Welcome and Introductions (5 min.) <ul style="list-style-type: none"> • Introductions & Executive Staff Welcome 	Bijan Sartipi, Caltrans District 4 Director
2	Approvals (2 min.) <ul style="list-style-type: none"> • Approval of the 10/30/14 meeting minutes 	Ali M. Banani, Office Chief, Consultant Services Unit, Caltrans District 4
3	District 4/Statewide Reports and Updates (8 min.) <ul style="list-style-type: none"> • Caltrans A&E Procurement Look Ahead • Governor's Budget Highlights 	Ali M. Banani, Office Chief, Consultant Services Unit, Caltrans District 4
4	California High-Speed Rail Project (40 min.) <ul style="list-style-type: none"> • Presentation – 25 min. • Participant Questions – 15 min. 	Karen Massie, Information Officer, California High-Speed Rail Authority Ricci Graham, Information Officer, Northern California High-Speed Rail Authority
5	Calmentor Steering Committee Update (10 min.) <ul style="list-style-type: none"> • Committee Report • Pledge Forms 	Jim Dickey, Cinquini & Passarino, Chair, District 4 Calmentor Steering Committee
6	Public Agency Partner Reports (10 min.)	Liz Brazil, DBE Program Manager, Santa Clara VTA Luz Campos, Purchasing Technician, MTC
7	Protégé Firms: Give Us Your Best Pitch! (45 min.) <ul style="list-style-type: none"> • Albion Environmental, Inc. • Alfred Civil Engineering • HSI Engineering, Inc. • Lantex Landscape Architecture, Inc. • Surf to Snow Environmental Resource Management 	Public Agency Partner Review Panel Liz Brazil, DBE Program Manager, Santa Clara VTA Luz Campos, Purchasing Technician, MTC Romy F. Fuentes, Branch Chief, Consultant Services Unit, Caltrans District 4
8	Adjourn Meeting Next Meeting: Annual Awards Luncheon & Public Agency Manager Networking Sessions – Cinco de Mayo, Tuesday, May 5, 2015, 12 noon – 3:00 p.m.	Romy F. Fuentes, Branch Chief, Consultant Services Unit, Caltrans District 4


Calmentor
Professional Liaison

SAVE THE DATE: MAY 5, 2015

Enhancing the growth potential of small business

2015 Annual Caltrans District 4 Calmentor Program Awards and Business Networking Event

Registration: 11:00 a.m. - 11:30 a.m., 1st Floor Lobby, Caltrans District 4 Office

Keynote & Awards Presentation: 11:30 a.m. - 12:15 p.m.

Please join Caltrans District 4 Director Bijan Sartipi, Caltrans project managers, and regional and local public transportation managers from the nine Bay Area Counties to celebrate small business success!

2015 Annual Mentor Firm Recognition Awards

Silver Award presented to Harris & Associates, Inc.

Bronze Award presented to PSOMAS Engineering, Inc.

Quarterly Protégé Firm Graduation Recognition

Adanta, Inc., CBL Professional Services, and Designlab 252

Hosted Networking Lunch: 12:30 p.m. - 1:30 p.m.

Meet & Greet Public Agency Managers: 1:30 p.m. - 3:30 p.m.

Following lunch, meeting participants are invited to attend small group networking sessions with senior state, regional and local public agency transportation infrastructure managers including Caltrans, MTC, VTA, ACTC and others!

Registration is on a first come, first serve basis. Space is limited.

Register online today: <http://goo.gl/forms/PD33IUVVHD>

Event Location: Caltrans District 4 Office, 111 Grand Avenue, Oakland, California



Event Sponsors





2015 Annual Caltrans District 4 Calmentor Program Awards & Business Networking Event

Tuesday, May 5, 2015

Official Program

Welcome & Acknowledgements

Jim Dickey, Principal, Cinquini & Passarino, Inc.
Caltrans District 4 Calmentor Program Steering Committee Chairperson

Keynote Address

Bijan Sartipi, District 4 Director
California Department of Transportation

2015 Transportation Infrastructure Small Business Advocate Award Presentations

The Honorable Edmund G. Brown, Governor of California
The Honorable Gavin Newsom, Lt. Governor of California

Caltrans District 4 Calmentor Program Protégé Firm Graduations

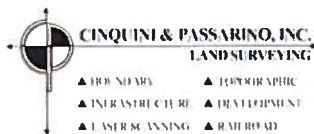
Adanta, Inc.
CBL Professional Services
Designlab 252

Caltrans District 4 Calmentor Program Mentor Firm Awards

Harris & Associates, Inc.—Silver Award
Psomas—Bronze Award

Calmentor Program Luncheon & Business Networking Sessions

Event Sponsors



Business Outreach Committee (BOC) Attachment B

Contracting Newsletter #27, Spring 2015

The goal of the BOC is to assist small and disadvantaged companies in doing business with Bay Area transportation agencies.

UPCOMING CONTRACTING OPPORTUNITIES (SELECTED AGENCIES):

GOLDEN GATE BRIDGE, HIGHWAY & TRANSPORTATION DISTRICT (GGBHTD)

Solicitation Letter: Purchase and Installation of a Wireless Infrastructure Upgrade	Due Date*: May 2015	Est.\$: 90K
Third Party Administrator for Public Liability and Fleet Claims Investigation and Adjustment Services	Due Date*: May 2015	Est.\$: 350K
Toll Plaza Administration Building Improvements	Due Date*: May 2015	Est.\$: 500K
San Rafael Improvements Employee Parking Lot	Due Date*: TBD	Est.\$: 1.5M
Larkspur Ferry Terminal Sewer and Fuel Systems Rehabilitation	Due Date*: TBD	Est.\$: 800K
Bus Stop Shelter & Signage Improvements	Due Date*: TBD	Est.\$: 500K
South Approach and Pier Security Improvements	Due Date*: TBD	Est.\$: 4M
Sausalito Ferry Terminal Gangway and Pier Improvements, Construction	Due Date*: TBD	Est.\$: 10M
San Francisco Ferry Terminal Gangway and Pier Improvements, Construction	Due Date*: TBD	Est.\$: 20M

METROPOLITAN TRANSPORTATION COMMISSION (MTC)

Business Process Identification and Documentation Project	Due Date*: May 8, 2015	Est. \$: TBD
Compensation Study	Due Date*: May 13, 2015	Est. \$: TBD
Program for Arterial System Synchronization (PASS)	Due Date*: May 15, 2015	Est. \$: TBD
SHRP2 Implementation Assistance and Technical Guidance and Support	Due Date*: May 22, 2015	Est. \$: TBD
511 System Integrator, Data Management & Dissemination, and Interactive Voice Response (IVR) Phone System	Issue Date*: TBD	Est. \$: TBD
Bay Area Infrastructure Financing Authority (BAIFA) I-680 Express Lanes Civil Construction Project	Issue Date*: TBD	Est. \$: TBD
Maintenance, Diagnostic and Repair Services of Traffic Operations System (TOS) Devices	Issue Date*: TBD	Est. \$: TBD
Transit Oriented Workforce Housing Assessment	Issue Date*: TBD	Est. \$: TBD
Express Lanes Backhaul Communications Network	Issue Date*: TBD	Est. \$: TBD

SAN FRANCISCO BAY FERRY (WETA)

San Francisco Bay Ferry Ridership Database	Issue Date*: May 2015	Est. \$: TBD
On-Call Planning, Engineering, and Professional Services	Issue Date*: May/June 2015	Est. \$: TBD
Vallejo Ferry Terminal Dredging (IFB)	Issue Date*: June 2015	Est. \$: TBD
Ferry Vessel Peralta Major Refit Phase 2	Issue Date*: July 2015	Est. \$: TBD
Central Bay Maintenance Facility	Issue Date*: Aug 2015	Est. \$: TBD
Vallejo Ferry Terminal Maintenance Dredging (RFP)	Issue Date*: Summer 2015	Est. \$: TBD
Harbor Bay Ferry Terminal Piling Replacement	Issue Date*: Sept 2015	Est. \$: TBD
Ferry Vessel Taurus Minor Refit	Issue Date*: Sept 2015	Est. \$: TBD
Ferry Vessels Gemini Class Emissions Reduction Systems Rehab	Issue Date*: Sept 2015	Est. \$: TBD
Ferry Vessel Replacement and New Ferry Vessels	Issue Date*: Fall 2015	Est. \$: TBD

SANTA CLARA VALLEY TRANSPORTATION AUTHORITY (VTA)

CCTV Surveillance Equipment	Issue Date*: May 2015	Est. \$: TBD
Montague Expressway & South Milpitas Blvd. Improvements	Issue Date*: June 2015	Est. \$: TBD
GFCI Switchgear Testing & Repair	Issue Date*: Aug 2015	Est. \$: TBD
VTA Communications Backbone	Issue Date*: Aug 2015	Est. \$: TBD
Pavement Manager	Issue Date*: Sept 2015	Est. \$: TBD



UPCOMING EVENTS



The Business Outreach Committee (BOC) will be hosting a

“How to Get Certified” Webinar

More information to follow.

A date and corresponding link will be available to all interested firms
as soon as possible.



WHERE TO FIND CONTRACTING OPPORTUNITIES:

AC TRANSIT: http://www.actransit.org/purchasing/	NCTPA: http://www.nctpa.net/procurement-opportunities
ALAMEDA CTC: http://www.alamedactc.org/app_page_s/view/3999	SAMTRANS/CALTRAIN: http://procurement.samtrans.com
BART: http://www.bart.gov/about/business/procurement/	SFMTA: http://sfgsa.org/index.aspx?page=4767
COUNTY CONNECTION: http://countyconnection.com/about/business-advertising/procurements/	SOLTRANS: http://www.soltransride.com/procurement
RIO VISTA: http://riovistacity.com	TJPA: http://transbaycenter.org/tjpa/doin-business-with-the-tjpa
GGBHTD: http://www.goldengate.org/contracts/	VTa: http://www.vta.org/procurement/solicitations/
MARIN TRANSIT: http://www.marintransit.org/purchasing.html	WETA: https://watertransit.org/contract_opportunities.aspx
MTC: http://procurements.mtc.ca.gov	WESTCAT: http://www.westcat.org

**The BOC wants your help to make sure this newsletter brings you
the information you want. Send suggestions and topics to improve
newsletter content to:**

Kristina Martinez, County Connection

kmartinez@cccta.org

AGENCY CONTACTS

AC Transit: Phillip McCants
Contracts Compliance Officer
(510) 577-8815 or pmccants@actransit.org

Alameda CTC: Seung Cho
Contracting, Administration, and Fiscal
Resource Manager
(510) 208-7472 or scho@alamedactc.org

BART: Ron Granada
Senior Civil Rights Officer
(510) 464-6103 or RGranad@bart.gov

County Connection: Kristina Martinez
Civil Rights Administrator
(925) 680-2031 or
vassallo@countyconnection.com

GGBHTD: Aretmise Davenport
DBE Program Analyst
(415) 257-4581 or
adavenport@goldengate.org

Marin Transit: Amy Van Doren
Director of Policy & Legislative Programs
(415) 226-0859 or
avandoren@marintransit.org

MTC: Denise Rodrigues
Contract Compliance Manager
(510) 817-5897 or drodri@mtc.ca.gov

NCTPA: Antonio Onorato
Manager of Finance, Grants, and
Administration
(707) 259-8779 or aonorato@nctpa.net

SamTrans/Caltrain: Elke Campbell
(650) 508-7939 or
campbelle@samtrans.com

SFMTA: Sheila Evans Peguese
Contract Compliance Officer
(415) 701-4436 or sheila.evans-peguese@sfmta.com

SolTrans: Gary Albright, Program Analyst II,
(707) 736-6986 or
gary@soltransride.com

TJPA: Eddie Phillips
Contract Compliance Officer
(415) 597-4041 or
EPhillips@TransbayCenter.org

VTa: Liz Brazil
DBE Program Manager
(408) 321-5874 or liz.brazil@vta.org

WETA: Lauren Gularte
Admin/Policy Analyst, (415) 364-3188 or
gularte@watertransit.org

WestCAT: Laura Calica
DBE Liaison Officer
(510) 724-3331 Ext. 113 or
laura@westcat.org



**YOU ARE INVITED
TO THE BUSINESS OUTREACH COMMITTEE (BOC)
MEET THE BUYERS
PROCUREMENT FORUM**

Wednesday, March 25, 2015

1:30 p.m. to 3:30 p.m.

**at the Metropolitan Transportation Commission (MTC),
101 8th Street, Oakland, California**

(Conveniently located next to the Lake Merritt BART Station, see attached directions)

This event will provide the opportunity for Small, Local and Disadvantaged businesses to introduce their products and services and receive information from participating San Francisco Bay Area Transit and Transportation Agencies and the following Contractors:

**Stacy and
Witbeck**

ROBERT A.
BOTHMAN
CONSTRUCTION **B**



MCK Services, Inc.

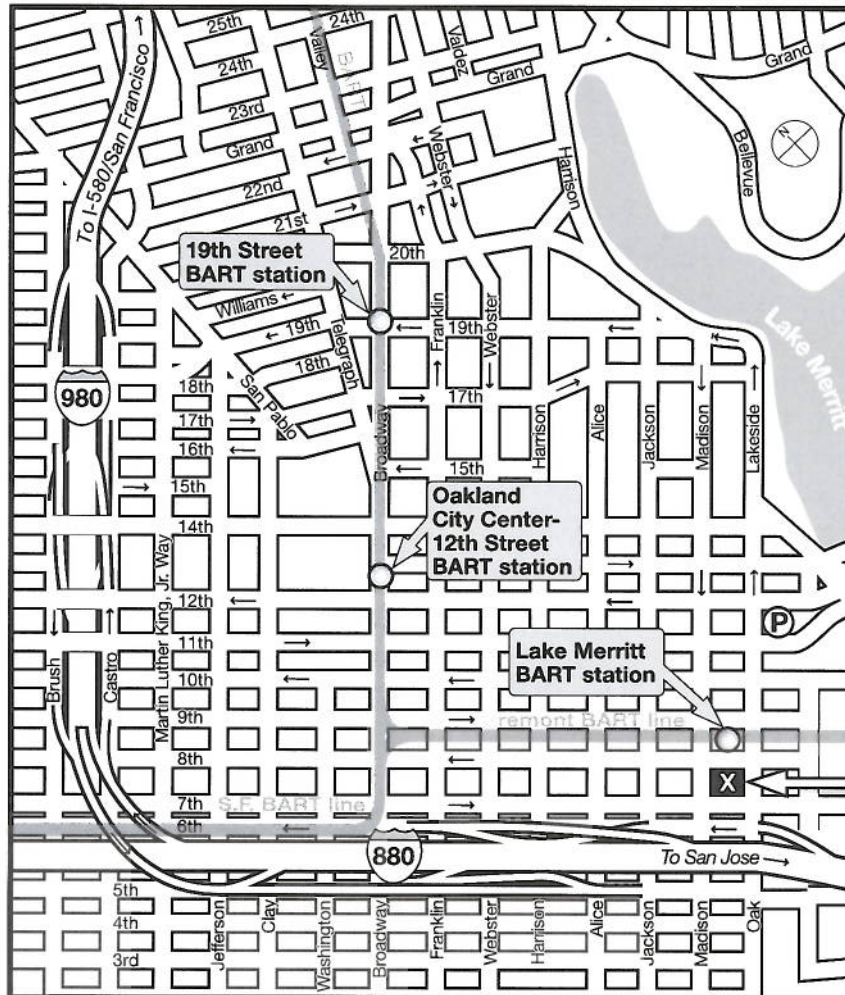
Asphalt Paving/Resurfacing/Rehabilitation

Don't miss your opportunity to show your products to prospective buyers. Please complete and bring copies of the attached Business Profile Form to distribute to the buyers.

RSVP is **not** required

Metropolitan Transportation Commission

Joseph P. Bort MetroCenter
101 Eighth Street, 3rd Floor
Oakland, CA 94607



- **BART**
Lake Merritt station

- **AC Transit**
11 from Piedmont or Montclair; 59 or 59A from Montclair; 62 from East or West Oakland; 88 from Berkeley.

- **Amtrak**
C.L. Dellums Station (2nd and Alice Streets)

- **Auto**
From the San Francisco Bay Bridge, take I-580 East, exit onto I-980 West, merge onto I-880 South, take the Jackson St. exit and go straight on 5th, left on Oak and left on 8th.

Travelling south on I-980, merge onto I-880 South, take the Jackson St. exit and go straight on 5th, left on Oak and left on 8th.

Travelling north on the Nimitz Freeway (I-880), take the Oak St. exit.

- **Parking**
Oakland Museum – 11th and Oak (underground parking, entrance on Oak between 11th and 12th). Metered parking is available on streets in the MetroCenter vicinity. Parking lot behind the MetroCenter is for BART patrons only.

- **From the Oakland Airport**
AIR BART shuttle from Oakland Airport to BART is near baggage claim, but outside terminal. Cost is \$3 (no change given). Take BART to Lake Merritt station.

For detailed transit directions, visit: www.511.org

Business Profile Form

Please complete this form and attach a business card, line card, brochure, and/or other marketing materials that describe your company's products and/or services and bring it with you to the Meet the Buyers Event to help inform Bay Area agencies and contractors about your business.

Name of Company: _____

Contact Person: _____

Address: _____

Phone: _____

E-mail: _____

My firm is a: ☐ Manufacturer ☐ Retailer ☐ Wholesaler

Check all that apply: ☐ DBE ☐ SBE ☐ WBE ☐ MBE ☐ LBE

Certified By (list all applicable certifying agencies):

Describe the major type(s) of product(s) or services your firm provides:

Suggestion: Make several copies of completed form and distribute to buyers.

Business Outreach Committee (BOC) Attachment B

Contracting Newsletter #28, Summer 2015

The goal of the BOC is to assist small and disadvantaged companies in doing business with Bay Area transportation agencies.

UPCOMING CONTRACTING OPPORTUNITIES (SELECTED AGENCIES):

ALAMEDA-CONTRA COSTA TRANSIT DISTRICT (AC TRANSIT)

Division 2 Transit Building Roof Replacement Construction	Issue Date*: July 2015	Est.\$: TBD
Division 6 Roof Replacement Construction	Issue Date*: July 2015	Est.\$: TBD
Division 3 Bid Package 1 – Fueling & Soils Remediation	Issue Date*: Aug 2015	Est.\$: TBD
Facilities Rehab, Construction, Division 3	Issue Date*: Aug 2015	Est.\$: TBD
Division 2 Storm Drain Construction	Issue Date*: Sept 2015	Est.\$: TBD
General Office Weatherization Construction	Issue Date*: Sept 2015	Est.\$: TBD
Bus Rapid Transit Bid Package 3	Issue Date*: Oct 2015	Est.\$: TBD

ALAMEDA COUNTY TRANSPORTATION COMMISSION (ACTC)

I-680 Northbound HOV/Express Lane Project	Issue Date*: July 2015	Est. \$: TBD
East Bay Greenway Maintenance: 75th Ave to 85th Ave, Oakland	Issue Date*: July 2015	Est. \$: TBD
Overall Monitoring Services	Issue Date*: Summer 2015	Est. \$: TBD

GOLDEN GATE BRIDGE, HIGHWAY & TRANSPORTATION DISTRICT (GGBHTD)

Golden Gate Bridge Physical Suicide Deterrent System & Wind Retrofit	Issue Date*: Summer 2015	Est.\$: 62M
Toll Plaza Administration Building Roof and HVAC Renovations	Issue Date*: Winter 2015	Est.\$: 1.75M
San Rafael Employee Parking Lot Improvements	Issue Date*: TBD	Est.\$: 1.5M
Bus Stop Shelter & Signage Improvements	Issue Date*: TBD	Est.\$: 500K
South Approach and Pier Security Improvements	Issue Date*: TBD	Est.\$: 4M
Sausalito Ferry Terminal Gangway & Pier Improvements, Construction	Issue Date*: TBD	Est.\$: 10M
San Francisco Ferry Terminal Gangway & Pier Improvements, Construction	Issue Date*: TBD	Est.\$: 20M

METROPOLITAN TRANSPORTATION COMMISSION (MTC)

375 Beale Street Mover Services RFP	Issue Date*: July 2015	Est. \$: TBD
Bridgeyard Building Seismic Retrofit	Issue Date*: TBD	Est. \$: TBD
I-880 Integrated Corridor Management (ICM)	Issue Date*: TBD	Est. \$: TBD
Transit Oriented Workforce Housing Assessment	Issue Date*: TBD	Est. \$: TBD

SAN FRANCISCO BAY FERRY (WETA)

Vessel Quarter Life Refurbishment (M/V Vallejo), RFP	Issue Date*: Aug 2015	Est. \$: TBD
Harbor Bay Ferry Terminal Piling Replacement, IFB	Issue Date*: Aug 2015	Est. \$: TBD
Vessel Midlife Refurbishment Phase 2 (M/V Peralta), RFP	Issue Date*: Aug 2015	Est. \$: TBD
Selective Catalyst Reduction (SCR) System Overhaul – 4 Vessels, RFP	Issue Date*: Aug 2015	Est. \$: TBD
Vessel Major Component Overhaul (M/V Intintoli), RFP	Issue Date*: Aug 2015	Est. \$: TBD
Vessel Construction Management Services (M/V Vallejo replacement, Richmond vessel), RFQ	Issue Date*: Aug 2015	Est. \$: TBD
Central Bay Operations & Maintenance Facility Construction, RFP	Issue Date*: Summer 2015	Est. \$: TBD
San Francisco Bay Ferry Ridership Database, RFP	Issue Date*: Summer 2015	Est. \$: TBD

SANTA CLARA VALLEY TRANSPORTATION AUTHORITY (VTA)

Bus Stop Pavement/Duckout Improvements	Issue Date*: Sept 2015	Est. \$: TBD
Capitol Expressway Pedestrian Connection to Eastridge	Issue Date*: Oct 2015	Est. \$: TBD
Pavement Management - North Yard	Issue Date*: Oct 2015	Est. \$: TBD
Younger Half-Grand and LRT Crossovers & Switches	Issue Date*: Nov 2015	Est. \$: TBD
Tasman Drive Sanitary Sewer	Issue Date*: Nov 2015	Est. \$: TBD
GFCI Switchgear Testing & Repair	Issue Date*: Nov 2015	Est. \$: TBD
Santa Clara Pedestrian Underpass Extension	Issue Date*: Dec 2015	Est. \$: TBD

ALL DATES SUBJECT TO CHANGE. PLEASE VISIT AGENCY WEBSITES FOR MORE INFORMATION.



UPCOMING EVENTS



“MEET THE PRIMES”

Friday, October 2nd, 2015

Napa County Transportation & Planning Agency (NCTPA)
625 Burnell Street, Napa, CA 94559



The Business Outreach will be hosting its annual “Meet the Primes” event. Businesses are encouraged to attend to connect with prime contractors and learn about upcoming projects and opportunities.

More information, including how to register for this event, will follow.

WHERE TO FIND CONTRACTING OPPORTUNITIES:

AC TRANSIT: http://www.actransit.org/purchasing/	NCTPA: http://www.nctpa.net/procurement-opportunities
ALAMEDA CTC: http://www.alamedactc.org/app_page_s/view/3999	SAMTRANS/CALTRAIN: http://procurement.samtrans.com
BART: http://www.bart.gov/about/business/p/rocurement/	SFMTA: http://sfgsa.org/index.aspx?page=4767
COUNTY CONNECTION: http://countyconnection.com/about/business-advertising/procurements/	SOLTRANS: http://www.soltransride.com/procurement
RIO VISTA: http://riovistacity.com	TJPA: http://transbaycenter.org/tjpa/doin-g-business-with-the-tjpa
GGBHTD: http://www.goldengate.org/contracts/	VTa: http://www.vta.org/procurement/solicitations/
MARIN TRANSIT: http://www.marintransit.org/purchasing.html	WETA: https://watertransit.org/contract_opp.aspx
MTC: http://procurements.mtc.ca.gov	WESTCAT: http://www.westcat.org

The BOC wants your help to make sure this newsletter brings you the information you want. Send suggestions and topics to improve newsletter content to:

Kristina Martinez, County Connection

kmartinez@countyconnection.com

AGENCY CONTACTS

AC Transit: Phillip McCants
Contracts Compliance Officer
(510) 577-8815 or pmccants@actransit.org

Alameda CTC: Seung Cho
Contracting, Administration, and Fiscal
Resource Manager
(510) 208-7472 or scho@alamedactc.org

BART: Ron Granada
Senior Civil Rights Officer
(510) 464-6103 or RGranad@bart.gov

County Connection: Kristina Martinez
Civil Rights Administrator
(925) 680-2031 or
vassallo@countyconnection.com

GGBHTD: Aretmise Davenport
DBE Program Analyst
(415) 257-4581 or
adavenport@goldengate.org

Marin Transit: Amy Van Doren
Director of Policy & Legislative Programs
(415) 226-0859 or
avandoren@marintransit.org

MTC: Denise Rodrigues
Contract Compliance Manager
(510) 817-5897 or drodri@mtc.ca.gov

NCTPA: Antonio Onorato
Manager of Finance, Grants, and
Administration
(707) 259-8779 or aonorato@nctpa.net

SamTrans/Caltrain: Elke Campbell
DBE Officer
(650) 508-7939 or
campbelle@samtrans.com

SFMTA: Sheila Evans Peguese
Contract Compliance Officer
(415) 701-4436 or
sheila.evans-pequese@sfmta.com

SolTrans: Gary Albright, Program Analyst II,
(707) 736-6986 or
gary@soltransride.com

TJPA: Eddie Phillips
Contract Compliance Officer
(415) 597-4041 or
EPhillips@TransbayCenter.org

VTa: Liz Brazil
DBE Program Manager
(408) 321-5874 or liz.brazil@vta.org

WETA: Lauren Gularte
Admin/Policy Analyst, (415) 364-3188 or
gularte@watertransit.org

WestCAT: Laura Calica
DBE Liaison Officer
(510) 724-3331 Ext. 113 or
laura@westcat.org



Professional Liaison

SAVE THE DATE: JULY 23, 2015

Enhancing the growth potential of small business

What: Caltrans District 4 Jt. Professional Liaison — Calmentor Program Quarterly Meeting

When: July 23, 2015, 1:00 p.m. to 3:00 p.m.

Where: Caltrans District 4 Office, 111 Grand Avenue, 15th Floor, Park View Room, Oakland.

Meeting Agenda

- ⇒ Caltrans District 4 Look Ahead:
 1. On-Call Hydraulic Engineering District Wide Contract
 2. On-Call Environmental Support Services- South Region
 3. On-Call Environmental Support Services – East Region
- ⇒ DPAC: Contracting Rules and Regulations Update
- ⇒ Local Public Agency Partner Updates
- ⇒ Firm 5-Minute Marketing Pitches
- ⇒ Informal Networking Session with Senior Public Transportation Agency Managers, Mentor Firms & Protégé Firms

The Joint Professional Liaison—Calmentor Program Quarterly Meeting facilitates networking opportunities with senior public transportation agency managers.

Register online today: <http://goo.gl/forms/mUhFLQyZXx>





OWNERS' NIGHT

Capital Program Updates

Confirmed Owners *as of June 20th*

CALTRANS
CALTRAIN
Contra Costa Transportation Authority
County of Alameda General Services
Metropolitan Transportation Commission
San Francisco Public Utilities Commission
San Francisco Public Works
State of CA - Dept. of Water Resources

Join us to learn about:

- Upcoming projects
- Opportunities for construction, engineering and professional services
- Small business opportunities

Gold Sponsors



OWNERS' NIGHT

Wednesday
July 15, 2015
5:30 - 8:00 pm

5:30 - 8:00 pm
Networking, Exhibits,
Light Buffet Dinner

Location:

Union Square Marriott
480 Sutter Street (at Powell)
San Francisco, CA

*Valet Parking available
BART / MUNI—Powell St. Station*

Cost:

\$65/person CMAA Members
\$85/person Non-Members

After July 10
\$105/person Non-members

**Pre Registration Required
Guarantee Admission**

On-line registration /
pay by credit card at
www.cmaanorcal.org

CMAA Northern California Chapter
Construction Management Association of America
www.cmaanorcal.org

Date: October 28, 2015
W.I.: 1150
Referred by: Administration

ABSTRACT

MTC Resolution No. 4203

This resolution adopts a Construction Project Small Business Enterprise (SBE) Program (“Program”) to assist SBE firms in participating in MTC’s contracts for locally funded formal construction projects. The Program is intended to provide economic opportunity for the residents and businesses, and stimulate economic development in the San Francisco Bay region.

Discussion of this action is contained in the Executive Director’s Memorandum to the Administration Committee, dated October 14, 2015.

Date: October 28, 2015
W.I.: 1150
Referred by: Administration

METROPOLITAN TRANSPORTATION COMMISSION
RESOLUTION NO. 4203

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

WHEREAS, MTC issues and oversees construction contracts from time to time; and

WHEREAS, MTC wishes to assist Small Business Enterprise (SBE) firms in participating in MTC's construction contracts, to provide economic opportunity for the residents and businesses, and stimulate economic development in the San Francisco Bay region; and

WHEREAS, providing assistance to SBE firms could increase competition for such contracts potentially allowing MTC to complete projects at a lower overall cost; and

WHEREAS, MTC has developed a Construction Project SBE Program ("Program") for its construction projects to assist SBE firms in participating in MTC's construction contracts; and

WHEREAS, the Program allows for a bid preference to be applied to locally funded construction projects when the requirements for participation are met; and

WHEREAS, the Program describes the monitoring and oversight requirements to ensure that SBE participation is achieved; now, therefore, be it further

RESOLVED, that MTC hereby adopts the Program described in Attachment A; and be it further

RESOLVED, that the Executive Director is hereby authorized to revise Attachment A as may be required from time to time due to changes in law, regulation or procedures relating to the

Program and to take such actions as may be necessary or appropriate to implement the Program;
and be it further

RESOLVED, that this Resolution shall take effect from and after its adoption.

METROPOLITAN TRANSPORTATION COMMISSION

Dave Cortese, Chair

The above resolution was entered into by
MTC at a regular meeting of the Commission
held in Oakland, California, on October 28,
2015.

Date: October 28, 2015
W.I.: 1150
Referred by: Administration

Attachment A
MTC Resolution No. 4203



METROPOLITAN
TRANSPORTATION
COMMISSION

Metropolitan Transportation Commission

Construction Project Small Business Enterprise (SBE) Program

Table of Contents

OBJECTIVES/POLICY STATEMENT	1
SUBPART A – GENERAL REQUIREMENTS.....	2
A.1 Objectives	2
A.2 Applicability	2
A.3 Definitions.....	2
SUBPART B - ADMINISTRATIVE REQUIREMENTS.....	5
B.1 Program Updates.....	5
B.2 SBELO and Program Implementation	5
B.3 Certification Standards and SBE Directory	5
B.4 Record Keeping Requirements	6
B.5 Public Outreach.....	6
SUBPART C – BID PREFERENCE AND SBE PARTICIPATION.....	7
C.1 Bid Preference.....	7
C.2 Maintaining Participation.....	7
C.3 Substitution of Listed Subcontractors	7
C.4 Joint Venture Agreements.....	8
C.5 Counting SBE Participation.....	9
SUBPART D – COMPLIANCE AND ENFORCEMENT.....	10
D.1 Monitoring	10
D.2 SBE Utilization Report	10
D.3 Program Enforcement	11

OBJECTIVES/POLICY STATEMENT

In order to provide economic opportunity for the residents and businesses, and stimulate economic development in the San Francisco Bay Area Region, the Metropolitan Transportation Commission (MTC) has established a Construction Project Small Business Enterprise (SBE) Program (“Program”) for its construction contracts to assist SBE firms in participating in MTC’s construction contracts. This Program is aimed at using the power of the public purse to stimulate economic development.

The objectives of the Program include:

1. To increase the number of certified SBEs participating in non-federally funded construction contracts;
2. To increase overall competition on non-federally-funded construction contracts potentially allowing for the completion of projects at a lower overall cost;
3. To create a level playing field on which SBEs can compete fairly on non-federally funded construction contracts;
4. To confirm that only firms (prime or subcontractor) certified by the State of California as SBEs per the requirements listed at <http://www.dgs.ca.gov/pd/Programs/OSDS/SBEligibilityBenefits.aspx> are eligible for the bid preference allowed under the Program; and
5. To help remove barriers to the participation of SBEs in non-federally funded construction contracts.

Mamie Lai, Director of Administrative Services Section (ADS), has been designated as the SBE Liaison Officer (SBELO). In that capacity, Mamie Lai is responsible for implementing all aspects of the Program.

SUBPART A – GENERAL REQUIREMENTS

A.1 Objectives

The objectives are found in the policy statement on the first page of this Program.

A.2 Applicability

MTC is a recipient of state and local funds. As a condition of this assistance, and in compliance with Proposition 209, MTC shall implement this Program without consideration of race, sex, or ethnicity. This Program sets forth the policies and procedures to be implemented by MTC to confirm that all small businesses have the maximum opportunity to participate in MTC non-federally funded construction contracts.

When a non-federally funded construction contract is awarded to a Contractor based on the bid preference described in C.1 of this Program, the Contractor must adhere to all the requirements included in this Program.

This Program applies solely to non-federally funded construction contracts with a budget in excess of \$25,000. This Program does not apply to construction contracts with a budget of \$25,000 or less or to contracts with federal funding.

A.3 Definitions

MTC adopts the following definitions listed below for this Program:

1st Tier Subcontractor – A subcontractor to a Contractor.

ADS – Administrative Services Section.

Bid – The offer of the bidder for the construction project when completed and submitted in response to an IFB on the prescribed bid form.

Bid Preference – The application of a percentage discount to the total amount of a bid submitted by a Bidder for a Contract solely for the purpose of bid comparisons when determining the lowest and best bid, or lowest responsible bid. The use of a bid preference for bid comparison does not alter the total amount of the bid submitted by a bidder or the contract executed based on a bid.

Business Suppliers – An individual or business entity that makes available a certain commodity for meeting demand or for purchase at a given price.

Commercially Useful Function (CUF) – A SBE performs a commercially useful function when it is responsible for the execution of the work of the contract and is carrying out its responsibilities by actually performing, managing, and supervising the work involved. A SBE

does not perform a CUF if it does not perform or exercise responsibility for at least 60 percent of the total cost of its contract than would be expected on the basis of normal industry practice for the type of work involved. If, in MTC's judgment, the SBE does not perform a CUF in the transaction, no bid preference will be awarded.

Community Based Organization (CBO) – A non-government agency created to provide training, employment or community assistance.

Contractor/Vendor – The individual, partnership, corporation, joint venture or other legal entity entering into a contractual agreement with MTC.

Invitation for Bid (IFB) – Invitation for Bid issued by MTC for construction services.

Manufacturer – A firm that operates or maintains a factory or establishment that produces on the premises the materials or supplies purchased.

MTC - Metropolitan Transportation Commission.

Monitoring – The system established to measure compliance with the Program.

Post Award – The meeting held between MTC and Contractors after the award of a construction project and before the issuance of a notice to proceed. Post award meetings occur at the request of either MTC or Contractor.

Program – The MTC Construction Project SBE Program.

Public works contract – As further defined in California Public Contract Code Section 22002, public works generally includes such work as construction, reconstruction, erection, alteration, renovation, improvement, and repair including painting and repainting of publicly-owned property. It does not include maintenance work such as routine or recurring work for protection or preservation, minor painting, or landscape maintenance.

Small Business Enterprise (SBE) – Firms certified by the State of California as SBEs per the requirements listed at <http://www.dgs.ca.gov/pd/Programs/OSDS/SBEligibilityBenefits.aspx>.

SBE Directory – The list of firms certified by the State of California which is used by MTC and its Contractors to identify SBE potential contractors and subcontractors and suppliers. The SBE directory can be accessed at the website link at <http://www.bidsync.com/DPXBisCASB>.

SBELO – Small Business Enterprise Liaison Officer.

Subcontractor - The individual, partnership, corporation or other legal entity that contracts to perform part of or all of the obligations of another's contract.

Subrecipient – Any agency that receives funds from MTC via statute, an interagency,

cooperative or funding agreement.

Web-based Diversity Tracking System - The diversity software provided by MTC to Contractors accessible from any internet browser on any platform or operating system.

SUBPART B - ADMINISTRATIVE REQUIREMENTS

B.1 Program Updates

The SBELO or designee will provide the Administration Committee with updates representing significant changes in the Program.

B.2 SBELO and Program Implementation

MTC has designated the following individual as its SBE Liaison Officer (SBELO):

Mamie Lai, Director of Administrative Services Section
Metropolitan Transportation Commission
101 8th Street, Oakland, CA 94607
Phone: (510) 817-5860, Email: mlai@mtc.ca.gov

In that capacity, the SBELO is responsible for implementing all aspects of the Program and ensuring that MTC complies with all provisions of the Program. The SBELO has direct, independent access to the Executive Director concerning Program matters.

The SBELO is responsible for developing, implementing and monitoring the SBE program, in coordination with other appropriate officials. The SBELO has staff to assist in the administration of the Program. The duties and responsibilities include the following:

1. Gathers and reports statistical data and other information as required.
2. Reviews third party contracts and purchase requisitions for compliance with the Program.
3. Works with ADS staff to determine if a Contractor has achieved the requirements for the bid preference.
4. Confirms that bid notices and Invitation for Bid are available to SBEs in a timely manner.
5. Identifies contracts and procurements so that SBE preferences are included in construction projects.
6. Analyzes MTC's progress toward SBE attainment and identifies ways to improve progress.
7. Participates in pre-bid meetings.
8. Advise the Executive Director and/or MTC Commissioners on SBE matters and achievement.
9. Provides outreach to SBEs and community based organizations to advise them of opportunities and technical assistance to SBEs to assist in bid preparation and obtaining bonding and insurance.

B.3 Certification Standards and SBE Directory

MTC does not administer a SBE certification program. Only firms (prime or subcontractor) that are certified by the State of California as SBEs per the requirements listed at <http://www.dgs.ca.gov/pd/Programs/OSDS/SBEligibilityBenefits.aspx> are eligible for the

bid preference allowed under the Program.

The State of California SBE Directory can be accessed at <http://www.bidsync.com/DPXBisCASB>.

B.4 Record Keeping Requirements

When a non-federally funded construction contract is awarded to a Contractor based on the bid preference listed in Subpart C, Section C.1 of this Program, ADS will monitor the contract as per Subpart D, to confirm that the Contractors are in compliance with the requirements of the Program. ADS staff will report SBE participation to the Administration Committee via reports generated from the web-based diversity tracking system.

MTC will require Contractors to maintain records and documents of payments to all subcontractors (SBEs and non-SBEs) for four years following the completion of the contract. MTC will perform interim reviews of contract payments to SBEs. Payments to SBE subcontractors will be reviewed to verify that the actual amount paid to SBE subcontractors equals or exceeds the dollar amounts stated in the schedule of SBE participation included in the contract.

B.5 Public Outreach

MTC will participate in outreach events with other San Francisco Bay Area transportation agencies and community based organizations to leverage its efforts to assist SBE firms. MTC will also participate in Caltrans' CalMentor Protégé Program for small business development.

SUBPART C – BID PREFERENCE AND SBE PARTICIPATION

C.1 Bid Preference

MTC will allow a bid preference applied as a percentage discount to the total amount of a bid submitted by a Bidder for a contract solely for the purpose of bid comparisons when determining the lowest and best bid, or lowest responsible bid. The use of a bid preference for bid comparison does not alter the total amount of the bid submitted by a bidder or the contract executed based on a bid. The bid preference will be applied to all locally-funded construction contracts with a budget in excess of \$25,000, based on the level of participation proposed prior to the award of a contract. Bid preferences will be applied as follows after MTC verifies responsiveness requirements have been met:

- A discount of five percent (5%) to the total amount bid, when the bidder meeting specifications is a certified SBE and is performing at least forty percent (40%) of the work, **or**
- A discount of five percent (5%) to the total amount bid, when the bidder is a non-SBE prime Contractor that commits to subcontract with SBE firms for at least forty percent (40%) of the work in its bid submittal.

ADS staff will monitor MTC's Program to confirm that the Contractors are in compliance with the requirements the Program. The report of SBE awards, commitments and payments will be generated from the web-based diversity tracking system.

C.2 Maintaining Participation

Once a project begins, it is important to achieve and maintain the participation that allowed the bid preference. Prime Contractors must maintain the SBE percentages indicated in the bid documents at the time of bid submittal throughout the term of the contract.

If MTC modifies the original scope of work, the Contractor must make reasonable efforts to maintain the SBE participation for the bid preference. In the event of change orders, ADS staff may use their discretion to allow adjustments to SBE percentages for the change order portion of the work. Upon request, MTC staff will help firms to determine methods of maintaining percentages.

Should the prime Contractor fail to maintain the SBE participation listed at the time of bid submittal, MTC reserves the right to enforce Contractors' compliance with this Program through one or more of the remedies included in Section D.3 of this Program.

C.3 Substitution of Listed Subcontractors

Substitution of listed subcontractors shall be in accordance with Public Contracts Code Section 4107. In addition, the SBELO must concur in any decision to permit substitution of a SBE subcontractor(s) when the award was made on the basis of the bid preference listed in Section C.1 above.

C.4 Joint Venture Agreements

A business that is bidding or competing for MTC contracts may associate with a certified SBE business to compete for contracts as a joint venture. A joint venture should be between two entities with the same discipline or license as required by MTC. Joint ventures receive a bid preference depending upon the SBE percentage of participation as set forth in Section C.1 of Subpart C, Bid Preference and SBE Participation. The parties must agree to enter into the relationship for at least the term of the project.

Basic Elements of the Joint Venture Agreement

A Joint Venture must submit a Joint Venture Management Plan and/or a Joint Venture Agreement in their bid. Each agreement or management plan must include, but is not limited to the following:

- Detailed explanation of the financial contribution of each partner;
- List of the personnel and equipment used by each partner;
- Detailed breakdown of the responsibilities of each partner;
- Explanation of how the profits and losses will be distributed;
- Description of the bonding capacity of each partner; and
- Management or incentive fees available for any one of the partners (if any).

Commercially Useful Functions (CUF) Performed by Joint Venture Partners

Each JV partner must perform a “commercially useful function” as that term is defined herein. A SBE that relies on the resources and personnel of a non-SBE firm will not be deemed to perform a CUF.

Joint Venture License Requirements

Each joint venture partner must possess licenses appropriate for the discipline for which a bid is being submitted. If a joint venture is bidding on a single trade project, at the time of bid submittal, each of the joint venture partners must hold a Joint Venture License and possess the requisite specialty license for that trade bid.

Delineation of Joint Venture Work

The SBE partner must clearly define the portion of the work to be performed during the project. This work must be of the similar type of work the SBE partner performs in the normal course of its business. The Joint Venture Participation Form must specify the project bid items to be performed by each individual joint venture partner. Lump sum joint venture participation is not acceptable.

Responsibilities of the SBE Joint Venture Partners

The SBE partner must share in the ownership, control, management responsibilities, risks, and profits of the joint venture in proportion with level of participation in the project; the SBE partner must perform work that is commensurate with its experience. The SBE partner

must use its own employees and equipment to perform its portion of the project. Only the portion of the total dollar value of the contract equal to the distinct, clearly-defined portion of the work of the contract that the SBE performs with its own forces will be counted toward SBE participation

Application of Bid Discounts for Joint Venture Agreements

To be eligible for a bid discount, at the time of bid submittal, each joint venture partner must each have the license that is appropriate for the project as required in the contract document of the contract award authority. Unless permission is granted by the SBELO or designee for good cause shown, based on sudden and unexpected necessity, the following actions are not permitted: i) the non-SBE partner performing work for the SBE partner; ii) leasing of equipment or property by the SBE partner from the non-SBE partner; and iii) the hiring of the non-SBE partner's employees by the SBE partner.

Other Joint Venture Conditions

The SBELO or a designee must first approve the SBE Joint Venture Agreement/Management Plan before the joint venture is eligible for a bid preference. Any changes must also receive the prior approval of the SBELO or designee. In addition to any other information required by conditions specified herein, each SBE joint venture must provide upon request, cancelled checks and any other financial records to MTC.

C.5 Counting SBE Participation

SBEs may perform as Contractors, or 1st tier subcontractors. Only the value of the work to be performed by the SBE, including materials and supplies, will be counted toward SBE participation.

A SBE must perform a commercially useful function, i.e., must be responsible for the execution of a distinct element of the work and must carry out its responsibility by actually performing, managing and supervising the work. If a SBE 1st Tier Subcontractor does not perform or exercise responsibility for at least sixty percent (60%) of the total cost of its contract with its own work force, or if the SBE subcontracts a greater portion of work of a contract than would be expected on the basis of normal industry practice, then it will be presumed that the SBE is not performing a CUF.

Credit for a SBE vendor of materials or supplies is limited to sixty percent (60%) of the amount to be paid to the vendor for the materials or supplies unless the vendor manufactures or substantially alters the goods. Credit for SBE brokers is limited to only the fees and commissions portion of the amount paid. All other firms receive 100% credit, less work subcontracted by the SBE to non-SBE firms.

During the term of a contract, work performed by SBE firms whose certification has expired will continue to be counted toward the SBE participation.

SUBPART D – COMPLIANCE AND ENFORCEMENT

D.1 Monitoring

When a contract is awarded to a Contractor based on the bid preference listed in Subpart C, Section C.1 of this Program, ADS will monitor the contract as per Subpart D, to confirm that the Contractors are in compliance with the requirements of the Program. ADS staff will report SBE participation to the appropriate MTC Administration Committee via reports generated from the web-based diversity tracking system.

MTC will require Contractors to maintain records and documents of payments to all subcontractors (SBEs and non-SBEs) for four years following the performance of the contract. MTC will perform interim reviews of contract payments to SBEs. Payments to SBE subcontractors will be reviewed to verify that the actual amount paid to SBE subcontractors equals or exceeds the dollar amounts stated in the schedule of SBE participation included in the contract.

Subrecipients may be required to submit verification of the SBE Program adopted for non-federal funds allocated construction projects and provide annual reports of SBE utilization on construction projects achieved under the adopted program.

MTC has implemented the following monitoring mechanisms to monitor Contractor compliance with Program requirements:

1. The SBELO or designee will verify that work committed to SBEs at contract award is actually performed by the SBEs.
2. The SBELO or designee will keep a running tally of actual payments to SBE firms for work committed to them at the time of contract award with the use of MTC's web-based diversity tracking system.

For public works projects valued over \$1,000.00, the State's Labor Code requires Contractors to pay their employees in accordance with general prevailing wages. The prime Contractor and all subcontractors including truckers and owner/operators are required to submit certified payroll records in accordance with Labor Code section 1776 upon request from MTC. Failure to submit certified payroll records could result in withholding of progress payment(s).

Upon request, Contractors will provide MTC with executed copies of its subcontractor agreements to verify dollar amounts stated for all SBEs.

D.2 SBE Utilization Report

Contractors are required to submit monthly SBE Utilization Reports electronically to MTC ADS. These monthly reports shall be submitted electronically and the Contractor will document the dollar value of payments to SBE firms and the percentage of the contract completed. MTC will monitor the contract for compliance with SBE

requirements.

This system is web-based, accessible from any computer via the internet. Each Contractor and subcontractor will receive an email providing them with Log On identification, and a temporary password and instructions on how to use the system. Training will also be provided upon request. Contractor will include this requirement in all of its subcontracts and purchase orders when required to provide or verify SBE utilization documentation.

If the SBE Utilization Reports indicate potential problems, such as a failure to comply with the contract SBE participation, the Contractor shall meet with the MTC SBELO or designee to address any deficiencies and discuss appropriate corrective actions. When the Contract completion reaches 50% and the SBE participation completed is less than 50%, a detailed report of the reasons why must be submitted to MTC stating a plan to reach the SBE participation by Contract completion.

Prior to final payment, Contractor will be required to submit a final SBE Utilization Report by selecting the "Final Audit" reporting designation within the web-based diversity tracking system. In addition to payments to the SBEs, the final report must include payments to and other information about all other businesses, including non-SBE subcontractors, suppliers of materials and others.

D.3 Program Enforcement

MTC has available several remedies to enforce compliance of the Program requirements contained in its contracts, including, but not limited to, the following:

1. Breach of contract action, pursuant to the terms of the IFB and contract.
2. Assessment of a penalty of up to one and one half times the amount that should have been awarded to SBE(s).
3. Termination of Contractor's performance of work under the contract.
4. Any other remedy available to MTC in the contract or the relevant IFB.



Metropolitan Transportation Commission

101 Eighth Street,
Joseph P. Bort MetroCenter
Oakland, CA

Legislation Details (With Text)

File #: 15-0896 **Version:** 1 **Name:**
Type: Resolution **Status:** Consent
File created: 9/15/2015 **In control:** Programming and Allocations Committee
On agenda: 10/28/2015 **Final action:** 10/28/2015
Title: Revision to FY2015-16 Regional Measure 2 (RM2) Operating Program to add new projects. MTC Resolution 4185, Revised.

Sponsors:

Indexes:

Code sections:

Attachments: [6c Reso-4185 RM2 Revisions](#)

Date	Ver.	Action By	Action	Result
10/14/2015	1	Programming and Allocations Committee		

Subject:

Revision to FY2015-16 Regional Measure 2 (RM2) Operating Program to add new projects. MTC Resolution 4185, Revised.

Presenter:

Cheryl Chi

Recommended Action:

Commission Approval

Metropolitan Transportation Commission Programming and Allocations Committee

October 14, 2015

Resolution No. 4185, Revised

Subject: Revision to FY2015-16 Regional Measure 2 (RM2) Operating Program to add new projects.

Background: In May 2015, the Commission approved \$1.8 million in additional funding for the RM2 Operating Program. Projects and sponsors have been identified for most of the additional programming. Staff plans to return later this year to recommend a project for the added funding (\$177,000) in the Owl Service category. The projects proposed with the additional funding are summarized below.

Sponsor	Amount
Golden Gate Transit	\$ 277,800
NCTPA	\$ 36,400
Fairfield	\$ 217,000
Soltrans	\$ 100,000
Solano TA	\$ 250,500
WestCat	\$ 601,600
Total	\$ 1,483,300

Golden Gate Transit (GGT) will consolidate Routes 40 and 42 into one route with increased peak period service. GGT anticipates that improved service can be provided through consolidation at a lower cost. GGT will pilot service between Emeryville/Berkeley, and San Rafael (Route 580). Service between these communities was recommended as part of the Transit Sustainability Project (TSP).

Napa County Transportation and Planning Agency (NCTPA) will use the funding to continue support of existing service.

In Solano, four routes will see expanded service. Additionally, the funds will support county-wide planning and outreach.

- Fairfield and Suisun Transit (FAST) will increase mid-day service on Route 40 (Vacaville/Fairfield to Pleasant Hill and Walnut Creek BART), and to add Sunday service on Route 90 (Fairfield to El Cerrito del Norte BART).
- Solano County Transit (SolTrans) will increase weekday service and add Sunday service on Route 78 (Vallejo/Benicia to Pleasant Hill and Walnut Creek BART), and increase Sunday service to 30 minute headways on Route 80 (Vallejo to El Cerrito del Norte BART).
- Solano Transportation Authority (Solano TA) proposes to overhaul intercity bus service provided by the county. RM2 funds will be used for the implementation costs associated with the service increases listed above and will also be used to supplement Phase 2

of their Express Bus Service Planning including a Transit Corridor Study, public outreach and review, marketing, and the development of a Phase 2 Service Implementation Plan. Expansion services by FAST and Soltrans are consistent with the Phase 1 plan.

Given that the proposed service increases will not span the entire 2015-16 fiscal year, \$170,500 of the funding approved for additional service in the Express Bus North category will be held in reserve.

Western Contra Costa Transit Authority (WestCat) will add 20% more service on the LYNX (service from Hercules to San Francisco) by the end of the year, and 40% more service by the end of next year. Planning work and surveys found that existing and prospective riders wanted more service on the LYNX rather than an additional route. RM2 funds will be used for planning, service start-up costs, operations, and Clipper® updates.

In addition, \$200,000 RM2 Marketing funds were previously approved to support marketing and outreach for RM2 funded services. Staff recommends that \$100,000 of this be programmed to Golden Gate to support marketing of their RM2 funded routes and \$30,000 be programmed to WestCat to publicize its added service.

Issues: None

Recommendation: Refer MTC Resolution No. 4185, Revised to the Commission for approval.

Attachments: MTC Resolution No. 4185, Revised

Date: May 27, 2015
W.I.: 1255
Referred by: PAC
Revised: 10/28/15-C

ABSTRACT

Resolution No. 4185, Revised

This resolution adopts the Regional Measure 2 (RM2) Operating Assistance Program for FY2015-16.

This resolution was revised on October 28, 2015 to revise the program of projects and identify projects and sponsors for funds added starting in FY2015-16.

Further discussion of this action is contained in the Programming and Allocations Committee Summary Sheets dated May 13, 2015 and October 14, 2015.

Date: May 27, 2015
W.I.: 1255
Referred by: PAC

RE: Adoption of FY2015-16 RM2 Operating Assistance Program

METROPOLITAN TRANSPORTATION COMMISSION
RESOLUTION NO. 4185

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

WHEREAS, Streets and Highways Code Sections 30950 *et seq.* created the Bay Area Toll Authority (“BATA”), which is a public instrumentality governed by the same board as that governing MTC; and

WHEREAS, on March 2, 2004, voters approved Regional Measure 2, which increased the toll for all vehicles on the nine State-owned toll bridges in the San Francisco Bay Area by \$1.00, with this extra dollar funding various transportation projects within the region that have been determined to reduce congestion or to make improvements to travel in the toll bridge corridors, as identified in SB 916 (Chapter 715, Statutes of 2004), commonly referred as Regional Measure 2 (“RM2”); and

WHEREAS, RM2 establishes the Regional Traffic Relief Plan and identifies specific projects eligible to receive RM2 funding for operating assistance as identified in Sections 30914(d)(3) & (4) of the California Streets and Highways Code; and

WHEREAS, BATA shall fund the projects of the Regional Traffic Relief Plan by bonding or transfers to MTC; and

WHEREAS, RM2 assigns administrative duties and responsibilities for the implementation of the Regional Traffic Relief Plan to MTC; and

WHEREAS, MTC has developed guidelines for the programming and use of the RM2 funds for operating support of transit projects, and

WHEREAS, these guidelines state that MTC will adopt a project specific budget for RM2 operating funds prior to the beginning of each fiscal year, now, therefore be it

RESOLVED, that MTC adopts a program that establishes RM2 operating subsidy amounts for FY2015-16, as outlined in Attachment A and incorporated herewith as though set forth at length.

METROPOLITAN TRANSPORTATION COMMISSION



Dave Cortese, Chair

The above resolution was entered into by the Metropolitan Transportation Commission at a regular meeting of the Commission held in Oakland, California on May 27, 2015.

FY 2015-16 RM-2 Operating Assistance Program -- Streets and Highways Code 30914(d)

Project #	Project Name	Sponsor	Route	Programmed (1,2)	Notes
1	Richmond Bridge Express Bus	Golden Gate Transit	Route 40/42	2,175,863	
		Golden Gate Transit	Route 580	265,862	
		Golden Gate Transit	Start-up Costs	32,000	
			Total	2,473,725	
2	Napa VINE Service	NCTPA	Vallejo Intermodal Express Bus	390,000	
		NCTPA	Vallejo Intermodal Express Bus	36,400	
			Total	426,400	
3	Express Bus North	SolTrans	Route 78	510,226	
		SolTrans	Route 80	511,873	
		SolTrans	Route 85	201,741	
		ECCTA	Route 300	531,835	
		Fairfield/Suisun Transit	Route 40	184,072	
		Fairfield/Suisun Transit	Route 90	526,963	
		Golden Gate Transit	Route 72x	101,264	
		Golden Gate Transit	Route 101	195,339	
		WestCat	Route JPX	249,294	
		Solano TA	Express Bus Planning	130,500	
		Solano TA	New Service Start-up and Marketing	120,000	
		Fairfield/Suisun Transit	Route 40 Added Service	144,000	
		SolTrans	Route 78 Added Service	60,000	
		SolTrans	Route 80 Added Service	40,000	
		Fairfield/Suisun Transit	Route 90 Added Service	73,000	
		TBD	TBD	170,500	
			Total	3,750,608	
4	Express Bus South (3)	AC Transit	Route F	890,865	
		AC Transit	Route LA	146,761	
		AC Transit	Route NL/BA	2,678,379	
		AC Transit	Route NX1	91,779	
		AC Transit	Route NX2	88,191	
		AC Transit	Route O	779,077	
		AC Transit	Route P	385,034	
		AC Transit	Route U - Dumbarton Corridor	311,238	
		AC Transit	Route W	56,580	
		CCCTA	Route 96X	145,339	
		WestCat	Hercules LYNX/JX	317,950	
		WestCat	LYNX Added Service	386,110	
		WestCat	New Service Planning	45,000	
		WestCat	New Service Start-up	170,490	
			Total	6,492,793	
5	Dumbarton Bus	AC Transit	Routes DB	1,382,828	
			Route DB1	1,284,148	
			Total	2,666,976	
6	Ferry Service	WETA	Alameda Harbor Bay	1,114,450	
		WETA	Alameda/Oakland	4,004,500	
		WETA	Vallejo	7,293,850	
		WETA	South San Francisco	2,887,200	
			Total	15,300,000	
7	Owl Service	AC Transit	Route 800	665,771	
		AC Transit	Route 801	667,852	
		MUNI	Route 14	187,501	
		SamTrans	Route 397	305,876	
		TBD		177,000	
			Total	2,004,000	

8	MUNI Metro 3rd Street	SF MUNI	Metro 3rd Street extension	2,500,000
9	AC Transit Rapid Bus Corridor	AC Transit	Enhanced Bus Service in the Berkeley/Oakland/San Leandro Corridor	3,000,000
11	WETA planning	WETA	Planning and operations	3,000,000
Grand Total				41,614,502

RM2 Marketing Assistance Program (4)

Project Name	Operator	Description	Programmed (4)	Notes
Clipper®	MTC	Public Information and Marketing	2,825,000	
511 Real Time Transit	MTC	Public Information and Marketing	200,000	
Marketing new services	TBD	Marketing new service	70,000	
	Golden Gate Transit	Marketing new and revised service	100,000	
	WestCat	Marketing expanded service	30,000	
Grand Total				3,225,000

- Notes:
1. The amounts listed reflect the RM-2 base subsidy, with certain projects subject to a 1.5% annual escalation rate through FY2015-16. Escalation was suspended starting in FY2008-09 until BATA RM2 receipts surpass the amounts budgeted to fund the legislative operating projects. Escalation was restored in FY2015-16 for eligible projects.
 2. Amounts shown are subject to approval of the FY 2015-16 BATA Budget.
 3. \$580,836 in funding for LAVTA's Rapid service is held in reserve pending adoption by their board of their Comprehensive Operational Analysis and approval of service changes for the route.
 4. Marketing assistance programs are funded with RM2 toll revenue receipts pursuant to Streets and Highways Code 30914(f) and are outside of the 38% limit on operating funding as described in Streets and Highways Code 30914(d).



Metropolitan Transportation Commission

101 Eighth Street,
Joseph P. Bort MetroCenter
Oakland, CA

Legislation Details (With Text)

File #: 15-0897 **Version:** 1 **Name:**

Type: Resolution **Status:** Consent

File created: 9/15/2015 **In control:** Programming and Allocations Committee

On agenda: 10/28/2015 **Final action:** 10/28/2015

Title: Revisions to the Surface Transportation Program/Congestion Mitigation and Air Quality Improvement (STP/CMAQ) One Bay Area Grant (OBAG) Program. MTC Resolution No. 4035, Revised.

Sponsors:

Indexes:

Code sections:

Attachments: [6d Reso-4035 STP-CMAQ OBAG Revisions](#)

Date	Ver.	Action By	Action	Result
10/14/2015	1	Programming and Allocations Committee		

Subject:
Revisions to the Surface Transportation Program/Congestion Mitigation and Air Quality Improvement (STP/CMAQ) One Bay Area Grant (OBAG) Program. MTC Resolution No. 4035, Revised.

Presenter:
Adam Crenshaw

Recommended Action:
Commission Approval

Metropolitan Transportation Commission Programming and Allocations Committee

October 14, 2015

MTC Resolution No. 4035, Revised

Subject:	Revision to the Surface Transportation Program/Congestion Mitigation and Air Quality Improvement (STP/CMAQ) One Bay Area Grant (OBAG) Program.
Background:	<p>The OBAG Program adopted by the Commission establishes commitments and policies for investing Surface Transportation Program (STP), Congestion Mitigation and Air Quality Improvement (CMAQ) and Regional Transportation Improvement Program (RTIP) funds for regional and local programs through FY2016-17.</p> <p>This month, staff recommends the following changes:</p> <ul style="list-style-type: none">• OBAG County Program: The Solano Transportation Authority (STA) requests the reprogramming of \$350,000 from Vacaville's Ulatis Creek Bicycle/Pedestrian Path and Streetscape project to Vallejo's Downtown Streetscape – Phases 3 and 4 project as Vacaville determined through their environmental process that the project will not move forward as a federal project.• TPI Investment Program: Staff recommends a revision to a previously approved Transit Performance Initiative (TPI) Incentive project for Marin Transit. Marin Transit originally proposed the programming of \$122,249 in TPI funding to the Low Income Youth Pass Program. To meet fund source requirements for STP/CMAQ, this funding was assigned to Marin Transit's Preventive Maintenance Program and Marin Transit redirected an equal amount of local funding to the Low Income Youth Pass Program. Marin Transit has now proposed reassigning the TPI funding from the Preventive Maintenance Program to the preliminary engineering phase of their Relocate Transit Maintenance Facility project as currently only the planning activities for this project are included in Plan Bay Area. The local funding for the Marin Transit Low Income Youth Pass remains the same.
Issues:	None
Recommendation:	Refer MTC Resolution No. 4035, Revised to the Commission for approval.
Attachments:	MTC Resolution No. 4035, Revised, Attachments B-1 and B-2

Date: May 17, 2012
W.I.: 1512
Referred by: Planning
Revised: 10/24/12-C 11/28/12-C 12/19/12-C
01/23/13-C 02/27/13-C 05/22/13-C
09/25/13-C 11/20/13-C 12/18/13-C
01/22/14-C 02/26/14-C 03/26/14-C
04/23/14-C 05/28/14-C 06/25/14-C
07/23/14-C 09/24/14-C 12/17/14-C
03/25/15-C 05/27/15-C 06/24/15-C
07/22/15-C 09/23/15-C 10/28/15-C

ABSTRACT

Resolution No. 4035, Revised

This resolution adopts the Project Selection Policies and Programming for federal Surface Transportation Authorization Act following the Safe, Accountable, Flexible and Efficient Transportation Equity Act (SAFETEA), and any extensions of SAFETEA in the interim. The Project Selection Policies contain the project categories that are to be funded with various fund sources including federal surface transportation act funding available to MTC for its programming discretion to be included in the federal Transportation Improvement Program (TIP).

The resolution includes the following attachments:

- Attachment A – Project Selection Policies
- Attachment B-1 – Regional Program Project List
- Attachment B-2 – OneBayArea Grant (OBAG) Project List

Attachment A (page 13) was revised on October 24, 2012 to update the PDA Investment & Growth Strategy (Appendix A-6) and to update county OBAG fund distributions using the most current RHNA data (Appendix A-1 and Appendix A-4). The Commission also directed \$20 million of the \$40 million in the regional PDA Implementation program to eight CMAs and the San Francisco Planning Department for local PDA planning implementation. Attachment B-1 and B-2 were revised to add new projects selected by the Solano Transportation Authority and Santa Clara Valley Transportation Authority and to add projects under the Freeway Performance Initiative and to reflect the redirection of the \$20 million in PDA planning implementation funds.

Attachment A (pages 8, 9 and 13) was revised on November 28, 2012 to confirm and clarify the actions on October 24, 2012 with respect to the County PDA Planning Program.

ABSTRACT

MTC Resolution No. 4035, Revised

Page 2

Attachment A (page 12) was revised on December 19, 2012 to provide an extension for the Complete Streets policy requirement. Attachments B-1 and B-2 were revised to add new projects selected by the Solano Transportation Authority, Sonoma County Transportation Authority and Santa Clara Valley Transportation Authority; add funding for CMA Planning activities; and to shift funding between two San Francisco Municipal Transportation Agency projects under the Transit Performance Initiatives Program.

Attachments B-1 and B-2 were revised on January 23, 2013 to add new projects selected by various Congestion Management Agencies and to add new projects selected by the Commission in the Transit Rehabilitation Program.

As referred by the Programming and Allocations Committee, Attachment B-1 and Appendix A-2 were revised on February 27, 2013 to add Regional Safe Routes to School programs for Alameda and San Mateo counties, and to reflect previous Commission actions pertaining to the Transit Capital Rehabilitation Program, and to reflect earlier Commission approvals of fund augmentations to the county congestion management agencies for regional planning activities. As referred by the Planning Committee, Attachments A and B-1 were revised to reflect Commission approval of the regional Priority Development Area (PDA) Planning and Implementation program and Priority Conservation Area (PCA) program.

As referred by the Programming and Allocations Committee, Attachments B-1 and B-2 and Appendix A-2 to Attachment A were revised on May 22, 2013 to shift funding between components of the Freeway Performance Initiative Program with no change in total funding; and split the FSP/Incident Management project into the Incident Management Program and FSP/Callbox Program with no change in total funding; and redirect funding from ACE fare collection equipment to ACE positive train control; and add new OBAG projects selected by the Contra Costa Transportation Authority, Napa County Transportation and Planning Agency, City/County Association of Governments of San Mateo (CCAG), and the Solano Transportation Authority, including OBAG augmentation for CCAG Planning activities.

Attachments B-1 and B-2 were revised on September 25, 2013 to add new projects selected by various Congestion Management Agencies in the OneBayArea Grant, Regional Safe Routes to School, and Priority Conservation Area Programs.

ABSTRACT

MTC Resolution No. 4035, Revised

Page 3

Attachment A, Attachments B-1 and B-2 and Appendix A-2 to Attachment A were revised on November 20, 2013 to add new projects and make grant amount changes as directed by various Congestion Management Agencies in the OneBayArea Grant Program. Also the deadline for jurisdictions' adoption of general plans meeting the latest RHNA was updated to reflect the later than scheduled adoption of Plan Bay Area.

Attachment B-1 to the resolution was revised on December 18, 2013 to add an FPI project for environmental studies for the I-280/Winchester I/C modification.

Attachment B-2 was revised on January 22, 2014 to adjust project grant amounts as directed by various Congestion Management Agencies in the OneBayArea Grant Program, including changes as a result of the 2014 RTIP.

Attachments B-1 and B-2 were revised on February 26, 2014 to add six OBAG projects selected by the CMA's, make adjustments between two Santa Clara OBAG projects, and add three PDA Planning Program projects in Sonoma County.

Attachment B-1 was revised on March 26, 2014 to add 15 projects to the Transit Performance Initiative Program and 3 projects in Marin County to the North Bay Priority Conservation Area Program.

On April 23, 2014, Attachment B-1 was revised to add 13 projects to the Priority Conservation Grant Program, revise the grant amount for the BART Car Exchange Preventative Maintenance Project in the Transit Capital Rehabilitation Program, and add three projects to the Climate Initiatives Program totaling \$14,000,000.

As referred by the Planning Committee, Attachment B-1 was revised on May 28, 2014 to reflect Commission approval of the selection of projects for the PDA Planning Technical Assistance and PDA Staffing Assistance Programs.

As referred by the Programming and Allocations Committee, Attachment A and Attachment B-2 were revised on May 28, 2014 to change the program delivery deadline from March 31, 2016 to January 31, 2017, and to adjust two projects as requested by Congestion Management Agencies in the OneBayArea Grant Program.

ABSTRACT

MTC Resolution No. 4035, Revised

Page 4

On June 25, 2014, Attachment B-1 was revised to add an additional \$500,000 to the Breuner Marsh Project in the regional PCA Program and to identify a transportation exchange project (Silverado Trail Phase G) for the Soscot Headwaters Preserve Acquisition in the North Bay PCA Program, and to Redirect \$2,500,000 from Ramp Metering and Traffic Operations System (TOS) elements to the Program for Arterial System Synchronization (PASS), within the Freeway Performance Initiatives (FPI) Program.

On July 23, 2014, Attachment B-1 was revised to redirect \$22.0 million from the Cycles 1 & 2 Freeway Performance Initiatives (FPI) Programs and \$5 million from other projects and savings to the Golden Gate Bridge Suicide Deterrent System.

On September 24, 2014, Attachments B-1 and B-2 were revised to add 5 projects totaling \$19M to the Transit Performance Initiative Program (TPI), to shift funding within the Freeway Performance Initiative Program; to add a project for \$4 million for SFMTA for priority identified TPI funding; to provide an additional \$500,000 to the Freeway Performance Initiative (FPI); and to amend programming for two projects in Santa Clara County: San Jose's The Alameda "Beautiful Way" Phase 2 project, and Palo Alto's US-101/Adobe Creek Bicycle and Pedestrian Bridge project.

On December 17, 2014, Attachments A, B-1, and B-2 and Appendices A-1 and A-2 to Attachment A were revised to add a fifth year – FY 2016-17 - to the Cycle 2/OBAG 1 program to address the overall funding shortfall and provide additional programming in FY 2016-17 to maintain on-going commitments in FY 2016-17; make adjustments within the Freeway Performance Initiatives Program; rescind the Brentwood Wallace Ranch Easement Acquisition from the Priority Conservation Area (PCA) Program reducing the PCA program from \$5 million to \$4.5 million and use this funding to help with the FY 17 shortfall; identify two Santa Clara Local Priority Development Area Planning Program projects totaling \$740,305 to be included within MTC's Regional Priority Development Area Program grants; make revisions to local OBAG compliance policies for complete streets and housing as they pertain to jurisdictions' general plans update deadlines; add five car sharing projects totaling \$2,000,000 under the climate initiatives program; and add the Clipper Fare Collection Back Office Equipment Replacement Project to the Transit Capital Priority Program for \$2,684,772.

On March 25, 2015, Attachments B-1 and B-2 were revised to: add FY 2016-17 regional planning funds to Attachment B-1 per Commission action in December 2014; Redirect

ABSTRACT

MTC Resolution No. 4035, Revised

Page 5

\$1.0 million from the ALA-I-680 Freeway Performance Initiative (FPI) project to Preliminary Engineering (PE) for various FPI corridors and redirect \$270,000 in FPI Right of Way (ROW) savings to the SCL I-680 FPI project to cover an increase in Caltrans support costs; direct funding to the statewide local streets and roads needs assessment; identify specific Priority Development Area (PDA) planning grants in San Mateo County; delete the \$10.2 million Masonic Avenue Complete Streets project and add the SF Light Rail Vehicle Procurement project in San Francisco County; and redirect \$0.5 million from the Capitol Expressway Traffic ITS and Bike/Pedestrian Improvement project to the San Tomas Expressway Box Culvert Rehabilitation project in Santa Clara County.

On May 27, 2015, Attachment B-1 was revised to add Round 3 (\$9,529,829) of the Transit Performance Incentive Program which involves 7 new projects and augmentations to 7 existing projects; and to add the Grand Avenue Bicycle / Pedestrian Improvements Project (\$717,000) in San Rafael to the Safe Routes to School Program, and delete the Bicycle sharing project (\$6,000,000).

On June 24, 2015, Attachment B-1 was revised to identify a \$265,000 Local Priority Development Area Planning Grant for the City of Palo Alto.

On July 22, 2015, Attachments B-1 and Attachment B-2 were revised to redirect \$3,000,000 from the SFMTA N-Judah Mobility Maximization project to the SFMTA Colored Lanes on MTC Rapid Network project within the Transit Performance Initiative program, identify a \$252,000 Safe Routes to Schools grant for San Mateo County, redirect \$2,100,000 in Freeway Performance Initiative funding from the Alameda County I-680 project to the Various Corridors – Caltrans Preliminary Engineering project, delete \$500,000 from the SMART Vehicle Purchase project in Sonoma County (revised from \$6,600,000 to \$6,100,000), and add the SMART Clipper Card Service project in Sonoma County for \$500,000.

On September 23, 2015, Attachment B-2 was revised to redirect \$6,100,000 from the SMART Vehicle Purchase project to the SMART San Rafael to Larkspur Extension project.

On October 28, 2015, Attachment B-1 and B-2 were revised to redirect \$350,000 from Vacaville's Ulatis Creek Bicycle/Pedestrian Pathway and Streetscape project to Vallejo's Downtown Streetscape – Phases 3 and 4 project, and to redirect \$122,249 from Marin Transit's

ABSTRACT

MTC Resolution No. 4035, Revised

Page 6

Preventive Maintenance program to the preliminary engineering phase of Marin Transit's Relocate Transit Maintenance Facility project.

Further discussion of the Project Selection Criteria and Programming Policies is contained in the memorandum to the Joint Planning Committee dated May 11, 2012; to the Programming and Allocations Committee dated October 10, 2012; to the Commission dated November 28, 2012; to the Programming and Allocations Committee dated December 12, 2012 and January 9, 2013; to the Joint Planning Committee dated February 8, 2013; to the Programming and Allocations Committee dated February 13, 2013, May 8, 2013, September 11, 2013, November 13, 2013, December 11, 2013, January 8, 2014, February 12, 2014, March 5, 2014, April 9, 2014; and to the Planning Committee dated May 9, 2014; and to the MTC Programming and Allocations Committee Summary Sheet dated May 14, 2014, June 11, 2014, July 9, 2014, September 10, 2014, December 10, 2014, March 11, 2015, May 13, 2015, and to the Administration Committee on May 13, 2015, and to the Programming and Allocations Committee on June 10, 2015, July 8, 2015, September 9, 2015, and October 14, 2015.

Date: May 17, 2012
W.I.: 1512
Referred By: Planning

RE: Federal Cycle 2 Program covering FY 2012-13, FY 2013-14, FY 2014-15 and FY 2015-16:
Project Selection Policies and Programming

METROPOLITAN TRANSPORTATION COMMISSION
RESOLUTION NO. 4035

WHEREAS, the Metropolitan Transportation Commission (MTC) is the Regional Transportation Planning Agency (RTPA) for the San Francisco Bay Area pursuant to Government Code Section 66500 et seq.; and

WHEREAS, MTC is the designated Metropolitan Planning Organization (MPO) for the nine-county San Francisco Bay Area region and is required to prepare and endorse a Transportation Improvement Program (TIP) which includes federal funds; and

WHEREAS, MTC is the designated recipient for federal funding administered by the Federal Highway Administration (FHWA) assigned to the MPO/RTPA of the San Francisco Bay Area for the programming of projects (regional federal funds); and

WHEREAS, the federal funds assigned to the MPOs/RTPAs for their discretion are subject to availability and must be used within prescribed funding deadlines regardless of project readiness; and

WHEREAS, MTC, in cooperation with the Association of Bay Area Governments, (ABAG), the Bay Area Air Quality Management District (BAAQMD), the Bay Conservation and Development Commission (BCDC), California Department of Transportation (Caltrans), Congestion Management Agencies (CMAs), transit operators, counties, cities, and interested stakeholders, has developed criteria, policies and procedures to be used in the selection of projects to be funded with various funding including regional federal funds as set forth in Attachments A, B-1 and B-2 of this Resolution, incorporated herein as though set forth at length; and

WHEREAS, using the policies set forth in Attachment A of this Resolution, MTC, in cooperation with the Bay Area Partnership and interested stakeholders, has or will develop a program of projects to be funded with these funds for inclusion in the federal Transportation Improvement Program (TIP), as set forth in Attachments B-1 and B-2 of this Resolution, incorporated herein as though set forth at length; and

WHEREAS the federal TIP and subsequent TIP amendments and updates are subject to public review and comment; now therefore be it

RESOLVED that MTC approves the "Project Selection Policies and Programming" for projects to be funded with Cycle 2 Program funds as set forth in Attachments A, B-1 and B-2 of this Resolution; and be it further

RESOLVED that the federal funding shall be pooled and redistributed on a regional basis for implementation of Project Selection Criteria, Policies, Procedures and Programming, consistent with the Regional Transportation Plan (RTP); and be it further

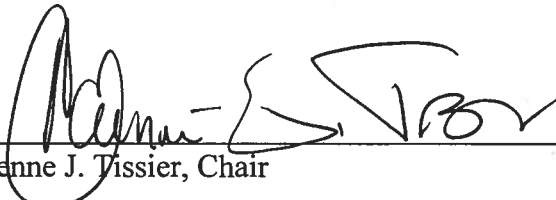
RESOLVED that the projects will be included in the federal TIP subject to final federal approval; and be it further

RESOLVED that the Executive Director or his designee can make technical adjustments and other non-substantial revisions, including updates to fund distributions to reflect final 2014-2022 FHWA figures; and be it further

RESOLVED that the Executive Director or designee is authorized to revise Attachments B-1 and B-2 as necessary to reflect the programming of projects as the projects are selected and included in the federal TIP; and be it further

RESOLVED that the Executive Director shall make available a copy of this resolution, and such other information as may be required, to the Governor, Caltrans, and to other such agencies as may be appropriate.

METROPOLITAN TRANSPORTATION COMMISSION



Adrienne J. Tissier, Chair

The above resolution was entered into by the Metropolitan Transportation Commission at the regular meeting of the Commission held in Oakland, California, on May 17, 2012

Attachment B-1

OBAG 1 Regional Programs FY 2012-13 through FY 2016-17 October 2015

MTC Res. No. 4035, Attachment B-1

Adopted: 05/17/12-C

Revised: 10/24/12-C

11/28/12-C 12/19/12-C 01/23/13-C 02/27/13-C
05/22/13-C 09/25/13-C 11/20/13-C 12/18/13-C
02/26/14-C 03/26/14-C 04/23/14-C 05/28/14-C
06/25/14-C 07/23/14-C 09/24/14-C 11/19/14-C
12/17/14-C 03/25/15-C 05/27/15-C 06/24/15-C
07/22/15-C 10/28/15-C

OBAG 1 Regional Programs Project List

Project Category and Title	Implementing Agency	Total STP/CMAQ	Total Other RTIP/TAP/TFCA	Total Cycle 2
OBAG 1 REGIONAL PROGRAMS		\$454,979,000	\$40,000,000	\$494,979,000
1. REGIONAL PLANNING ACTIVITIES (STP Planning)				
ABAG Planning	ABAG	\$3,393,000	\$0	\$3,393,000
BCDC Planning	BCDC	\$1,701,000	\$0	\$1,701,000
MTC Planning	MTC	\$3,393,000	\$0	\$3,393,000
1. REGIONAL PLANNING ACTIVITIES (STP Planning) TOTAL:		\$8,487,000	\$0	\$8,487,000
2. REGIONAL OPERATIONS (RO)				
511 - Traveler Information	MTC	\$57,800,000	\$0	\$57,800,000
Clipper® Fare Media Collection	MTC	\$21,400,000	\$0	\$21,400,000
SUBTOTAL		\$79,200,000	\$0	\$79,200,000
Incident Management Program	MTC/SAFE	\$12,240,000	\$0	\$12,240,000
FSP/Call Box Program	MTC/SAFE	\$14,462,000	\$0	\$14,462,000
SUBTOTAL		\$26,702,000	\$0	\$26,702,000
2. REGIONAL OPERATIONS (RO) TOTAL:		\$105,902,000	\$0	\$105,902,000
3. FREEWAY PERFORMANCE INITIATIVE (FPI)				
Regional Performance Initiatives Implementation	MTC	\$5,750,000	\$0	\$5,750,000
Regional Performance Initiatives Corridor Implementation	MTC/SAFE	\$9,200,000	\$0	\$9,200,000
Program for Arterial System Synchronization (PASS)	MTC	\$9,000,000	\$0	\$9,000,000
PASS - LAVTA Dublin Blvd Transit Performance Initiative	MTC	\$500,000	\$0	\$500,000
PASS - AC Transit South Alameda County Corridors Travel Time Imps	MTC	\$500,000	\$0	\$500,000
SUBTOTAL		\$24,950,000	\$0	\$24,950,000
Ramp Metering and TOS Elements				
FPI - ALA I-580: SJ Co. Line to Vasco & Foothill to Crow Canyon	Caltrans	\$5,150,000	\$0	\$5,150,000
FPI - ALA I-680: SCL Co. Line to CC Co. Line	Caltrans	\$3,192,000	\$14,430,000	\$17,622,000
FPI - ALA SR92 & I-880: Clawiter to Hesperian & Decoto Road	Caltrans	\$656,000	\$0	\$656,000
FPI - CC SR4 & SR242: Loveridge to Alhambra & I-680 to SR 4 Ph. 1	MTC/SAFE	\$750,000	\$0	\$750,000
FPI - CC SR4 & SR242: Loveridge to Alhambra & I-680 to SR 4 Ph. 2	Caltrans	\$8,118,000	\$0	\$8,118,000
FPI - Various Corridors Caltrans Right of Way (ROW)	Caltrans	\$975,000	\$0	\$975,000
FPI - Various Corridors - Caltrans Preliminary Engineering (PE)	Caltrans	\$7,200,000	\$19,570,000	\$26,770,000
FPI - SCL US 101: San Benito County Line to SR 85	Caltrans	\$3,417,000	\$0	\$3,417,000
FPI - MRN 101 - SF Co Line - Son Co Line	Caltrans	\$10,000,000	\$0	\$10,000,000
FPI - SON 101 - MRN Co Line - Men Co Line	MTC	\$350,000	\$0	\$350,000
FPI - SCL I-680: US 101 to ALA Co. Line	Caltrans	\$270,000	\$0	\$270,000
SUBTOTAL		\$40,078,000	\$34,000,000	\$74,078,000
3. FREEWAY PERFORMANCE INITIATIVE (FPI) TOTAL:		\$65,028,000	\$34,000,000	\$99,028,000
4. PAVEMENT MANAGEMENT PROGRAM (PMP)				
Pavement Management Program (PMP)	MTC	\$1,547,000	\$0	\$1,547,000
Pavement Technical Advisory Program (PTAP)	MTC	\$7,500,000	\$0	\$7,500,000
Statewide Local Streets and Roads (LSR) Needs Assessment	MTC/Caltrans	\$53,000	\$0	\$53,000
4. PAVEMENT MANAGEMENT PROGRAM (PMP) TOTAL:		\$9,100,000	\$0	\$9,100,000
5. PRIORITY DEVELOPMENT AREA (PDA) PLANNING AND IMPLEMENTATION				
Regional PDA Implementation				
PDA Planning - ABAG	ABAG	\$2,000,000	\$0	\$2,000,000
SUBTOTAL		\$2,000,000	\$0	\$2,000,000
Transit Oriented Affordable Housing (TOAH)				
SF Park Parking Pricing (Transit Oriented Affordable Housing Exchange)	SFMTA	\$10,000,000	\$0	\$10,000,000
SUBTOTAL		\$10,000,000	\$0	\$10,000,000
Local PDA Planning				
Local PDA Planning - Alameda	ACTC	\$3,905,000	\$0	\$3,905,000
Local PDA Planning - Contra Costa	CCTA	\$2,745,000	\$0	\$2,745,000
Local PDA Planning - Marin	TAM	\$750,000	\$0	\$750,000
Local PDA Planning - City of Napa	Napa	\$275,000	\$0	\$275,000
Local PDA Planning - American Canyon	American Canyon	\$475,000	\$0	\$475,000
Local PDA Planning - San Francisco	SF City/County	\$2,380,000	\$0	\$2,380,000
Local PDA Planning - San Mateo	SMCCAG	\$218,000	\$0	\$218,000
Belmont Village Specific/Implementation Plan	Belmont	\$440,000	\$0	\$440,000
Millbrae PDA Specific Plan	Millbrae	\$500,000	\$0	\$500,000
Redwood City Downtown Sequoia Station and Streetcar Planning Study	Redwood City	\$450,000	\$0	\$450,000
Local PDA Planning - Santa Clara	VTA	\$4,343,695	\$0	\$4,343,695
San Jose Stevens Creek/Santana Row/Winchester Specific Plan	MTC/San Jose	\$640,305	\$0	\$640,305
Santa Clara El Camino Corridor Precise Plan	MTC/Santa Clara	\$100,000	\$0	\$100,000
Local PDA Planning - Palo Alto	Palo Alto	\$265,000	\$0	\$265,000
Local PDA Planning - Solano	STA	\$1,066,000	\$0	\$1,066,000
Santa Rosa - Roseland/Sebastopol Road PDA Planning	Santa Rosa	\$647,000	\$0	\$647,000

Attachment B-1

OBAG 1 Regional Programs FY 2012-13 through FY 2016-17 October 2015

MTC Res. No. 4035, Attachment B-1

Adopted: 05/17/12-C

Revised: 10/24/12-C

11/28/12-C 12/19/12-C 01/23/13-C 02/27/13-C

05/22/13-C 09/25/13-C 11/20/13-C 12/18/13-C

02/26/14-C 03/26/14-C 04/23/14-C 05/28/14-C

06/25/14-C 07/23/14-C 09/24/14-C 11/19/14-C

12/17/14-C 03/25/15-C 05/27/15-C 06/24/15-C

07/22/15-C 10/28/15-C

OBAG 1 Regional Programs Project List

Project Category and Title	Implementing Agency	Total STP/CMAQ	Total Other RTIP/TAP/TFCA	Total Cycle 2
OBAG 1 REGIONAL PROGRAMS		\$454,979,000	\$40,000,000	\$494,979,000
Sonoma County - Sonoma Springs Area Plan	Sonoma County	\$450,000	\$0	\$450,000
Sonoma County - Airport Employment Center Planning	Sonoma County	\$350,000	\$0	\$350,000
SUBTOTAL		\$20,000,000	\$0	\$20,000,000
Regional PDA Planning				
<i>Regional PDA Implementation Priorities</i>				
Bay Area Transit Core Capacity Study	MTC	\$250,000	\$0	\$250,000
Public Lands Near Rail Corridors Assessment	MTC	\$500,000	\$0	\$500,000
PDA Implementation Studies/Forums	MTC	\$156,500	\$0	\$156,500
State Route 82 Relinquishment Exploration Study	MTC/VTA	\$275,000	\$0	\$275,000
<i>PDA Planning</i>				
Oakland Downtown Specific Plan	Oakland	\$750,000	\$0	\$750,000
South Berkeley/ Adeline/Ashby BART Specific Plan	Berkeley	\$750,000	\$0	\$750,000
Bay Fair BART Transit Village Specific Plan	San Leandro	\$440,000	\$0	\$440,000
Alameda Naval Air Station Specific Plan	Alameda	\$250,000	\$0	\$250,000
Del Norte BART Station Precise Plan	El Cerrito	\$302,500	\$0	\$302,500
Mission Bay Railyard and I-280 Alternatives	San Francisco	\$700,000	\$0	\$700,000
Santa Clara El Camino Corridor Precise Plan	Santa Clara	\$750,000	\$0	\$750,000
Sunnyvale El Camino Corridor Precise Plan	Sunnyvale	\$587,000	\$0	\$587,000
San Jose Stevens Creek/Santana Row/Winchester Specific Plan	San Jose	\$750,000	\$0	\$750,000
<i>Staff Assistance</i>				
Alameda PDA TDM Plan	Alameda	\$150,000	\$0	\$150,000
Downtown Livermore Parking Implementation Plan	Livermore	\$100,000	\$0	\$100,000
Oakland Transportation Impact Review Streamlining	Oakland	\$300,000	\$0	\$300,000
Oakland Complete Streets, Design Guidance, Circulation Element Update	Oakland	\$235,000	\$0	\$235,000
Downtown Oakland Parking Management Strategy	Oakland	\$200,000	\$0	\$200,000
<i>Technical Assistance</i>				
Concord Salvio Streetscape	Concord	\$50,000	\$0	\$50,000
South Richmond Affordable Housing and Commercial Linkage	Richmond	\$60,000	\$0	\$60,000
San Mateo Planning/Growth Forum Series	San Mateo	\$25,000	\$0	\$25,000
South San Francisco El Camino/Chestnut Ave Infrastructure Financing Analysis	SSF	\$60,000	\$0	\$60,000
Milpitas Transit Area Parking Analysis	Milpitas	\$60,000	\$0	\$60,000
Morgan Hill Housing/Employment Market Demand/Circulation Analysis	Morgan Hill	\$60,000	\$0	\$60,000
Sab Jose West San Carlos Master Streetscape Plan	San Jose	\$60,000	\$0	\$60,000
Sunnyvale Mathilda Ave Downtown Plan Line	Sunnyvale	\$60,000	\$0	\$60,000
Downtown Sunnyvale Block 15 Sale/Land Exchange	Sunnyvale	\$59,000	\$0	\$59,000
Sunnyvale El Camino Street Space Allocation Study	Sunnyvale	\$60,000	\$0	\$60,000
SUBTOTAL		\$8,000,000	\$0	\$8,000,000
5. PRIORITY DEVELOPMENT AREA (PDA) PLANNING AND IMPLEMENTATION		TOTAL: \$40,000,000	\$0	\$40,000,000
6. CLIMATE INITIATIVES PROGRAM (CIP)				
<i>Car Sharing</i>				
Hayward RFP for Car Sharing Services	Hayward	\$200,480	\$0	\$200,480
Oakland Car Share and Outreach Program	Oakland	\$320,526	\$0	\$320,526
CCTA Car Share4All	CCTA	\$973,864	\$0	\$973,864
TAM Car Share CANAL	TAM	\$125,000	\$0	\$125,000
City of San Mateo Car Sharing - A Catalyst for Change	San Mateo	\$210,000	\$0	\$210,000
Santa Rosa Car Share	SCTA	\$170,130	\$0	\$170,130
Public Education Outreach	MTC	\$312,000	\$0	\$312,000
Transportation Demand Management	MTC	\$6,000,000	\$0	\$6,000,000
To Be Determined	TBD	\$6,000,000	\$0	\$6,000,000
EV Charging Infrastructure and Vehicles (Programmed by BAAQMD)*	BAAQMD	\$0	\$6,000,000	\$6,000,000
6. CLIMATE INITIATIVES PROGRAM (CIP)		TOTAL: \$14,312,000	\$6,000,000	\$20,312,000
7. REGIONAL SAFE ROUTES TO SCHOOL (RSRTS)				
<i>Specific projects TBD by CMAs</i>				
Alameda County SRTS Program - Supplemental	ACTC	\$569,000	\$0	\$569,000
Contra Costa County SRTS Program - Supplemental	CCTA	\$436,000	\$0	\$436,000
Napa County SRTS Program - Supplemental	NCTPA	\$56,000	\$0	\$56,000
San Francisco County SRTS Program - Supplemental	SFCTA	\$191,000	\$0	\$191,000
Santa Clara County SRTS Program - Supplemental	Santa Clara	\$713,000	\$0	\$713,000
Solano County SRTS Program - Supplemental	STA	\$166,000	\$0	\$166,000
Sonoma County SRTS Program - Supplemental	SCTA	\$183,000	\$0	\$183,000
Alameda County SRTS Program	ACTC	\$4,293,000	\$0	\$4,293,000

* Selected and funded by the BAAQMD. Listed here for informational purposes only

Attachment B-1

OBAG 1 Regional Programs FY 2012-13 through FY 2016-17 October 2015

MTC Res. No. 4035, Attachment B-1

Adopted: 05/17/12-C

Revised: 10/24/12-C

11/28/12-C 12/19/12-C 01/23/13-C 02/27/13-C

05/22/13-C 09/25/13-C 11/20/13-C 12/18/13-C

02/26/14-C 03/26/14-C 04/23/14-C 05/28/14-C

06/25/14-C 07/23/14-C 09/24/14-C 11/19/14-C

12/17/14-C 03/25/15-C 05/27/15-C 06/24/15-C

07/22/15-C 10/28/15-C

OBAG 1 Regional Programs Project List

Project Category and Title	Implementing Agency	Total STP/CMAQ	Total Other RTIP/TAP/TFCA	Total Cycle 2
OBAG 1 REGIONAL PROGRAMS		\$454,979,000	\$40,000,000	\$494,979,000
Cavallo Rd, Drake St, and 'G' Street Safe Routes to School Imps	Antioch	\$330,000	\$0	\$330,000
Actuated Ped /Bicycle Traffic Signal on Oak Grove Rd at Sierra Rd	Concord	\$504,900	\$0	\$504,900
Port Chicago Hwy/Willow Pass Rd Pedestrian & Bicycle Imps	Contra Costa County	\$441,700	\$0	\$441,700
West Contra Costa SRTS Non-Infrastructure Program	Contra Costa County	\$709,800	\$0	\$709,800
Vista Grande Street Pedestrian Safe Routes to School Imps	Danville	\$157,000	\$0	\$157,000
Happy Valley Road Walkway Safe Routes to School Imps	Lafayette	\$100,000	\$0	\$100,000
Moraga Road Safe Routes to School Bicycle/Pedestrian Imps	Moraga	\$100,000	\$0	\$100,000
Orinda Sidewalk Imps	Orinda	\$100,000	\$0	\$100,000
Pittsburg School Area Safety Imps	Pittsburg	\$203,000	\$0	\$203,000
Pleasant Hill - Boyd Road and Elinora Drive Sidewalks	Pleasant Hill	\$395,000	\$0	\$395,000
San Ramon School Crossings Enhancements	San Ramon	\$247,600	\$0	\$247,600
San Rafael Grand Ave Bike/Ped Imps	San Rafael	\$717,000	\$0	\$717,000
Napa County SRTS Non-Infrastructure Program	NCTPA	\$420,000	\$0	\$420,000
San Francisco SRTS Non-Infrastructure Program	SFDPH	\$1,439,000	\$0	\$1,439,000
San Mateo County SRTS Program	SMCCAG	\$2,157,000	\$0	\$2,157,000
Campbell - Virginia Avenue Sidewalks	Campbell	\$708,000	\$0	\$708,000
Mountain View - El Camino to Miramonte Complete Streets	Mountain View	\$840,000	\$0	\$840,000
Mountain View SRTS Non-Infrastructure Program	Mountain View	\$500,000	\$0	\$500,000
Palo Alto - Arastradero Road Schoolscape/Multi-use Trail	Palo Alto	\$1,000,000	\$0	\$1,000,000
San Jose - Walk N' Roll Phase 2	San Jose	\$1,000,000	\$0	\$1,000,000
City of Santa Clara SRTS Non-Infrastructure Program Phase 2	Santa Clara	\$500,000	\$0	\$500,000
Santa Clara County SRTS Non-Infrastructure Program	Santa Clara County	\$838,000	\$0	\$838,000
Solano County SRTS Non-Infrastructure Program	STA	\$1,256,000	\$0	\$1,256,000
Sonoma County SRTS Program	Sonoma County TPW	\$1,379,000	\$0	\$1,379,000
7. REGIONAL SAFE ROUTES TO SCHOOL (RSRTS)		TOTAL: \$22,650,000	\$0	\$22,650,000
8. TRANSIT CAPITAL REHABILITATION PROGRAM				
SolTrans - Preventive Maintenance	SolTrans	\$1,000,000	\$0	\$1,000,000
Transit Capital Rehabilitation				
<i>Specific Projects TBD by Commission</i>				
ECCTA Replace Eleven 2001 40' Buses	ECCTA	\$636,763	\$0	\$636,763
BART Car Exchange Preventative Maintenance	BART	\$2,831,849	\$0	\$2,831,849
Clipper Fare Collection Equipment Replacement	MTC	\$9,994,633	\$0	\$9,994,633
SFMTA - New 60' Flyer Trolley Bus Replacement	SFMTA	\$15,502,261	\$0	\$15,502,261
VTA Preventive Maintenance (for vehicle replacement)	VTA	\$3,349,722	\$0	\$3,349,722
Clipper Back Office Fare Collection Equipment Replacement	MTC	\$2,684,772	\$0	\$2,684,772
Unanticipated Cost Reserve	TBD	\$2,000,000	\$0	\$2,000,000
SUBTOTAL		\$37,000,000	\$0	\$37,000,000
Transit Performance Initiative (TPI) Incentive Program				
<i>Specific Projects TBD by Commission</i>				
TPI - AC Transit Spectrum Ridership Growth	AC Transit	\$1,802,676	\$0	\$1,802,676
TPI - ACE Positive Train Control	SJRR/ACE	\$129,156	\$0	\$129,156
TPI - Marin Transit Preventive Maintenance (for low income youth pass)	Marin Transit	\$99,289	\$0	\$99,289
TPI - BART Train Car Accident Repair	BART	\$1,493,189	\$0	\$1,493,189
TPI - BART 24th Street Train Control Upgrade	BART	\$2,000,000	\$0	\$2,000,000
TPI - SFMTA Preventive Maintenance (for low income youth pass)	SFMTA	\$1,600,000	\$0	\$1,600,000
TPI - SFMTA Light Rail Vehicle Rehabilitation	SFMTA	\$5,120,704	\$0	\$5,120,704
TPI - VTA Preventive Maintenance (for low income fare pilot)	VTA	\$1,302,018	\$0	\$1,302,018
TPI - AC Transit - East Bay Bus Rapid Transit	AC Transit	\$3,340,781	\$0	\$3,340,781
TPI - BART - Metro Priority Track Elements	BART	\$3,459,057	\$0	\$3,459,057
TPI - Caltrain - Off-peak Marketing Campaign	Caltrain	\$44,200	\$0	\$44,200
TPI - Caltrain - Control Point Installation	Caltrain	\$2,840,952	\$0	\$2,840,952
TPI - CCCTA - 511 Real-Time Interface	CCCTA	\$100,000	\$0	\$100,000
TPI - CCCTA - Implementation of Access Improvement	CCCTA	\$465,899	\$0	\$465,899
TPI - Petaluma - Transit Signal Priority, Phase I & II	Petaluma	\$287,902	\$0	\$287,902
TPI - Santa Rosa - CityBus COA and Service Plan	Santa Rosa	\$100,000	\$0	\$100,000
TPI - Vacaville - City Coach Public Transit Marketing / Public Outreach	Vacaville	\$171,388	\$0	\$171,388
TPI - Marin Transit - MCTD Preventative Maintenance (Youth Pass Program)	Marin Transit	\$116,728	\$0	\$116,728
TPI - Marin Transit - Relocate Transit Maintenance Facility (PE only) (Youth Pass Program)	Marin Transit	\$122,249	\$0	\$122,249
TPI - NCTPA - Bus Mobility Device Retrofits	NCTPA	\$120,988	\$0	\$120,988
TPI - SamTrans - Preventative Maintenance (Service Plan Implementation)	SMCTD	\$992,535	\$0	\$992,535

Attachment B-1

OBAG 1 Regional Programs FY 2012-13 through FY 2016-17 October 2015

MTC Res. No. 4035, Attachment B-1

Adopted: 05/17/12-C

Revised: 10/24/12-C

11/28/12-C 12/19/12-C 01/23/13-C 02/27/13-C
05/22/13-C 09/25/13-C 11/20/13-C 12/18/13-C
02/26/14-C 03/26/14-C 04/23/14-C 05/28/14-C
06/25/14-C 07/23/14-C 09/24/14-C 11/19/14-C
12/17/14-C 03/25/15-C 05/27/15-C 06/24/15-C
07/22/15-C 10/28/15-C

OBAG 1 Regional Programs Project List

Project Category and Title	Implementing Agency	Total STP/CMAQ	Total Other RTIP/TAP/TFCA	Total Cycle 2
OBAG 1 REGIONAL PROGRAMS		\$454,979,000	\$40,000,000	\$494,979,000
TPI - SFMTA - Light Rail Vehicle (LRV) Propulsion System	SFMTA	\$9,285,937	\$0	\$9,285,937
TPI - Sonoma County Transit - 30-foot CNG Bus Replacements	Sonoma County	\$173,052	\$0	\$173,052
TPI - Caltrain - Map-Based Real-Time Train Display	Caltrain	\$44,000	\$0	\$44,000
TPI - GGBHTD - Regional Customer Study: On-Board Bus and Ferry Surveys	GGBHTD	\$402,572	\$0	\$402,572
TPI - GGBHTD - Building Ridership to Meet Capacity Campaign	GGBHTD	\$177,060	\$0	\$177,060
TPI - CCCTA - TRANSITMIX Software Implementation Project	CCCTA	\$17,851	\$0	\$17,851
TPI - NCTPA - Am. Canyon Priority Signal Interconnection on SR 29	NCTPA	\$91,757	\$0	\$91,757
TPI - Santa Rosa CityBus - Clean Diesel Bus Purchase	Santa Rosa	\$525,787	\$0	\$525,787
TPI - Sonoma County Transit - 40-foot CNG Bus Replacements	Sonoma County	\$114,656	\$0	\$114,656
Specific Transit Performance Initiative Incentive Program projects - TBD	TBD	\$23,457,617	\$0	\$23,457,617
SUBTOTAL		\$60,000,000	\$0	\$60,000,000
8. TRANSIT CAPITAL REHABILITATION PROGRAM		TOTAL: \$98,000,000	\$0	\$98,000,000

9. TRANSIT PERFORMANCE INITIATIVE (TPI)				
TPI - Capital Investment Program				
TPI-1 - AC Transit Line 51 Corridor Speed Protection and Restoration	AC Transit	\$10,515,624	\$0	\$10,515,624
TPI-1 - SFMTA Mission Mobility Maximization	SFMTA	\$5,383,109	\$0	\$5,383,109
TPI-1 - SFMTA N-Judah Mobility Maximization	SFMTA	\$2,383,860	\$0	\$2,383,860
TPI-1 - SFMTA Potrero Ave Fast Track Transit and Streetscape Imps	SFMTA	\$4,133,031	\$0	\$4,133,031
TPI-1 - VTA Light Rail Transit Signal Priority	VTA	\$1,587,176	\$0	\$1,587,176
TPI-1 - VTA Stevens Creek - Limited 323 Transit Signal Priority	VTA	\$712,888	\$0	\$712,888
TPI-1 - MTC Clipper Phase III Implementation	MTC	\$8,000,000	\$0	\$8,000,000
TPI-2 - AC Transit South Alameda County Corridors Travel Time Imps	AC Transit	\$5,000,000	\$0	\$5,000,000
TPI-2 - LAVTA Dublin Blvd Transit Performance Initiative	LAVTA	\$1,009,440	\$0	\$1,009,440
TPI-2 - SFMTA Colored Lanes on MTA Rapid Network	SFMTA	\$4,784,880	\$0	\$4,784,880
TPI-2 - SFMTA Muni Forward Capital Transit Enhancements	SFMTA	\$3,205,680	\$0	\$3,205,680
TPI-2 - VTA Prev. Maint. (Mountain View Double Track Phase 1)	VTA	\$8,000,000	\$0	\$8,000,000
Unprogrammed Transit Performance Initiative Reserve	TBD	\$27,284,312	\$0	\$27,284,312
9. TRANSIT PERFORMANCE INITIATIVE (TPI)		TOTAL: \$82,000,000	\$0	\$82,000,000

10. PRIORITY CONSERVATION AREA (PCA)				
North Bay PCA Program				
<i>Specific projects TBD by North Bay CMAs</i>				
Marin PCA - Bayfront Park Recreational Bay Access	Mill Valley	\$100,000	\$0	\$100,000
Marin PCA - Mill Valley - Sausalito Pathway Preservation	Marin County	\$320,000	\$0	\$320,000
Marin PCA - Sunny Hill Ridge and Red Hill Trails	San Anselmo	\$80,000	\$0	\$80,000
Marin PCA - Thatcher Ranch Easement Acq. (pending exchange)	Novato	\$250,000	\$0	\$250,000
Marin PCA - Pacheco Hill Parkland Acq. (pending exchange)	Novato	\$500,000	\$0	\$500,000
Napa PCA - Silverado Trail Yountville-Napa Safety Imps	Napa County	\$143,000	\$0	\$143,000
Napa PCA: Napa Soscol Headwaters Preserve Acq. (SilveradoTrail Phase G Overlay)	Napa County	\$1,107,000	\$0	\$1,107,000
Solano PCA - Suisun Valley Bicycle and Pedestrian Imps	Solano County	\$1,175,000	\$0	\$1,175,000
Solano PCA - Solano PCA Assessment Plan	STA	\$75,000	\$0	\$75,000
Sonoma PCA - Bodega Hwy Roadway Preservation	Sonoma County	\$1,000,000	\$0	\$1,000,000
Sonoma PCA - Sonoma County Urban Footprint Planning	Sonoma County	\$250,000	\$0	\$250,000
SUBTOTAL		\$5,000,000	\$0	\$5,000,000
Peninsula, Southern and Eastern Counties PCA Program				
Bay Trail Shoreline Access Staging Area	Berkeley	\$500,000	\$0	\$500,000
Breuner Marsh Restoration and Public Access	EBRPD	\$1,000,000	\$0	\$1,000,000
SF Bay Trail, Pinole Shores to Bay Front Park	EBRPD	\$119,711	\$0	\$119,711
Coyote Creek Trail: Brokaw Road to Union Pacific Railroad	San Jose	\$712,700	\$0	\$712,700
Pier 70 - Crane Cove Park	Port of SF	\$1,000,000	\$0	\$1,000,000
Twin Peaks Connectivity Conceptual Plan	SF Rec. and Parks	\$167,589	\$0	\$167,589
Southern Skyline Blvd. Ridge Trail Extension	SF PUC	\$1,000,000	\$0	\$1,000,000
SUBTOTAL		\$4,500,000	\$0	\$4,500,000
10. PRIORITY CONSERVATION AREA (PCA)		TOTAL: \$9,500,000	\$0	\$9,500,000

CYCLE 2 REGIONAL PROGRAMS TOTAL		TOTAL: \$454,979,000	\$40,000,000	\$494,979,000
----------------------------------------	--	-----------------------------	---------------------	----------------------

J:\SECTION\ALLSTAFF\Resolution\TEMP-RES\MTC\RES-4035_ongoing\lmp-4035_Attach_B-1_10-28-15.xlsx\Attach B-1 10-28-15

Attachment B-2

MTC Resolution No. 4035, Attachment B-2

Adopted: 05/17/12-C

Revised: 10/24/12-C

12/19/12-C 01/23/13-C 05/22/13-C

09/25/13-C 11/20/13-C 01/22/14-C

02/26/14-C 05/28/14-C 09/24/14-C

12/17/14-C 03/25/15-C 07/22/15-C

09/23/15-C 10/28/15-C

OBAG 1 County Program FY 2012-13 through FY 2016-17 September 2015

OBAG 1 County Programs Project List

Project Category and Title	Implementing Agency	Total STP/CMAQ	Total Other (RTIP, etc.)	Total Cycle 2
COUNTY OBAG 1 PROGRAMMING		\$309,314,000	\$18,036,000	\$327,350,000
ALAMEDA COUNTY				
<i>Specific projects TBD by Alameda CMA</i>		\$0	\$0	\$0
CMA Base Planning Activities - Alameda	ACTC	\$3,836,000	\$0	\$3,836,000
CMA Planning Activities Augmentation - Alameda	ACTC	\$3,270,000	\$0	\$3,270,000
CMA Planning Activities FY 2016-17 Supplement - Alameda	ACTC	\$1,034,000	\$0	\$1,034,000
Alameda County Safe Routes to School Program	ACTC	\$2,000,000	\$0	\$2,000,000
Alameda City Complete Streets	Alameda (City)	\$635,000	\$0	\$635,000
Alameda County Various Streets and Roads Preservation	Alameda County	\$1,665,000	\$0	\$1,665,000
Berkeley Downtown BART Plaza Streetscape	BART	\$340,000	\$3,726,000	\$4,066,000
Shattuck Ave Complete Streets and De-Couplet	Berkeley	\$2,777,000	\$0	\$2,777,000
Berkeley - Hearst Avenue Complete Streets	Berkeley	\$2,156,000	\$0	\$2,156,000
Dublin Boulevard Preservation	Dublin	\$470,000	\$0	\$470,000
Emeryville - Hollis Street Preservation	Emeryville	\$100,000	\$0	\$100,000
Fremont Various Streets and Roads Preservation	Fremont	\$2,105,000	\$0	\$2,105,000
Fremont City Center Multi-Modal Imps	Fremont	\$5,855,000	\$0	\$5,855,000
Hayward - Industrial Boulevard Preservation	Hayward	\$1,335,000	\$0	\$1,335,000
Livermore Various Streets Preservation	Livermore	\$1,053,000	\$0	\$1,053,000
Enterprise Drive Complete Streets and Road Diet	Newark	\$454,000	\$0	\$454,000
Oakland Complete Streets	Oakland	\$3,851,000	\$0	\$3,851,000
7th Street West Oakland Transit Village Phase 2	Oakland	\$3,288,000	\$0	\$3,288,000
Lakeside Complete Streets and Road Diet	Oakland	\$7,000,000	\$0	\$7,000,000
Oakland - Peralta and MLK Jr. Way Streetscape- Phase I	Oakland	\$5,452,000	\$0	\$5,452,000
Lake Merritt BART Bikeways	Oakland	\$571,000	\$0	\$571,000
Piedmont Complete Streets	Piedmont	\$129,000	\$0	\$129,000
Pleasanton Complete Streets	Pleasanton	\$832,000	\$0	\$832,000
San Leandro Boulevard Preservation	San Leandro	\$804,000	\$0	\$804,000
Whipple Road Complete Streets	Union City	\$669,000	\$0	\$669,000
Union City BART TLC Phase 2	Union City	\$8,692,000	\$0	\$8,692,000
ALAMEDA COUNTY	TOTAL:	\$60,373,000	\$3,726,000	\$64,099,000

CONTRA COSTA COUNTY				
<i>Specific projects TBD by Contra Costa CMA</i>	TBD	\$0	\$0	\$0
CMA Base Planning Activities - Contra Costa	CCTA	\$3,036,000	\$0	\$3,036,000
CMA Planning Activities Augmentation - Contra Costa	CCTA	\$1,214,000	\$0	\$1,214,000
CMA Planning Activities FY 2016-17 Supplement - Contra Costa	CCTA	\$818,000	\$0	\$818,000
Antioch 9th Street Preservation	Antioch	\$673,000	\$0	\$673,000
Richmond BART Station Intermodal Imps.	BART	\$2,900,000	\$0	\$2,900,000
Balfour Road Preservation	Brentwood	\$290,000	\$0	\$290,000
Clayton Various Streets Preservation	Clayton	\$386,000	\$0	\$386,000
Concord BART Station Bicycle and Ped. Access Imps.	Concord	\$0	\$1,195,000	\$1,195,000
Detroit Avenue Bicycle and Pedestrian Imps.	Concord	\$965,000	\$1,189,000	\$2,154,000
Concord Various Streets Preservation	Concord	\$757,000	\$0	\$757,000
Contra Costa County Various Streets and Roads Preservation	Contra Costa County	\$1,941,000	\$0	\$1,941,000
Danville Various Streets and Roads Preservation	Danville	\$933,000	\$0	\$933,000
El Cerrito Various Streets and Roads Preservation	El Cerrito	\$630,000	\$0	\$630,000
El Cerrito Ohlone Greenway Bike and Ped. Imps.	El Cerrito	\$3,468,000	\$0	\$3,468,000
Hercules Intermodal Transit Center	Hercules	\$2,584,000	\$0	\$2,584,000
Hercules - Refugio Valley Road Preservation	Hercules	\$702,000	\$0	\$702,000
Lafayette - Mt. Diablo Blvd West Preservation	Lafayette	\$584,000	\$0	\$584,000
Martinez Various Streets and Roads Preservation	Martinez	\$1,023,000	\$0	\$1,023,000
Moraga Various Streets and Roads Preservation	Moraga	\$709,000	\$0	\$709,000
Oakley Various Streets and Roads Preservation	Oakley	\$1,031,000	\$0	\$1,031,000
Ivy Street Preservation	Orinda	\$552,000	\$0	\$552,000
Pinole - San Pablo Avenue Preservation	Pinole	\$453,000	\$0	\$453,000
Pittsburg - Railroad Avenue Preservation	Pittsburg	\$299,000	\$0	\$299,000
Pittsburg Multimodal Station Bike/Ped Access Imps.	Pittsburg	\$1,300,000	\$0	\$1,300,000
Golf Club Road Roundabout and Bike/Ped Imps.	Pleasant Hill	\$4,770,000	\$0	\$4,770,000
Pleasant Hill - Contra Costa Boulevard Preservation	Pleasant Hill	\$799,000	\$0	\$799,000
Dornan Drive/Garrard Blvd Tunnel Rehabilitation	Richmond	\$413,000	\$0	\$413,000
Richmond Local Streets and Roads Preservation	Richmond	\$3,030,000	\$0	\$3,030,000
San Pablo Various Streets and Roads Preservation	San Pablo	\$454,000	\$0	\$454,000
San Pablo Avenue Bicycle and Pedestrian Imps.	San Pablo	\$5,978,000	\$0	\$5,978,000
San Ramon Valley Blvd Preservation	San Ramon	\$291,000	\$0	\$291,000
Walnut Creek North Main Street Preservation	Walnut Creek	\$655,000	\$0	\$655,000

Attachment B-2

MTC Resolution No. 4035, Attachment B-2

Adopted: 05/17/12-C

Revised: 10/24/12-C

12/19/12-C 01/23/13-C 05/22/13-C

09/25/13-C 11/20/13-C 01/22/14-C

02/26/14-C 05/28/14-C 09/24/14-C

12/17/14-C 03/25/15-C 07/22/15-C

09/23/15-C 10/28/15-C

OBAG 1 County Program FY 2012-13 through FY 2016-17 September 2015

OBAG 1 County Programs Project List

Project Category and Title	Implementing Agency	Total STP/CMAQ	Total Other (RTIP, etc.)	Total Cycle 2
COUNTY OBAG 1 PROGRAMMING		\$309,314,000	\$18,036,000	\$327,350,000
CONTRA COSTA COUNTY		TOTAL: \$43,638,000	\$2,384,000	\$46,022,000

MARIN COUNTY

<i>Specific projects TBD by Marin CMA</i>	TBD	\$0	\$0	\$0
CMA Base Planning Activities - Marin	TAM	\$2,673,000	\$0	\$2,673,000
CMA Planning Activities Augmentation - Marin	TAM	\$418,000	\$0	\$418,000
CMA Planning Activities FY 2016-17 Supplement - Marin	TAM	\$720,000	\$0	\$720,000
Central Marin Ferry Bike/Ped Connection	TAM	\$1,500,000	\$0	\$1,500,000
Bolinas Avenue and Sir Francis Drake Intersection Imps.	Ross	\$274,000	\$0	\$274,000
San Rafael Various Streets and Roads Preservation	San Rafael	\$457,000	\$0	\$457,000
San Rafael Transit Center Pedestrian Access Imps.	San Rafael	\$1,900,000	\$0	\$1,900,000
Fairfax Parkade Circulation and Safety Imps.	Fairfax	\$0	\$300,000	\$300,000
North Civic Center Bicycle and Pedestrian Imps	Marin County	\$243,000	\$407,000	\$650,000
Donahue Street Preservation	Marin County	\$1,077,000	\$0	\$1,077,000
DeLong Ave. and Ignacio Blvd Preservation	Novato	\$779,000	\$0	\$779,000
MARIN COUNTY	TOTAL:	\$10,041,000	\$707,000	\$10,748,000

NAPA COUNTY

<i>Specific projects TBD by Napa - NCTPA</i>	TBD	\$0	\$0	\$0
CMA Base Planning Activities - Napa	NCTPA	\$2,673,000	\$0	\$2,673,000
CMA Planning Activities FY 2016-17 Supplement - Napa	NCTPA	\$720,000	\$0	\$720,000
Napa City North/South Bike Connection	Napa (City)	\$300,000	\$0	\$300,000
California Boulevard Roundabouts	Napa (City)	\$2,463,000	\$431,000	\$2,894,000
Silverado Trail Phase "H" Preservation	Napa County	\$794,000	\$0	\$794,000
NAPA COUNTY	TOTAL:	\$6,950,000	\$431,000	\$7,381,000

SAN FRANCISCO COUNTY

		\$3,393,000		\$0.46
<i>Specific projects TBD by San Francisco CMA</i>		\$0	\$0	\$0
CMA Base Planning Activities - San Francisco	SFCTA	\$2,795,000	\$0	\$2,795,000
CMA Planning Activities Augmentation - San Francisco	SFCTA	\$773,000	\$0	\$773,000
CMA Planning Activities FY 2016-17 Supplement- San Francisco	SFCTA	\$753,000	\$0	\$753,000
Longfellow Safe Routes to School	SF DPW	\$670,307	\$0	\$670,307
ER Taylor Safe Routes to School	SF DPW	\$519,631	\$0	\$519,631
Chinatown Broadway Complete Streets Phase IV	SF DPW	\$3,410,536	\$1,910,000	\$5,320,536
Mansell Corridor Complete Streets	SFCTA	\$1,762,239	\$0	\$1,762,239
Additional Light Rail Vehicles to Expand Muni Rail	SFMTA	\$10,227,539	\$0	\$10,227,539
Second Street Complete Streets	SFMTA	\$10,515,748	\$0	\$10,515,748
Transbay Center Bicycle and Pedestrian Imps.	TJPA	\$6,000,000	\$0	\$6,000,000
SAN FRANCISCO COUNTY	TOTAL:	\$37,427,000	\$1,910,000	\$39,337,000

SAN MATEO COUNTY

<i>Specific projects TBD by San Mateo CMA</i>		\$0	\$0	\$0
CMA Base Planning Activities - San Mateo	SMCCAG	\$2,673,000	\$0	\$2,673,000
CMA Planning Activities Augmentation - San Mateo	SMCCAG	\$752,000	\$0	\$752,000
CMA Planning Activities FY 2016-17 Supplement - San Mateo	SMCCAG	\$720,000	\$0	\$720,000
PDA Planning Augmentation - San Mateo	SMCCAG	\$84,000	\$0	\$84,000
Atherton Various Streets and Roads Preservation	Atherton	\$285,000	\$0	\$285,000
Belmont Various Streets and Roads Preservation	Belmont	\$534,000	\$0	\$534,000
Ralston Road Pedestrian Improvements	Belmont	\$250,000	\$0	\$250,000
Old County Road Bike and Pedestrian Imps	Belmont	\$270,000	\$0	\$270,000
Carolan Avenue Complete Streets and Road Diet	Burlingame	\$986,000	\$0	\$986,000
US 101 / Broadway Interchange Bike/Ped Imps	Caltrans	\$3,613,000	\$0	\$3,613,000
Daly City Various Streets and Roads Preservation	Daly City	\$562,000	\$0	\$562,000
John Daly Boulevard Bicycle and Pedestrian Imps.	Daly City	\$1,000,000	\$0	\$1,000,000
Bay Road Bike and Ped Imps. Phase II and III	East Palo Alto	\$1,000,000	\$0	\$1,000,000
Menlo Park Various Streets and Roads Preservation	Menlo Park	\$427,000	\$0	\$427,000
Menlo Park Various Streets Bicycle and Pedestrian Imps	Menlo Park	\$797,000	\$0	\$797,000
Millbrae Various Streets and Roads Prerservation	Millbrae	\$445,000	\$0	\$445,000

Attachment B-2

MTC Resolution No. 4035, Attachment B-2

Adopted: 05/17/12-C

Revised: 10/24/12-C

12/19/12-C 01/23/13-C 05/22/13-C

09/25/13-C 11/20/13-C 01/22/14-C

02/26/14-C 05/28/14-C 09/24/14-C

12/17/14-C 03/25/15-C 07/22/15-C

09/23/15-C 10/28/15-C

OBAG 1 County Program FY 2012-13 through FY 2016-17 September 2015

OBAG 1 County Programs Project List

Project Category and Title	Implementing Agency	Total STP/CMAQ	Total Other (RTIP, etc.)	Total Cycle 2
COUNTY OBAG 1 PROGRAMMING		\$309,314,000	\$18,036,000	\$327,350,000
San Pedro Creek Bridge Replacement Bike/Ped Imps	Pacifica	\$1,141,000	\$0	\$1,141,000
Pacifica Linda Mar Blvd Preservation	Pacifica	\$431,000	\$0	\$431,000
Palmetto Avenue Streetscape	Pacifica	\$1,000,000	\$0	\$1,000,000
Portola Valley Various Streets and Roads Preservation	Portola Valley	\$224,000	\$0	\$224,000
Redwood City Various Streets and Roads Preservation	Redwood City	\$548,000	\$0	\$548,000
Middlefield Road Bicycle and Pedestrian Imps	Redwood City	\$1,752,000	\$0	\$1,752,000
San Bruno Avenue Pedestrian Improvements	San Bruno	\$265,000	\$0	\$265,000
San Bruno Avenue Street Median Imps	San Bruno	\$735,000	\$0	\$735,000
Crestview Drive Pavement Rehabilitation	San Carlos	\$412,000	\$0	\$412,000
San Carlos Streetscape and Pedestrian Imps	San Carlos	\$850,000	\$0	\$850,000
El Camino Real Ped Upgrades (Grand Boulevard Initiative)	San Carlos	\$182,000	\$0	\$182,000
Mount Diablo Ave. Rehabilitation	San Mateo (City)	\$270,000	\$0	\$270,000
North Central Pedestrian Imps	San Mateo (City)	\$1,000,000	\$0	\$1,000,000
San Mateo Citywide Crosswalk Improvements	San Mateo (City)	\$368,000	\$0	\$368,000
Semicircular Road Bicycle and Pedestrian Access Imps	San Mateo County	\$320,000	\$0	\$320,000
South San Francisco Citywide Sidewalk Gap Closures	South San Francisco	\$357,000	\$0	\$357,000
South San Francisco Grand Blvd Pedestrian Imps	South San Francisco	\$1,000,000	\$0	\$1,000,000
South San Francisco Grand Blvd Complete Streets	South San Francisco	\$0	\$1,991,000	\$1,991,000
SAN MATEO COUNTY TOTAL:		\$25,253,000	\$1,991,000	\$27,244,000
SANTA CLARA COUNTY				
<i>Specific projects TBD by Santa Clara CMA</i>		\$0	\$0	\$0
CMA Base Planning Activities - Santa Clara	VTA	\$4,246,000	\$0	\$4,246,000
CMA Planning Activities Augmentation - Santa Clara	VTA	\$1,754,000	\$0	\$1,754,000
CMA Planning Activities FY 2016-17 Supplement - Santa Clara	VTA	\$1,145,000	\$0	\$1,145,000
Hamilton Avenue Preservation	Campbell	\$279,000	\$0	\$279,000
Campbell Avenue Bicycle and Pedestrian Imps.	Campbell	\$3,718,000	\$0	\$3,718,000
Stevens Creek Boulevard Preservation	Cupertino	\$735,000	\$0	\$735,000
Ronan Channel / Lions Creek Multi-Use Trail	Gilroy	\$1,034,000	\$0	\$1,034,000
Eagleberry Street Preservation	Gilroy	\$808,000	\$0	\$808,000
Los Altos Various Streets and Roads Preservation	Los Altos	\$312,000	\$0	\$312,000
El Monte Road Preservation	Los Altos Hills	\$186,000	\$0	\$186,000
Hillside Road Preservation	Los Gatos	\$139,000	\$0	\$139,000
Milpitas Various Streets and Roads Preservation	Milpitas	\$1,652,000	\$0	\$1,652,000
Monte Sereno Various Streets and Roads Preservation	Monte Sereno	\$250,000	\$0	\$250,000
Monterey Road Preservation	Morgan Hill	\$1,379,000	\$0	\$1,379,000
Mountain View Various Streets Preservation and Bike Lanes	Mountain View	\$1,166,000	\$0	\$1,166,000
Palo Alto Various Streets and Roads Preservation	Palo Alto	\$956,000	\$0	\$956,000
US 101/Adobe Creek Bicycle and Pedestrian Bridge	Palo Alto	\$0	\$4,350,000	\$4,350,000
San Jose Citywide Bikeway Program	San Jose	\$1,150,000	\$0	\$1,150,000
San Jose Citywide Pavement Management Program	San Jose	\$11,531,000	\$0	\$11,531,000
San Jose Citywide SRTS Infrastructure Program	San Jose	\$1,150,000	\$0	\$1,150,000
San Jose Citywide Smart Intersections Program	San Jose	\$1,150,000	\$0	\$1,150,000
Downtown San Jose Bike Lanes and De-Couplet	San Jose	\$1,500,000	\$0	\$1,500,000
East San Jose Bicycle/Pedestrian Transit Connection	San Jose	\$2,000,000	\$0	\$2,000,000
Jackson Avenue Bicycle and Pedestrian Imps.	San Jose	\$1,500,000	\$0	\$1,500,000
San Jose Pedestrian-Oriented Traffic Safety Signals	San Jose	\$3,000,000	\$0	\$3,000,000
St. Johns Bikeway and Pedestrian Improvements	San Jose	\$1,185,000	\$0	\$1,185,000
The Alameda "Beautiful Way" Grand Boulevard Phase 2	San Jose	\$3,150,000	\$0	\$3,150,000
Santa Clara Various Streets and Roads Preservation	Santa Clara (City)	\$1,891,000	\$0	\$1,891,000
San Tomas Expressway Box Culvert Rehabilitation	Santa Clara County	\$8,350,000	\$0	\$8,350,000
Capitol Expressway Traffic ITS and Bike/Ped Imps.	Santa Clara County	\$7,735,000	\$0	\$7,735,000
San Tomas Aquino Spur Multi-Use Trail Phase 2	Santa Clara County	\$3,234,000	\$0	\$3,234,000
Saratoga Village Sidewalk Preservation	Saratoga	\$162,000	\$0	\$162,000
Saratoga Ave-Prospect Rd Complete Streets	Saratoga	\$4,205,000	\$0	\$4,205,000
Duane Avenue Preservation	Sunnyvale	\$1,576,000	\$0	\$1,576,000
East & West Channel Multi-Use Trails	Sunnyvale	\$3,440,000	\$0	\$3,440,000
Fair Oaks Avenue Bikeway and Streetscape	Sunnyvale	\$956,000	\$0	\$956,000
Maude Avenue Bikeway and Streetscape	Sunnyvale	\$695,000	\$0	\$695,000
Sunnyvale Safe Routes to School Ped Infrastructure Imps	Sunnyvale	\$1,569,000	\$0	\$1,569,000

Metropolitan Transportation Commission

T4 New Act Cycle 2 Project Selection Criteria and Programming Policy - OBAG Program Project List

Attachment B-2

MTC Resolution No. 4035, Attachment B-2

Adopted: 05/17/12-C

Revised: 10/24/12-C

12/19/12-C 01/23/13-C 05/22/13-C

09/25/13-C 11/20/13-C 01/22/14-C

02/26/14-C 05/28/14-C 09/24/14-C

12/17/14-C 03/25/15-C 07/22/15-C

09/23/15-C 10/28/15-C

OBAG 1 County Program FY 2012-13 through FY 2016-17 September 2015

OBAG 1 County Programs Project List

Project Category and Title	Implementing Agency	Total STP/CMAQ	Total Other (RTIP, etc.)	Total Cycle 2
COUNTY OBAG 1 PROGRAMMING		\$309,314,000	\$18,036,000	\$327,350,000
Sunnyvale-Saratoga Road Bike/Ped Safety Enhancements	Sunnyvale	\$524,000	\$0	\$524,000
Milpitas BART Station Montague Expwy Ped Overcrossing	VTA	\$744,000	\$0	\$744,000
VTA/San Jose: Upper Penitencia Creek Multi-Use Trail	VTA	\$1,514,000	\$0	\$1,514,000
Santa Clara Caltrain Station Bike/Ped Undercrossing	VTA	\$1,251,000	\$0	\$1,251,000
SANTA CLARA COUNTY	TOTAL:	\$84,921,000	\$4,350,000	\$89,271,000

SOLANO COUNTY				
<i>Specific projects TBD by Solano CMA</i>				
CMA Base Planning Activities - Solano	STA	\$2,673,000	\$0	\$2,673,000
CMA Planning Activities Augmentation - Solano	STA	\$333,000	\$0	\$333,000
CMA Planning Activities FY 2016-17 Supplement - Solano	STA	\$720,000	\$0	\$720,000
Local PDA Planning Augmentation	STA	\$511,000	\$0	\$511,000
East 2nd Street Preservation	Benicia	\$495,000	\$0	\$495,000
Benicia Safe Routes to Schools Infrastructure Imps	Benicia	\$100,000	\$0	\$100,000
West A Street Preservation	Dixon	\$584,000	\$0	\$584,000
Dixon SRTS Infrastructure Imps	Dixon	\$100,000	\$0	\$100,000
Beck Avenue Preservation	Fairfield	\$1,424,000	\$0	\$1,424,000
SR 12 Pedestrian Crossing Improvements	Rio Vista	\$100,000	\$0	\$100,000
Solano County - Various Streets and Roads Preservation	Solano County	\$1,389,000	\$0	\$1,389,000
Vaca-Dixon Bike Route Phase 5	Solano County	\$1,800,000	\$0	\$1,800,000
West B Street Bicycle/Pedestrian RxR Undercrossing	STA	\$1,394,000	\$1,141,000	\$2,535,000
Eastern Solano / SNCI Rideshare Program	STA	\$533,000	\$0	\$533,000
Solano Transit Ambassador Program	STA	\$250,000	\$0	\$250,000
Driftwood Drive Path	Suisun City	\$349,065	\$0	\$349,065
Walters Road/Pintail Drive Preservation	Suisun City	\$356,000	\$0	\$356,000
Suisun/Fairfield Intercity Rail Station Access Imps	Suisun City	\$415,000	\$0	\$415,000
Vacaville SRTS Infrastructure Imps	Vacaville	\$303,207	\$0	\$303,207
Vacaville - Various Streets and Roads Preservation	Vacaville	\$1,231,000	\$0	\$1,231,000
Allison Bicycle/Pedestrian Imps.	Vacaville	\$450,000	\$0	\$450,000
Ulatis Creek Bicycle/Pedestrian Pathway and Streetscape	Vacaville	\$150,000	\$0	\$150,000
Vallejo SRTS Infrastructure Imps	Vallejo	\$247,728	\$0	\$247,728
Vallejo Downtown Streetscape - Phases 3 and 4	Vallejo	\$2,440,000	\$0	\$2,440,000
SOLANO COUNTY	TOTAL:	\$18,348,000	\$1,141,000	\$19,489,000

SONOMA COUNTY				
<i>Specific projects TBD by Sonoma - SCTA</i>				
CMA Base Planning Activities - Sonoma	SCTA	\$2,673,000	\$0	\$2,673,000
CMA Planning Activities FY 2016-17 Supplement - Sonoma	SCTA	\$720,000	\$0	\$720,000
Cloverdale Safe Routes to Schools Phase 2	Cloverdale	\$250,000	\$0	\$250,000
Cotati Old Redwood Highway South Preservation (CS)	Cotati	\$250,000	\$0	\$250,000
Healdsburg Various Streets and Roads Preservation	Healdsburg	\$250,000	\$0	\$250,000
Petaluma Complete Streets	Petaluma	\$1,848,000	\$0	\$1,848,000
Rohnert Park Various Streets Preservation	Rohnert Park	\$1,103,000	\$0	\$1,103,000
Rohnert Park Bicycle and Pedestrian Improvements	Rohnert Park	\$500,000	\$0	\$500,000
Downtown Santa Rosa Streetscape	Santa Rosa	\$360,000	\$353,000	\$713,000
Santa Rosa Complete Streets Road Diet on Transit Corridors	Santa Rosa	\$2,460,000	\$0	\$2,460,000
Sebastopol Various Streets and Roads Preservation	Sebastopol	\$250,000	\$0	\$250,000
SMART Larkspur Extension (Regional Project)	SMART	\$6,100,000	\$0	\$6,100,000
SMART Clipper Card Service	MTC	\$500,000	\$0	\$500,000
SMART Bicycle/Pedestrian Pathway	SMART	\$0	\$1,043,000	\$1,043,000
Sonoma Various Streets and Roads Preservation	Sonoma (City)	\$250,000	\$0	\$250,000
Sonoma County Various Streets and Roads Preservation	Sonoma County	\$3,377,000	\$0	\$3,377,000
Windsor Road/Jaquar Lane Bicycle/Pedestrian Imps.	Windsor	\$630,000	\$0	\$630,000
Conde Lane/Johnson Street Pedestrian Imps.	Windsor	\$432,000	\$0	\$432,000
Windsor Rd/Bell Rd/Market St Pedestrian Imps.	Windsor	\$410,000	\$0	\$410,000
SONOMA COUNTY	TOTAL:	\$22,363,000	\$1,396,000	\$23,759,000

Attachment B-2

MTC Resolution No. 4035, Attachment B-2

Adopted: 05/17/12-C

Revised: 10/24/12-C

12/19/12-C 01/23/13-C 05/22/13-C

09/25/13-C 11/20/13-C 01/22/14-C

02/26/14-C 05/28/14-C 09/24/14-C

12/17/14-C 03/25/15-C 07/22/15-C

09/23/15-C 10/28/15-C

OBAG 1 County Program FY 2012-13 through FY 2016-17 September 2015

OBAG 1 County Programs Project List

Project Category and Title	Implementing Agency	Total STP/CMAQ	Total Other (RTIP, etc.)	Total Cycle 2
COUNTY OBAG 1 PROGRAMMING		\$309,314,000	\$18,036,000	\$327,350,000
Cycle 2 Total		TOTAL: \$309,314,000	\$18,036,000	\$327,350,000

J:\SECTION\ALLSTAFF\Resolution\TEMP-RES\MTC\RES-4035_ongoing\[tmp-4035_Attach_B-2_10-28-15.xlsx]Attach B-2 10-28-15



Metropolitan Transportation Commission

101 Eighth Street,
Joseph P. Bort MetroCenter
Oakland, CA

Legislation Details (With Text)

File #: 15-0905 **Version:** 1 **Name:**
Type: Resolution **Status:** Consent
File created: 9/15/2015 **In control:** Programming and Allocations Committee
On agenda: 10/28/2015 **Final action:** 10/28/2015
Title: FY 2015-16 Fund Estimate Revision. MTC Resolution No. 4177, Revised.

Sponsors:

Indexes:

Code sections:

Attachments: [6e Reso-4177 Fund Estimate Revisions](#)

Date	Ver.	Action By	Action	Result
10/14/2015	1	Programming and Allocations Committee		

Subject:

FY 2015-16 Fund Estimate Revision. MTC Resolution No. 4177, Revised.

Presenter:

William Bacon

Recommended Action:

Commission Approval

Metropolitan Transportation Commission Programming and Allocations Committee

October 14, 2015

Resolution No. 4177, Revised

Subject: Revision to the FY2015-16 Fund Estimate.

Background: This item revises the FY2015-16 Fund Estimate to account for actual FY2014-15 State Transit Assistance (STA) revenues from the State Controller's Office.

- **Reconcile Actual FY2014-15 STA Revenue:** The State Controller's Office (SCO) released a summary of actual statewide FY2014-15 STA revenue on September 18, 2015 that is 3% higher than the SCO's revised revenue estimate from August 2014. Total actual Bay Area STA revenue increased by 5%, or roughly \$6.5 million over the SCO's August 2014 estimate. Overall the Bay Area received 38% of total statewide STA funds, up from 37% in FY2013-14. This increase was primarily driven by an increase in the Bay Area's share of the statewide total of STA Revenue-based funds which increased to 56% in FY2014-15 from 53% in FY2013-14. This unusually high increase may be due to the addition of, and back payments to, Marin Transit as an STA recipient in FY2014-15.
- **Update FY2015-16 STA Revenue Estimate:** Normally the SCO releases a revised STA revenue estimate for the current fiscal year each August to reflect the adopted annual state budget. However, this year the SCO chose not to release an updated FY2015-16 STA revenue estimate due to a pending outside challenge to the SCO's implementation of STA eligibility policies. In response to the challenge the SCO is developing a legal opinion and decided that in the meantime it would refrain from updating its FY2015-16 STA revenue estimate. However, MTC staff have updated the FY2015-16 Fund Estimate's forecast of FY2015-16 STA revenue based funds based on the budgeted amounts for the program included in the adopted FY2015-16 state budget. Note that although the FY2014-15 actuals were higher than expected, the FY2015-16 amount is being adjusted downward to reflect the lower state budget number. This estimate reflects a reduction of \$13.7 million region-wide, or approximately 10%. Attachment A to this summary provides details on actual FY2014-15 and estimated FY2015-16 STA revenues by apportionment jurisdiction.
- **STA Program Apportionment Shares:** In addition to the increase in the region's overall share of STA Revenue-based funds relative to the state, there were changes in the shares of individual operators for the STA Revenue-based apportionments, shown in Table 1 below.

Table 1: STA Program Shares*

Transit Operator	FY2014-15 Estimated Share of Regional Total	FY2014-15 Actual Share of Regional Total	FY2014-15 Adjustment*
Caltrain	5.32%	5.26%	-0.06%
GGBHTD	4.54%	3.29%	-1.24%
SamTrans	3.88%	3.24%	-0.65%
WETA	1.23%	1.28%	0.05%
SolTrans	0.28%	0.27%	-0.01%
VTA	11.88%	12.45%	0.57%
AC Transit	8.48%	8.71%	0.23%
BART	23.62%	23.12%	-0.50%
SFMTA	38.36%	38.61%	0.25%
All Other Operators	2.42%	3.77%	1.36%

*Normalized to MTC regional total.

- **AB 1107 State Interest:** Actual FY2014-15 Assembly Bill (AB) 1107 revenues were updated to include state-paid interest totaling \$6,807 which was not yet paid by the July Fund Estimate revision.

Issues: Due to the apparent policy/legal challenge at the SCO, it is unclear when the state will release updated FY2015-16 STA revenue estimates. Staff will continue to monitor this unusual situation.

Recommendation: Refer MTC Resolution No. 4177, Revised to the Commission for approval.

Attachments: Attachment A – STA Program Apportionments
MTC Resolution No. 4177, Revised

Attachment A - STA Program Apportionments

Apportionment Jurisdictions	FY2014-15 Apportionments			FY2015-16 Apportionments			FY2015-16
	FY2014-15	FY2014-15	FY2014-15	FY2015-16	FY2015-16	FY2015-16	Oct-15
	Sep-14	Sep-15	Adjustment	Feb-15	Oct-15	Adjustment	Apportionment
	Estimate	Actual*	\$	Estimate*	Estimate*	\$	Share**
ACCMA - Corresponding to ACE	\$219,010	\$269,700	\$50,690	\$226,485	\$206,925	(\$19,560)	0.2%
City of Benicia	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
Caltrain	\$5,383,736	\$5,611,558	\$227,822	\$5,567,508	\$5,080,483	(\$487,025)	5.4%
CCCTA	\$606,373	\$634,239	\$27,866	\$627,072	\$572,232	(\$54,840)	0.6%
City of Dixon	\$4,812	\$4,921	\$109	\$4,977	\$4,541	(\$436)	0.005%
ECCTA	\$277,957	\$293,736	\$15,779	\$287,444	\$262,324	(\$25,120)	0.3%
City of Fairfield	\$108,904	\$123,942	\$15,038	\$112,621	\$102,833	(\$9,788)	0.1%
GGBHTD	\$4,592,426	\$3,514,385	(\$1,078,041)	\$4,749,186	\$3,370,520	(\$1,378,666)	3.6%
City of Healdsburg	(\$1,297)	\$0	\$0	\$705	(\$817)	(\$1,522)	0.0%
LAVTA	\$258,232	\$256,370	(\$1,862)	\$267,047	\$243,609	(\$23,438)	0.3%
Marin Transit	\$0	\$1,399,764	\$1,399,764	\$452,308	\$415,593	(\$36,715)	0.4%
NCPTA	\$45,648	\$64,061	\$18,413	\$47,206	\$43,177	(\$4,029)	0.05%
City of Petaluma	\$25,850	\$19,782	(\$6,068)	\$26,733	\$18,928	(\$7,805)	0.02%
City of Rio Vista	\$1,299	\$640	(\$659)	\$2,905	\$1,622	(\$1,283)	0.002%
SamTrans	\$3,927,492	\$3,451,201	(\$476,291)	\$4,061,555	\$3,702,361	(\$359,194)	3.9%
City of Santa Rosa	\$137,181	\$140,862	\$3,681	\$141,864	\$129,441	(\$12,423)	0.1%
Solano County Transit	\$284,020	\$289,370	\$5,350	\$293,715	\$267,981	(\$25,734)	0.3%
Sonoma County Transit	\$158,396	\$152,518	(\$5,878)	\$163,803	\$149,398	(\$14,405)	0.2%
City of Union City	\$44,217	\$43,372	(\$845)	\$45,726	\$41,710	(\$4,016)	0.04%
VTA	\$12,016,363	\$13,277,578	\$1,261,215	\$12,426,536	\$11,344,085	(\$1,082,451)	11.9%
VTA - Corresponding to ACE	\$247,447	\$288,715	\$41,268	\$255,895	\$233,697	(\$22,198)	0.2%
WCCTA	\$311,495	\$332,383	\$20,888	\$322,128	\$293,997	(\$28,131)	0.3%
WETA	\$1,243,622	\$1,365,343	\$121,721	\$1,286,072	\$1,173,991	(\$112,081)	1.2%
Subtotal - STA Revenue-Based	\$29,893,183	\$31,534,440	\$1,639,960	\$31,369,491	\$27,658,631	(\$3,710,860)	29.1%
AC Transit	\$8,583,218	\$9,294,689	\$711,470	\$8,876,203	\$8,990,972	\$114,769	9.5%
BART	\$23,898,452	\$24,657,338	\$758,886	\$24,714,216	\$20,656,494	(\$4,057,722)	21.8%
SFMTA	\$38,811,663	\$41,185,560	\$2,373,897	\$40,136,483	\$37,635,121	(\$2,501,362)	39.6%
Subtotal - STA Revenue-Based	\$71,293,334	\$75,137,587	\$3,844,253	\$73,726,902	\$67,282,587	(\$6,444,315)	70.9%
Bay Area Revenue-Based Total	\$101,186,517	\$106,672,027	\$5,485,510	\$105,096,393	\$94,941,218	(\$10,155,175)	100.0%
Statewide Revenue-Base Total	\$186,545,500	\$191,957,250	\$5,411,750	\$193,899,000	\$176,000,000	(\$17,899,000)	N/A
Bay Area Population-Based Total	\$36,104,576	\$37,151,982	\$1,047,406	\$37,527,794	\$34,015,182	(\$3,512,612)	N/A
Statewide Population-Based Total	\$186,545,500	\$191,957,250	\$5,411,750	\$193,899,000	\$176,000,000	(\$17,899,000)	N/A

*Source: California State Controller's Office, <http://www.sco.ca.gov>.

**Normalized to MTC region total.

Date: February 25, 2015
W.I.: 1511
Referred by: PAC
Revised: 07/22/15-C
10/28/15-C

ABSTRACT

Resolution No. 4177, Revised

This resolution approves the FY 2015-16 Fund Estimate, including the distribution and apportionment of Transportation Development Act (TDA), State Transit Assistance (STA), Assembly Bill (AB) 1107 sales tax, and transit-related bridge toll funds.

This resolution was revised on July 22, 2015 to reflect actual receipts for TDA and AB 1107 funds in FY 2014-15, the rescission actions that were necessary to match FY 2014-15 allocations to the actual revenue collected, and the allocations of the excess revenue for FY 2014-15 per operator's requests.

This resolution was revised on October 28, 2015 to reflect actual receipts of FY 2014-15 STA programs funds and to update apportionment shares based on information provided by the State Controller's Office.

Further discussion of these actions is contained in the MTC Programming and Allocations Summary Sheet dated February 11, 2015, July 8, 2015, and October 14, 2015.

.

Date: February 25, 2015
W.I.: 1511
Referred by: PAC

RE: Determination of Transportation Development Act (TDA) Area Apportionments and Proposed Distribution of Operating Funds for FY 2015-16

METROPOLITAN TRANSPORTATION COMMISSION
RESOLUTION NO. 4177

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, the Transportation Development Act (TDA), Public Utilities Code (PUC) Sections 99200 *et seq.*, provides that funds are made available from the Local Transportation Fund (LTF) for various transportation purposes; and

WHEREAS, pursuant to 21 California Code of Regulations Section 6620, the County Auditor for each of the nine counties in the Bay Area has submitted the revised and new TDA fund estimates for FY 2014-15 and FY 2015-16 as shown in Attachment A to this resolution, attached hereto and incorporated herein as though set forth at length; and

WHEREAS, MTC is required to determine and advise all prospective claimants, prior to March 1 each year, of all area apportionments from the LTF for the following fiscal year pursuant to 21 California Code of Regulations Section 6644; and

WHEREAS, all area apportionments of TDA funds for the 2015-16 fiscal year are shown in Attachment A to this resolution, attached hereto and incorporated herein as though set forth at length; and

WHEREAS, MTC has prepared a proposed distribution of operating assistance funds, including TDA, State Transit Assistance (STA) pursuant to Public Utilities Code § 99310 *et seq.*, the twenty-five percent (25%) of the one-half cent transaction and use tax collected pursuant to PUC Section 29142.2 (AB 1107), and estimates of certain toll bridge revenues (SHC §§ 30910 *et seq.*), in order to provide financial information to all prospective claimants to assist them in developing budgets in a timely manner; and

WHEREAS, the proposed distribution of such operating assistance funds is also shown in Attachment A; now, therefore, be it

RESOLVED, that MTC approves the area apportionments of TDA funds, and the proposed distribution of operating assistance funds for the 2015-16 fiscal year as shown in Attachment A, subject to the conditions noted therein; and, be it further

RESOLVED, that MTC intends to allocate operating assistance funds for the 2015-16 fiscal year, based on the area apportionments of TDA funds, the proposed distribution of operating assistance funds and upon the receipt of appropriate claims from eligible claimants; and, be it further

RESOLVED, that Attachment A may be revised by the MTC Executive Director or his designee to reflect funds returned to the Local Transportation Fund and expired capital allocations or by approval of the MTC Programming and Allocations Committee, except that any significant changes shall be submitted to the full Commission for approval.

METROPOLITAN TRANSPORTATION COMMISSION

A handwritten signature in blue ink, appearing to read "Dan Clark", is written over a horizontal line.

Chair

The above resolution was approved by the Metropolitan Transportation Commission at a regular meeting of the Commission held in Oakland, California, on February 25, 2015.

**FY 2015-16 FUND ESTIMATE
REGIONAL SUMMARY**

Attachment A
Res No. 4177
Page 1 of 17
10/28/2015

TDA REGIONAL SUMMARY TABLE

<i>Column</i>	<i>A</i>	<i>B</i>	<i>C</i>	<i>D</i>	<i>E</i>	<i>F</i>	<i>G</i>	<i>H=Sum(A:G)</i>
	6/30/2014	FY2013-15	FY2014-15	FY2014-15	FY2014-15	FY2015-16	FY2015-16	FY2015-16
Apportionment Jurisdictions	Balance ¹	Outstanding Commitments, Refunds, & Interest ²	Original Estimate	Revenue Adjustment	Revised Admin. & Planning Charge	Revenue Estimate	Admin. & Planning Charge	Available for Allocation
Alameda	19,087,220	(79,473,382)	67,048,000	4,295,982	(2,547,039)	73,546,000	(2,941,840)	79,014,940
Contra Costa	16,937,030	(43,522,963)	38,652,655	(812,161)	(1,403,620)	40,146,919	(1,605,878)	48,391,982
Marin	1,525,671	(12,971,541)	11,930,361	446,611	(495,079)	12,713,895	(508,555)	12,641,364
Napa	12,423,311	(13,182,109)	7,134,000	743,702	(315,108)	7,600,000	(304,000)	14,099,796
San Francisco	1,555,127	(46,448,643)	44,462,160	2,383,286	(1,873,818)	48,421,155	(1,936,847)	46,562,420
San Mateo	4,528,487	(38,435,834)	36,813,470	1,820,623	(1,445,364)	36,914,589	(1,476,584)	38,719,388
Santa Clara	5,230,432	(99,929,692)	98,695,000	1,463,990	(3,553,565)	102,299,000	(4,091,960)	100,113,205
Solano	9,697,469	(15,604,810)	15,512,708	1,629,769	(685,699)	17,358,114	(694,325)	27,213,226
Sonoma	10,972,812	(24,666,326)	21,210,000	108,798	(792,752)	22,900,000	(916,000)	28,816,532
TOTAL	\$81,957,558	(\$374,235,299)	\$341,458,354	\$12,080,600	(\$13,112,044)	\$361,899,672	(\$14,475,989)	\$395,572,853

STA, AB 1107, BRIDGE TOLL, & LOW CARBON TRANSIT OPERATIONS PROGRAM REGIONAL SUMMARY TABLE

<i>Column</i>	<i>A</i>	<i>B</i>	<i>C</i>	<i>D</i>		<i>E=Sum(A:D)</i>
	6/30/2014	FY2013-15	FY2014-15	FY2015-16		FY2015-16
Fund Source	Balance (w/ interest) ¹	Outstanding Commitments ³	Revenue Estimate	Revenue Estimate		Available for Allocation
State Transit Assistance						
Revenue-Based	8,023,292	(103,342,291)	106,672,027	94,941,218		106,294,246
Population-Based	49,283,506	(36,048,422)	37,151,982	34,015,182		84,177,718
SUBTOTAL	57,306,798	(139,390,713)	143,824,009	128,956,400		190,471,964
AB1107 - BART District Tax (25% Share)	0	(77,621,031)	77,621,031	77,560,800		77,560,800
Bridge Toll Total						
AB 664 Bridge Revenues	30,120,223	(84,909,223)	54,789,000	2,300,000		2,300,000
MTC 2% Toll Revenue	11,724,926	(17,564,995)	8,750,000	1,450,000		4,359,930
5% State General Fund Revenue	0	0	0	3,210,892		11,228,719
SUBTOTAL	41,845,149	(102,474,218)	63,539,000	6,960,892		17,888,649
Low Carbon Transit Operations Program	0	0	9,175,832	36,777,959		36,777,959
TOTAL	\$99,151,947	(\$319,485,961)	\$294,159,871	\$250,256,051		\$322,699,372

Please see Attachment A pages 2-14 for detailed information on each fund source.

1. Balance as of 6/30/14 is from MTC FY2013-14 Audit, and it contains both funds available for allocation and funds that have been allocated but not disbursed.

2. The outstanding commitments figure includes all unpaid allocations as of 6/30/14, and FY2014-15 allocations as of 6/30/15.

3. The outstanding commitments figure includes all unpaid allocations as of 6/30/14, and FY2014-15 allocations as of 6/30/15.

FY 2015-16 FUND ESTIMATE
TRANSPORTATION DEVELOPMENT ACT FUNDS
ALAMEDA COUNTY

Attachment A
Res No. 4177
Page 2 of 17
10/28/2015

FY2014-15 TDA Revenue Estimate			FY2015-16 TDA Estimate		
FY2014-15 Generation Estimate Adjustment			FY2015-16 County Auditor's Generation Estimate		
1. Original County Auditor Estimate (Feb, 14)	67,048,000		13. County Auditor Estimate	73,546,000	
2. Actual Revenue (June, 15)	71,343,982		FY2015-16 Planning and Administration Charges		
3. Revenue Adjustment (Lines 2-1)		4,295,982	14. MTC Administration (0.5% of Line 13)	367,730	
FY2014-15 Planning and Administration Charges Adjustment			15. County Administration (0.5% of Line 13)	367,730	
4. MTC Administration (0.5% of Line 3)	21,480		16. MTC Planning (3.0% of Line 13)	2,206,380	
5. County Administration (Up to 0.5% of Line 3)	(285,240)		17. Total Charges (Lines 14+15+16)	2,941,840	
6. MTC Planning (3.0% of Line 3)	128,879		18. TDA Generations Less Charges (Lines 13-17)	70,604,160	
7. Total Charges (Lines 4+5+6)		(134,881)	FY2015-16 TDA Apportionment By Article		
8. Adjusted Generations Less Charges (Lines 3-7)		4,430,863	19. Article 3.0 (2.0% of Line 18)	1,412,083	
FY2014-15 TDA Adjustment By Article			20. Funds Remaining (Lines 18-19)	69,192,077	
9. Article 3 Adjustment (2.0% of line 8)	88,617		21. Article 4.5 (5.0% of Line 20)	3,459,604	
10. Funds Remaining (Lines 8-9)		4,342,246	22. TDA Article 4 (Lines 20-21)	65,732,473	
11. Article 4.5 Adjustment (5.0% of Line 10)	217,112				
12. Article 4 Adjustment (Lines 10-11)		4,125,134			

TDA APPORTIONMENT BY JURISDICTION										
Column	A	B	C=Sum(A:B)	D	E	F	G	H=Sum(C:G)	I	J=Sum(H:I)
	6/30/2014	FY2013-14	6/30/2014	FY2013-15	FY2014-15	FY2014-15	FY2014-15	6/30/2015	FY2015-16	FY 2015-16
Apportionment Jurisdictions	Balance (w/o interest)	Interest	Balance (w/ interest) ¹	Outstanding Commitments ²	Transfers/ Refunds	Original Estimate	Revenue Adjustment	Projected Carryover	Revenue Estimate	Available for Allocation
Article 3	2,783,630	6,974	2,790,604	(2,994,298)	0	1,287,322	88,617	1,172,245	1,412,083	2,584,328
Article 4.5	378,377	1,179	379,556	(324,370)	(3,400,828)	3,153,938	217,112	25,408	3,459,604	3,485,012
SUBTOTAL	3,162,007	8,153	3,170,160	(3,318,668)	(3,400,828)	4,441,260	305,729	1,197,653	4,871,687	6,069,340
Article 4										
AC Transit										
District 1	561,239	5,534	566,773	(45,449,646)	3,400,828	38,809,061	2,671,557	(1,427)	42,419,679	42,418,252
District 2	49,005	1,367	50,372	(11,051,637)	0	10,292,454	708,517	(294)	11,315,940	11,315,646
BART ³	11,716	14	11,730	(85,602)	0	73,903	5,087	5,118	79,882	85,000
LAVTA	10,055,241	16,138	10,071,379	(14,400,872)		7,989,391	549,978	4,209,875	8,899,101	13,108,976
Union City	5,248,012	10,663	5,258,675	(5,208,827)		2,760,012	189,995	2,999,855	3,017,872	6,017,727
SUBTOTAL	15,925,212	33,717	15,958,929	(76,196,584)	3,400,828	59,924,820	4,125,134	7,213,127	65,732,473	72,945,600
GRAND TOTAL	\$19,087,220	\$41,869	\$19,129,089	(\$79,515,252)	\$0	\$64,366,080	\$4,430,863	\$8,410,780	\$70,604,160	\$79,014,940

1. Balance as of 6/30/14 is from MTC FY2013-14 Audit, and it contains both funds available for allocation and funds that have been allocated but not disbursed.

2. The outstanding commitments figure includes all unpaid allocations as of 6/30/14, and FY2014-15 allocations as of 6/30/15.

3. Details on the proposed apportionment of BART funding to local operators are shown on page 15 of the Fund Estimate.

**FY 2015-16 FUND ESTIMATE
TRANSPORTATION DEVELOPMENT ACT FUNDS
CONTRA COSTA COUNTY**

Attachment A
Res No. 4177
Page 3 of 17
10/28/2015

FY2014-15 TDA Revenue Estimate			FY2015-16 TDA Estimate	
FY2014-15 Generation Estimate Adjustment			FY2015-16 County Auditor's Generation Estimate	
1. Original County Auditor Estimate (Feb, 14)	38,652,655		13. County Auditor Estimate	40,146,919
2. Actual Revenue (June, 15)	37,840,494		FY2015-16 Planning and Administration Charges	
3. Revenue Adjustment (Lines 2-1)		(812,161)	14. MTC Administration (0.5% of Line 13)	200,735
FY2014-15 Planning and Administration Charges Adjustment			15. County Administration (0.5% of Line 13)	200,735
4. MTC Administration (0.5% of Line 3)	(4,061)		16. MTC Planning (3.0% of Line 13)	1,204,408
5. County Administration (Up to 0.5% of Line 3)	(114,061)		17. Total Charges (Lines 14+15+16)	1,605,878
6. MTC Planning (3.0% of Line 3)	(24,365)		18. TDA Generations Less Charges (Lines 13-17)	38,541,041
7. Total Charges (Lines 4+5+6)		(142,487)	FY2015-16 TDA Apportionment By Article	
8. Adjusted Generations Less Charges (Lines 3-7)		(669,674)	19. Article 3.0 (2.0% of Line 18)	770,821
FY2014-15 TDA Adjustment By Article			20. Funds Remaining (Lines 18-19)	37,770,220
9. Article 3 Adjustment (2.0% of line 8)	(13,393)		21. Article 4.5 (5.0% of Line 20)	1,888,511
10. Funds Remaining (Lines 8-9)		(656,281)	22. TDA Article 4 (Lines 20-21)	35,881,709
11. Article 4.5 Adjustment (5.0% of Line 10)	(32,814)			
12. Article 4 Adjustment (Lines 10-11)		(623,467)		

TDA APPORTIONMENT BY JURISDICTION										
Column	A	B	C=Sum(A:B)	D	E	F	G	H=Sum(C:G)	I	J=Sum(H:I)
	6/30/2014	FY2013-14	6/30/2014	FY2013-15	FY2014-15	FY2014-15	FY2014-15	6/30/2015	FY2015-16	FY 2015-16
Apportionment Jurisdictions	Balance (w/o interest)	Interest	Balance (w/ interest) ¹	Outstanding Commitments ²	Transfers/ Refunds	Original Estimate	Revenue Adjustment	Projected Carryover	Revenue Estimate	Available for Allocation
Article 3	982,348	245	982,593	(1,716,284)	0	742,131	(13,393)	(4,953)	770,821	765,868
Article 4.5	76	1,449	1,525	(1,122,257)	(519,341)	1,818,221	(32,814)	145,334	1,888,511	2,033,845
SUBTOTAL	982,424	1,694	984,118	(2,838,541)	(519,341)	2,560,352	(46,207)	140,381	2,659,332	2,799,713
Article 4										
AC Transit										
District 1	5,089	1	5,090	(6,251,392)	308,578	6,046,855	(109,130)	1	6,254,093	6,254,094
BART ³	203	2	205	(239,634)	0	243,826	(4,400)	(4)	250,912	250,908
CCCTA	12,066,759	1,577	12,068,336	(21,865,365)	1,698,525	16,440,852	(296,714)	8,045,634	17,054,847	25,100,481
ECCTA	2,095,198	76	2,095,274	(10,924,328)	0	9,714,748	(175,325)	710,368	10,151,017	10,861,385
WCCTA	1,787,355	236	1,787,591	(3,105,812)	210,763	2,099,917	(37,898)	954,561	2,170,840	3,125,401
SUBTOTAL	15,954,605	1,891	15,956,496	(42,386,531)	2,217,866	34,546,197	(623,467)	9,710,560	35,881,709	45,592,269
GRAND TOTAL	\$16,937,030	\$3,584	\$16,940,614	(\$45,225,072)	\$1,698,525	\$37,106,549	(\$669,674)	\$9,850,941	\$38,541,041	\$48,391,982

1. Balance as of 6/30/14 is from MTC FY2013-14 Audit, and it contains both funds available for allocation and funds that have been allocated but not disbursed.

2. The outstanding commitments figure includes all unpaid allocations as of 6/30/14, and FY2014-15 allocations as of 6/30/15

3. Details on the proposed apportionment of BART funding to local operators are shown on page 15 of the Fund Estimate.

**FY 2015-16 FUND ESTIMATE
TRANSPORTATION DEVELOPMENT ACT FUNDS
MARIN COUNTY**

Attachment A
Res No. 4177
Page 4 of 17
10/28/2015

FY2014-15 TDA Revenue Estimate					FY2015-16 TDA Estimate					
FY2014-15 Generation Estimate Adjustment					FY2015-16 County Auditor's Generation Estimate					
1. Original County Auditor Estimate (Feb, 14)			11,930,361		13. County Auditor Estimate				12,713,895	
2. Actual Revenue (June, 15)			12,376,972		FY2015-16 Planning and Administration Charges					
3. Revenue Adjustment (Lines 2-1)				446,611	14. MTC Administration (0.5% of Line 13)			63,569		
FY2014-15 Planning and Administration Charges Adjustment					15. County Administration (0.5% of Line 13)			63,569		
4. MTC Administration (0.5% of Line 3)			2,233		16. MTC Planning (3.0% of Line 13)			381,417		
5. County Administration (Up to 0.5% of Line 3)			2,233		17. Total Charges (Lines 14+15+16)				508,555	
6. MTC Planning (3.0% of Line 3)			13,398		18. TDA Generations Less Charges (Lines 13-17)				12,205,340	
7. Total Charges (Lines 4+5+6)				17,864	FY2015-16 TDA Apportionment By Article					
8. Adjusted Generations Less Charges (Lines 3-7)				428,747	19. Article 3.0 (2.0% of Line 18)			244,107		
FY2014-15 TDA Adjustment By Article					20. Funds Remaining (Lines 18-19)				11,961,233	
9. Article 3 Adjustment (2.0% of line 8)			8,575		21. Article 4.5 (5.0% of Line 20)			0		
10. Funds Remaining (Lines 8-9)				420,172	22. TDA Article 4 (Lines 20-21)				11,961,233	
11. Article 4.5 Adjustment (5.0% of Line 10)			0							
12. Article 4 Adjustment (Lines 10-11)				420,172						
TDA APPORTIONMENT BY JURISDICTION										
Column	A	B	C=Sum(A:B)	D	E	F	G	H=Sum(C:G)	I	J=Sum(H:I)
	6/30/2014	FY2013-14	6/30/2014	FY2013-15	FY2014-15	FY2014-15	FY2014-15	6/30/2015	FY2015-16	FY 2015-16
Apportionment Jurisdictions	Balance (w/o interest)	Interest	Balance (w/ interest) ¹	Outstanding Commitments ²	Transfers/ Refunds	Original Estimate	Revenue Adjustment	Projected Carryover	Revenue Estimate	Available for Allocation
Article 3	444,012	1,037	445,049	(667,345)	0	229,063	8,575	15,343	244,107	259,450
Article 4.5										
SUBTOTAL	444,012	1,037	445,049	(667,345)	0	229,063	8,575	15,343	244,107	259,450
Article 4/8										
GGBHTD ³	1,081,659	510	1,082,169	(12,305,743)	0	11,224,083	420,172	420,681	11,961,233	12,381,914
SUBTOTAL	1,081,659	510	1,082,169	(12,305,743)	0	11,224,083	420,172	420,681	11,961,233	12,381,914
GRAND TOTAL	\$1,525,671	\$1,547	\$1,527,218	(\$12,973,088)	\$0	\$11,453,146	\$428,747	\$436,024	\$12,205,340	\$12,641,364

1. Balance as of 6/30/14 is from MTC FY2013-14 Audit, and it contains both funds available for allocation and funds that have been allocated but not disbursed.

2. The outstanding commitments figure includes all unpaid allocations as of 6/30/14, and FY2014-15 allocations as of 6/30/15.

3. GGBHTD is authorized to claim 100% of the apportionments in Marin County. Per agreement between GGBHTD and MCTD, certain portion of this amount will be credited to MCTD to support local transit services.

FY 2015-16 FUND ESTIMATE
TRANSPORTATION DEVELOPMENT ACT FUNDS
NAPA COUNTY

Attachment A
Res No. 4177
Page 5 of 17
10/28/2015

FY2014-15 TDA Revenue Estimate					FY2015-16 TDA Estimate					
FY2014-15 Generation Estimate Adjustment					FY2015-16 County Auditor's Generation Estimate					
1. Original County Auditor Estimate (Feb, 14)			7,134,000		13. County Auditor Estimate				7,600,000	
2. Actual Revenue (June, 15)			7,877,702		FY2015-16 Planning and Administration Charges					
3. Revenue Adjustment (Lines 2-1)				743,702	14. MTC Administration (0.5% of Line 13)				38,000	
FY2014-15 Planning and Administration Charges Adjustment					15. County Administration (0.5% of Line 13)				38,000	
4. MTC Administration (0.5% of Line 3)			3,719		16. MTC Planning (3.0% of Line 13)				228,000	
5. County Administration (Up to 0.5% of Line 3)			3,719		17. Total Charges (Lines 14+15+16)				304,000	
6. MTC Planning (3.0% of Line 3)			22,311		18. TDA Generations Less Charges (Lines 13-17)				7,296,000	
7. Total Charges (Lines 4+5+6)				29,749	FY2015-16 TDA Apportionment By Article					
8. Adjusted Generations Less Charges (Lines 3-7)				713,953	19. Article 3.0 (2.0% of Line 18)				145,920	
FY2014-15 TDA Adjustment By Article					20. Funds Remaining (Lines 18-19)				7,150,080	
9. Article 3 Adjustment (2.0% of line 8)			14,279		21. Article 4.5 (5.0% of Line 20)				357,504	
10. Funds Remaining (Lines 8-9)				699,674	22. TDA Article 4 (Lines 20-21)				6,792,576	
11. Article 4.5 Adjustment (5.0% of Line 10)			34,984							
12. Article 4 Adjustment (Lines 10-11)				664,690						
TDA APPORTIONMENT BY JURISDICTION										
Column	A	B	C=Sum(A:B)	D	E	F	G	H=Sum(C:G)	I	J=Sum(H:I)
	6/30/2014	FY2013-14	6/30/2014	FY2013-15	FY2014-15	FY2014-15	FY2014-15	6/30/2015	FY2015-16	FY 2015-16
Apportionment Jurisdictions	Balance (w/o interest)	Interest	Balance (w/ interest) ¹	Outstanding Commitments ²	Transfers/ Refunds	Original Estimate	Revenue Adjustment	Projected Carryover	Revenue Estimate	Available for Allocation
Article 3	500,174	1,832	502,006	(628,308)	0	136,973	14,279	24,950	145,920	170,870
Article 4.5	56,828	126	56,954	(370,763)	0	335,583	34,984	56,758	357,504	414,262
SUBTOTAL	557,003	1,957	558,960	(999,071)	0	472,556	49,263	81,708	503,424	585,132
Article 4/8										
NCTPA ³	11,866,308	40,973	11,907,281	(13,760,601)	1,534,634	6,376,084	664,690	6,722,088	6,792,576	13,514,664
SUBTOTAL	11,866,308	40,973	11,907,281	(13,760,601)	1,534,634	6,376,084	664,690	6,722,088	6,792,576	13,514,664
GRAND TOTAL	\$12,423,311	\$42,930	\$12,466,241	(\$14,759,672)	\$1,534,634	\$6,848,640	\$713,953	\$6,803,796	\$7,296,000	\$14,099,796

1. Balance as of 6/30/14 is from MTC FY2013-14 Audit, and it contains both funds available for allocation and funds that have been allocated but not disbursed.

2. The outstanding commitments figure includes all unpaid allocations as of 6/30/14, and FY2014-15 allocations as of 6/30/15.

3. NCTPA is authorized to claim 100% of the apportionment to Napa County.

**FY 2015-16 FUND ESTIMATE
TRANSPORTATION DEVELOPMENT ACT FUNDS
SAN FRANCISCO COUNTY**

Attachment A
Res No. 4177
Page 6 of 17
10/28/2015

FY2014-15 TDA Revenue Estimate				FY2015-16 TDA Estimate	
FY2014-15 Generation Estimate Adjustment				FY2015-16 County Auditor's Generation Estimate	
1. Original County Auditor Estimate (Feb, 14)	44,462,160			13. County Auditor Estimate	48,421,155
2. Actual Revenue (June, 15)	46,845,446			FY2015-16 Planning and Administration Charges	
3. Revenue Adjustment (Lines 2-1)		2,383,286		14. MTC Administration (0.5% of Line 13)	242,106
FY2014-15 Planning and Administration Charges Adjustment				15. County Administration (0.5% of Line 13)	242,106
4. MTC Administration (0.5% of Line 3)	11,916			16. MTC Planning (3.0% of Line 13)	1,452,635
5. County Administration (Up to 0.5% of Line 3)	11,916			17. Total Charges (Lines 14+15+16)	1,936,847
6. MTC Planning (3.0% of Line 3)	71,499			18. TDA Generations Less Charges (Lines 13-17)	46,484,308
7. Total Charges (Lines 4+5+6)		95,331		FY2015-16 TDA Apportionment By Article	
8. Adjusted Generations Less Charges (Lines 3-7)		2,287,955		19. Article 3.0 (2.0% of Line 18)	929,686
FY2014-15 TDA Adjustment By Article				20. Funds Remaining (Lines 18-19)	45,554,622
9. Article 3 Adjustment (2.0% of line 8)	45,759			21. Article 4.5 (5.0% of Line 20)	2,277,731
10. Funds Remaining (Lines 8-9)		2,242,196		22. TDA Article 4 (Lines 20-21)	43,276,891
11. Article 4.5 Adjustment (5.0% of Line 10)	112,110				
12. Article 4 Adjustment (Lines 10-11)		2,130,086			

TDA APPORTIONMENT BY JURISDICTION										
Column	A	B	C=Sum(A:B)	D	E	F	G	H=Sum(C:G)	I	J=Sum(H:I)
	6/30/2014	FY2013-14	6/30/2014	FY2013-15	FY2014-15	FY2014-15	FY2014-15	6/30/2015	FY2015-16	FY 2015-16
Apportionment Jurisdictions	Balance (w/o interest)	Interest	Balance (w/ interest) ¹	Outstanding Commitments ²	Transfers/ Refunds	Original Estimate	Revenue Adjustment	Projected Carryover	Revenue Estimate	Available for Allocation
Article 3	641,404	9,641	651,045	(1,467,778)	0	853,673	45,759	82,699	929,686	1,012,385
Article 4.5	45,801	560	46,361	5,422	(2,255,778)	2,091,500	112,110	(385)	2,277,731	2,277,346
SUBTOTAL	687,205	10,201	697,406	(1,462,356)	(2,255,778)	2,945,173	157,869	82,314	3,207,417	3,289,731
Article 4										
SFMTA	867,922	3,865	871,787	(45,000,353)	2,255,778	39,738,500	2,130,086	(4,202)	43,276,891	43,272,689
SUBTOTAL	867,922	3,865	871,787	(45,000,353)	2,255,778	39,738,500	2,130,086	(4,202)	43,276,891	43,272,689
GRAND TOTAL	\$1,555,127	\$14,066	\$1,569,193	(\$46,462,709)	\$0	\$42,683,673	\$2,287,955	\$78,112	\$46,484,308	\$46,562,420

1. Balance as of 6/30/14 is from MTC FY2013-14 Audit, and it contains both funds available for allocation and funds that have been allocated but not disbursed.

2. The outstanding commitments figure includes all unpaid allocations as of 6/30/14, and FY2014-15 allocations as of 6/30/15.

FY 2015-16 FUND ESTIMATE
TRANSPORTATION DEVELOPMENT ACT FUNDS
SAN MATEO COUNTY

Attachment A
Res No. 4177
Page 7 of 17
10/28/2015

FY2014-15 TDA Revenue Estimate			FY2015-16 TDA Estimate	
FY2014-15 Generation Estimate Adjustment			FY2015-16 County Auditor's Generation Estimate	
1. Original County Auditor Estimate (Feb, 14)	36,813,470		13. County Auditor Estimate	36,914,589
2. Actual Revenue (June, 15)	38,634,093		FY2015-16 Planning and Administration Charges	
3. Revenue Adjustment (Lines 2-1)		1,820,623	14. MTC Administration (0.5% of Line 13)	184,573
FY2014-15 Planning and Administration Charges Adjustment			15. County Administration (0.5% of Line 13)	184,573
4. MTC Administration (0.5% of Line 3)	9,103		16. MTC Planning (3.0% of Line 13)	1,107,438
5. County Administration (Up to 0.5% of Line 3)	(90,897)		17. Total Charges (Lines 14+15+16)	1,476,584
6. MTC Planning (3.0% of Line 3)	54,619		18. TDA Generations Less Charges (Lines 13-17)	35,438,005
7. Total Charges (Lines 4+5+6)		(27,175)	FY2015-16 TDA Apportionment By Article	
8. Adjusted Generations Less Charges (Lines 3-7)		1,847,798	19. Article 3.0 (2.0% of Line 18)	708,760
FY2014-15 TDA Adjustment By Article			20. Funds Remaining (Lines 18-19)	34,729,245
9. Article 3 Adjustment (2.0% of line 8)	36,956		21. Article 4.5 (5.0% of Line 20)	1,736,462
10. Funds Remaining (Lines 8-9)		1,810,842	22. TDA Article 4 (Lines 20-21)	32,992,783
11. Article 4.5 Adjustment (5.0% of Line 10)	90,542			
12. Article 4 Adjustment (Lines 10-11)		1,720,300		

TDA APPORTIONMENT BY JURISDICTION										
Column	A	B	C=Sum(A:B)	D	E	F	G	H=Sum(C:G)	I	J=Sum(H:I)
	6/30/2014	FY2013-14	6/30/2014	FY2013-15	FY2014-15	FY2014-15	FY2014-15	6/30/2015	FY2015-16	FY 2015-16
Apportionment Jurisdictions	Balance (w/o interest)	Interest	Balance (w/ interest) ¹	Outstanding Commitments ²	Transfers/ Refunds	Original Estimate	Revenue Adjustment	Projected Carryover	Revenue Estimate	Available for Allocation
Article 3	2,646,654	23,296	2,669,950	(2,272,292)	0	706,819	36,956	1,141,433	708,760	1,850,193
Article 4.5	93,884	270	94,154	(1,733,614)	0	1,731,706	90,542	182,788	1,736,462	1,919,250
SUBTOTAL	2,740,539	23,566	2,764,104	(4,005,906)	0	2,438,525	127,498	1,324,221	2,445,222	3,769,443
Article 4										
SamTrans	1,787,948	5,122	1,793,070	(34,458,615)	0	32,902,407	1,720,300	1,957,162	32,992,783	34,949,945
SUBTOTAL	1,787,948	5,122	1,793,070	(34,458,615)	0	32,902,407	1,720,300	1,957,162	32,992,783	34,949,945
GRAND TOTAL	\$4,528,487	\$28,687	\$4,557,174	(\$38,464,521)	\$0	\$35,340,932	\$1,847,798	\$3,281,383	\$35,438,005	\$38,719,388

1. Balance as of 6/30/14 is from MTC FY2013-14 Audit, and it contains both funds available for allocation and funds that have been allocated but not disbursed.

2. The outstanding commitments figure includes all unpaid allocations as of 6/30/14, and FY2014-15 allocations as of 6/30/15.

**FY 2015-16 FUND ESTIMATE
TRANSPORTATION DEVELOPMENT ACT FUNDS
SANTA CLARA COUNTY**

Attachment A
Res No. 4177
Page 8 of 17
10/28/2015

FY2014-15 TDA Revenue Estimate				FY2015-16 TDA Estimate	
FY2014-15 Generation Estimate Adjustment				FY2015-16 County Auditor's Generation Estimate	
1. Original County Auditor Estimate (Feb, 14)	98,695,000			13. County Auditor Estimate	102,299,000
2. Actual Revenue (June, 15)	100,158,990			FY2015-16 Planning and Administration Charges	
3. Revenue Adjustment (Lines 2-1)		1,463,990		14. MTC Administration (0.5% of Line 13)	511,495
FY2014-15 Planning and Administration Charges Adjustment				15. County Administration (0.5% of Line 13)	511,495
4. MTC Administration (0.5% of Line 3)	7,320			16. MTC Planning (3.0% of Line 13)	3,068,970
5. County Administration (Up to 0.5% of Line 3)	(445,475)			17. Total Charges (Lines 14+15+16)	4,091,960
6. MTC Planning (3.0% of Line 3)	43,920			18. TDA Generations Less Charges (Lines 13-17)	98,207,040
7. Total Charges (Lines 4+5+6)		(394,235)		FY2015-16 TDA Apportionment By Article	
8. Adjusted Generations Less Charges (Lines 3-7)		1,858,225		19. Article 3.0 (2.0% of Line 18)	1,964,141
FY2014-15 TDA Adjustment By Article				20. Funds Remaining (Lines 18-19)	96,242,899
9. Article 3 Adjustment (2.0% of line 8)	37,164			21. Article 4.5 (5.0% of Line 20)	4,812,145
10. Funds Remaining (Lines 8-9)		1,821,061		22. TDA Article 4 (Lines 20-21)	91,430,754
11. Article 4.5 Adjustment (5.0% of Line 10)	91,053				
12. Article 4 Adjustment (Lines 10-11)		1,730,008			

TDA APPORTIONMENT BY JURISDICTION										
Column	A	B	C=Sum(A:B)	D	E	F	G	H=Sum(C:G)	I	J=Sum(H:I)
	6/30/2014	FY2013-14	6/30/2014	FY2013-15	FY2014-15	FY2014-15	FY2014-15	6/30/2015	FY2015-16	FY 2015-16
Apportionment Jurisdictions	Balance (w/o interest)	Interest	Balance (w/ interest) ¹	Outstanding Commitments ²	Transfers/ Refunds	Original Estimate	Revenue Adjustment	Projected Carryover	Revenue Estimate	Available for Allocation
Article 3	5,247,562	32,370	5,279,932	(6,138,126)		1,894,944	37,164	1,073,914	1,964,141	3,038,055
Article 4.5	(294)	294	0	0	(4,692,207)	4,642,613	91,053	41,459	4,812,145	4,853,604
SUBTOTAL	5,247,268	32,664	5,279,932	(6,138,126)	(4,692,207)	6,537,557	128,217	1,115,373	6,776,286	7,891,659
Article 4										
VTA	(16,836)	19,915	3,079	(93,844,145)	4,692,207	88,209,643	1,730,008	790,792	91,430,754	92,221,546
SUBTOTAL	(16,836)	19,915	3,079	(93,844,145)	4,692,207	88,209,643	1,730,008	790,792	91,430,754	92,221,546
GRAND TOTAL	\$5,230,432	\$52,579	\$5,283,011	(\$99,982,271)	\$0	\$94,747,200	\$1,858,225	\$1,906,165	\$98,207,040	\$100,113,205

1. Balance as of 6/30/14 is from MTC FY2013-14 Audit, and it contains both funds available for allocation and funds that have been allocated but not disbursed.

2. The outstanding commitments figure includes all unpaid allocations as of 6/30/14, and FY2014-15 allocations as of 6/30/15.

FY 2015-16 FUND ESTIMATE
TRANSPORTATION DEVELOPMENT ACT FUNDS
SOLANO COUNTY

Attachment A
Res No. 4177
Page 9 of 17
10/28/2015

FY2014-15 TDA Revenue Estimate			FY2015-16 TDA Estimate		
FY2014-15 Generation Estimate Adjustment			FY2015-16 County Auditor's Generation Estimate		
1. Original County Auditor Estimate (Feb, 14)		15,512,708	13. County Auditor Estimate		17,358,114
2. Actual Revenue (June, 15)		17,142,477	FY2015-16 Planning and Administration Charges		
3. Revenue Adjustment (Lines 2-1)		1,629,769	14. MTC Administration (0.5% of Line 13)		86,791
FY2014-15 Planning and Administration Charges Adjustment			15. County Administration (0.5% of Line 13)		86,791
4. MTC Administration (0.5% of Line 3)		8,149	16. MTC Planning (3.0% of Line 13)		520,743
5. County Administration (Up to 0.5% of Line 3)		8,149	17. Total Charges (Lines 14+15+16)		694,325
6. MTC Planning (3.0% of Line 3)		48,893	18. TDA Generations Less Charges (Lines 13-17)		16,663,789
7. Total Charges (Lines 4+5+6)		65,191	FY2015-16 TDA Apportionment By Article		
8. Adjusted Generations Less Charges (Lines 3-7)		1,564,578	19. Article 3.0 (2.0% of Line 18)		333,276
FY2014-15 TDA Adjustment By Article			20. Funds Remaining (Lines 18-19)		16,330,513
9. Article 3 Adjustment (2.0% of line 8)		31,292	21. Article 4.5 (5.0% of Line 20)		0
10. Funds Remaining (Lines 8-9)		1,533,286	22. TDA Article 4 (Lines 20-21)		16,330,513
11. Article 4.5 Adjustment (5.0% of Line 10)		0			
12. Article 4 Adjustment (Lines 10-11)		1,533,286			

TDA APPORTIONMENT BY JURISDICTION										
Column	A	B	C=Sum(A:B)	D	E	F	G	H=Sum(C:G)	I	J=Sum(H:I)
	6/30/2014	FY2013-14	6/30/2014	FY2013-15	FY2014-15	FY2014-15	FY2014-15	6/30/2015	FY2015-16	FY 2015-16
Apportionment Jurisdictions	Balance (w/o interest)	Interest	Balance (w/ interest) ¹	Outstanding Commitments ²	Transfers/ Refunds	Original Estimate	Revenue Adjustment	Projected Carryover	Revenue Estimate	Available for Allocation
Article 3	757,670	3,557	761,227	(984,637)	0	297,844	31,292	105,726	333,276	439,002
Article 4.5										
SUBTOTAL	757,670	3,557	761,227	(984,637)	0	297,844	31,292	105,726	333,276	439,002
Article 4/8										
Dixon	528,009	1,269	529,278	(392,489)	0	643,546	67,611	847,946	734,437	1,582,383
Fairfield	2,307,466	5,733	2,313,199	(6,033,242)	1,000,000	3,774,523	396,552	1,451,033	4,251,582	5,702,615
Rio Vista	360,240	1,686	361,926	(472,174)	0	265,072	27,848	182,672	306,605	489,277
Solano County	676,146	3,428	679,574	(496,476)	0	660,883	69,432	913,413	741,586	1,654,999
Suisun City	4,888	82	4,970	(976,939)	41,845	984,871	103,471	158,217	1,103,260	1,261,477
Vacaville	4,430,121	19,066	4,449,187	(3,309,998)	603,988	3,232,799	339,638	5,315,615	3,617,620	8,933,235
Vallejo/Benicia ⁴	632,929	5,373	638,302	(4,624,882)	0	5,032,663	528,732	1,574,815	5,575,423	7,150,238
SUBTOTAL⁵	8,939,798	36,638	8,976,436	(16,306,200)	1,645,833	14,594,355	1,533,286	10,443,711	16,330,513	26,774,224
GRAND TOTAL	\$9,697,469	\$40,194	\$9,737,663	(\$17,290,837)	\$1,645,833	\$14,892,199	\$1,564,578	\$10,549,437	\$16,663,789	\$27,213,226

1. Balance as of 6/30/14 is from MTC FY2013-14 Audit, and it contains both funds available for allocation and funds that have been allocated but not disbursed.
2. The outstanding commitments figure includes all unpaid allocations as of 6/30/14, and FY2014-15 allocations as of 6/30/15.
3. Where applicable by local agreement, contributions from each jurisdiction will be made to support the Intercity Transit Funding Agreement.
4. Beginning in FY2012-13, the Benicia apportionment area is combined with Vallejo, and available for SolTrans to claim.

FY 2015-16 FUND ESTIMATE
TRANSPORTATION DEVELOPMENT ACT FUNDS
SONOMA COUNTY

Attachment A
Res No. 4177
Page 10 of 17
10/28/2015

FY2014-15 TDA Revenue Estimate			FY2015-16 TDA Estimate		
FY2014-15 Generation Estimate Adjustment			FY2015-16 County Auditor's Generation Estimate		
1. Original County Auditor Estimate (Feb, 14)		21,210,000	13. County Auditor Estimate		22,900,000
2. Actual Revenue (June, 15)		21,318,798	FY2015-16 Planning and Administration Charges		
3. Revenue Adjustment (Lines 2-1)		108,798	14. MTC Administration (0.5% of Line 13)		114,500
FY2014-15 Planning and Administration Charges Adjustment			15. County Administration (0.5% of Line 13)		114,500
4. MTC Administration (0.5% of Line 3)		544	16. MTC Planning (3.0% of Line 13)		687,000
5. County Administration (Up to 0.5% of Line 3)		(59,456)	17. Total Charges (Lines 14+15+16)		916,000
6. MTC Planning (3.0% of Line 3)		3,264	18. TDA Generations Less Charges (Lines 13-17)		21,984,000
7. Total Charges (Lines 4+5+6)		(55,648)	FY2015-16 TDA Apportionment By Article		
8. Adjusted Generations Less Charges (Lines 3-7)		164,446	19. Article 3.0 (2.0% of Line 18)		439,680
FY2014-15 TDA Adjustment By Article			20. Funds Remaining (Lines 18-19)		21,544,320
9. Article 3 Adjustment (2.0% of line 8)		3,289	21. Article 4.5 (5.0% of Line 20)		0
10. Funds Remaining (Lines 8-9)		161,157	22. TDA Article 4 (Lines 20-21)		21,544,320
11. Article 4.5 Adjustment (5.0% of Line 10)		0			
12. Article 4 Adjustment (Lines 10-11)		161,157			

TDA APPORTIONMENT BY JURISDICTION										
Column	A	B	C=Sum(A:B)	D	E	F	G	H=Sum(C:G)	I	J=Sum(H:I)
	6/30/2014	FY2013-14	6/30/2014	FY2013-15	FY2014-15	FY2014-15	FY2014-15	6/30/2015	FY2015-16	FY 2015-16
Apportionment Jurisdictions	Balance (w/o interest)	Interest	Balance (w/ interest) ¹	Outstanding Commitments ²	Transfers/ Refunds	Original Estimate	Revenue Adjustment	Projected Carryover	Revenue Estimate	Available for Allocation
Article 3	1,405,358	11,969	1,417,327	(1,052,235)	0	407,232	3,289	775,613	439,680	1,215,293
Article 4.5										
SUBTOTAL	1,405,358	11,969	1,417,327	(1,052,235)	0	407,232	3,289	775,613	439,680	1,215,293
Article 4/8										
GGBHTD ³	214,385	1,165	215,550	(5,200,403)	0	4,988,592	40,289	44,028	5,386,080	5,430,108
Petaluma	735,709	5,994	741,703	(1,704,578)	0	1,702,111	13,693	752,929	1,843,623	2,596,552
Santa Rosa	2,712,137	31,783	2,743,920	(6,999,753)	0	5,190,568	41,903	976,638	5,608,140	6,584,778
Sonoma County/Healdsburg ⁴	5,905,223	25,969	5,931,192	(10,370,551)	584,314	8,073,097	65,272	4,283,324	8,706,477	12,989,801
SUBTOTAL	9,567,454	64,911	9,632,365	(24,275,286)	584,314	19,954,368	161,157	6,056,919	21,544,320	27,601,239
GRAND TOTAL	\$10,972,812	\$76,880	\$11,049,692	(\$25,327,521)	\$584,314	\$20,361,600	\$164,446	\$6,832,532	\$21,984,000	\$28,816,532

1. Balance as of 6/30/14 is from MTC FY2013-14 Audit, and it contains both funds available for allocation and funds that have been allocated but not disbursed.

2. The outstanding commitments figure includes all unpaid allocations as of 6/30/14, and FY2014-15 allocations as of 6/30/15.

3. Apportionment to GGBHTD is 25-percent of Sonoma Cou

4. Beginning in FY2012-13, the Healdsburg apportionment area is combined with Sonoma County.

**FY 2015-16 FUND ESTIMATE
STATE TRANSIT ASSISTANCE
REVENUE-BASED FUNDS (PUC 99314)**

*Attachment A
Res No. 4177
Page 11 of 17
10/28/2015*

FY2014-15 STA Revenue Estimate			FY2015-16 STA Revenue Estimate			
1. State Estimate (Aug, 14)	\$101,186,517		4. Projected Carryover (Aug, 15)	\$11,353,028		
2. Actual Revenue (Aug, 15)	\$106,672,027		5. State Estimate ⁴ (Jun, 15)	\$94,941,218		
3. Revenue Adjustment (Lines 2-1)	\$5,485,510		6. Total Funds Available (Lines 4+5)	\$106,294,246		
STA REVENUE-BASED APPORTIONMENT BY OPERATOR						
Column	A	B	C	D=Sum(A:C)	E	F=Sum(D:E)
	6/30/2014	FY2013-15	FY2014-15	6/30/2015	FY2015-16	Total
Apportionment Jurisdictions	Balance (w/interest) ¹	Outstanding Commitments ²	Actual Revenue	Projected Carryover ³	Revenue Estimate ⁴	Available For Allocation
ACCMA - Corresponding to ACE	157,133	(167,933)	269,700	258,900	206,925	465,825
City of Benicia ⁵	26,003	(26,012)	0	(9)	0	(9)
Caltrain	1,680,216	(7,061,461)	5,611,558	230,313	5,080,483	5,310,796
CCCTA	131,721	(765,951)	634,239	9	572,232	572,241
City of Dixon	1,467	(1,500)	4,921	4,888	4,541	9,429
ECCTA	57,576	(298,051)	293,736	53,261	262,324	315,585
City of Fairfield	136,040	(244,927)	123,942	15,055	102,833	117,888
GGBHTD	888,531	(4,403,666)	3,514,385	(750)	3,370,520	3,369,770
City of Healdsburg	374	0	0	374	(817)	(443)
LAVTA	355,458	(414,113)	256,370	197,715	243,609	441,324
Marin Transit	0	0	1,399,764	1,399,764	415,593	1,815,357
NCPTA	6,751	(59,545)	64,061	11,267	43,177	54,444
City of Petaluma	56,945	(76,860)	19,782	(133)	18,928	18,795
City of Rio Vista	2,951	(3,597)	640	(6)	1,622	1,616
SamTrans	6	(3,451,206)	3,451,201	1	3,702,361	3,702,362
City of Santa Rosa	120,405	(130,015)	140,862	131,252	129,441	260,693
Solano County Transit	46,924	(336,345)	289,370	(51)	267,981	267,930
Sonoma County Transit	13,402	(165,931)	152,518	(11)	149,398	149,387
City of Union City	6,982	(50,363)	43,372	(9)	41,710	41,701
VTA	0	(12,450,348)	13,277,578	827,230	11,344,085	12,171,315
VTA - Corresponding to ACE	1	(242,955)	288,715	45,761	233,697	279,458
WCCTA	109,491	(441,880)	332,383	(6)	293,997	293,991
WETA	2,526,554	0	1,365,343	3,891,897	1,173,991	5,065,888
SUBTOTAL	6,324,931	(30,792,659)	31,534,440	7,066,712	27,658,631	34,725,343
AC Transit	0	(8,583,217)	9,294,689	711,472	8,990,972	9,702,444
BART	1,637	(23,458,028)	24,657,338	1,200,947	20,656,494	21,857,441
SFMTA	1,696,724	(40,508,387)	41,185,560	2,373,897	37,635,121	40,009,018
SUBTOTAL	1,698,361	(72,549,632)	75,137,587	4,286,316	67,282,587	71,568,903
GRAND TOTAL	\$8,023,292	(\$103,342,291)	\$106,672,027	\$11,353,028	\$94,941,218	\$106,294,246

1. Balance as of 6/30/14 is from MTC FY 2013-14 Audit, and it contains both funds available for allocation and funds that have been allocated but not disbursed.

2. The outstanding commitments figure includes all unpaid allocations as of 6/30/14, and FY 2014-15 allocations as of 6/30/15.

3. Projected carryover as of 6/30/15 does not include interest accrued in FY 2014-15. Negative carryover amounts shown will be covered with interest payments available for FY 2014-15.

4. The FY2015-16 STA revenue generation based on the \$352 million in the adopted FY2015-16 State Budget. The State Controller's Office did not issue an updated estimate in August 2015 due to an eligibility policies.

5. Beginning in FY 2012-13, the City of Benicia allocation will be distributed to SolTrans.

**FY 2015-16 FUND ESTIMATE
STATE TRANSIT ASSISTANCE
POPULATION-BASED FUNDS (PUC 99313)**

Attachment A
Res No. 4177
Page 12 of 17
10/28/2015

FY2014-15 STA Revenue Estimate			FY2015-16 STA Revenue Estimate			
1. State Estimate (Aug, 14)	\$36,104,576		4. Projected Carryover (Aug, 15)	\$50,387,065		
2. Actual Revenue (Aug, 15)	\$37,151,982		5. State Estimate ⁴ (Jun, 15)	\$34,015,182		
3. Revenue Adjustment (Lines 2-1)	\$1,047,406		6. Total Funds Available (Lines 4+5)	\$84,402,247		
STA POPULATION-BASED APPORTIONMENT BY JURISDICTION & OPERATOR						
Column	A	B	C	D=Sum(A:C)	E	F=Sum(D:E)
	6/30/2014	FY2013-15	FY2014-15	6/30/2015	FY2015-16	Total
Apportionment Jurisdictions	Balance	Outstanding	Actual	Projected	Revenue	Available For
	(w/interest) ¹	Commitments ²	Revenue	Carryover ³	Estimate ⁴	Allocation
Northern Counties/Small Operators						
Marin	49,971	(1,085,691)	1,117,187	81,467	1,012,838	1,094,305
Napa	54,231	(616,803)	603,743	41,171	547,351	588,522
Solano/Vallejo ⁵	4,012,316	(1,699,532)	1,818,212	4,130,996	1,648,384	5,779,380
Sonoma	96,610	(2,079,549)	2,136,736	153,797	1,937,157	2,090,954
CCCTA	95,116	(2,068,547)	2,117,857	144,426	1,920,041	2,064,467
ECCTA	117,032	(1,308,377)	1,279,280	87,935	1,159,791	1,247,726
LAVTA	920,897	(887,213)	875,210	908,894	793,462	1,702,356
Union City	160,366	(311,555)	306,392	155,203	277,774	432,977
WCCTA	26,798	(289,713)	282,157	19,242	255,802	275,044
SUBTOTAL	5,533,337	(10,346,980)	10,536,774	5,723,131	9,552,600	15,275,731
Regional Paratransit						
Alameda	42,950	(1,168,371)	1,156,943	31,522	1,048,881	1,080,403
Contra Costa	28,791	(805,451)	818,979	42,319	517,957	560,276
Marin	7,120	(160,680)	158,019	4,459	143,259	147,718
Napa	4,421	(123,828)	128,152	8,745	116,182	124,927
San Francisco	34,228	(926,290)	917,941	25,879	832,201	858,080
San Mateo	15,579	(437,266)	452,589	30,902	410,315	441,217
Santa Clara	48,333	(1,256,203)	1,296,265	88,395	1,175,189	1,263,584
Solano	959,990	174,285	353,890	1,488,165	320,835	1,809,000
Sonoma	20,280	(484,642)	506,891	42,529	459,545	502,074
SUBTOTAL	1,161,692	(5,188,446)	5,789,669	1,762,915	5,248,892	6,787,279
Lifeline						
Alameda	2,584,458	(92,500)	2,456,337	4,948,295	2,068,391	7,016,686
Contra Costa	1,529,036	(126,353)	1,553,285	2,955,968	1,307,964	4,263,932
Marin	285,718	(13,306)	284,362	556,774	239,450	796,224
Napa	229,495	0	220,554	450,049	185,720	635,769
San Francisco	2,878,001	(406,021)	1,359,903	3,831,883	1,145,124	4,977,007
San Mateo	847,780	(36,567)	914,481	1,725,694	770,051	2,495,745
Santa Clara	2,492,459	0	2,507,880	5,000,339	2,111,793	7,112,132
Solano	608,079	(508,323)	694,514	794,270	584,825	1,379,095
Sonoma	836,774	0	855,778	1,692,552	720,619	2,413,171
MTC Mean-Based Discount Project	304,734	0	0	304,734	700,000	1,004,734
JARC Funding Restoration ⁶	623,477	(161,648)	0	461,829	0	461,829
SUBTOTAL	13,220,011	(1,344,718)	10,847,095	22,722,387	9,833,936	32,556,323
MTC Regional Coordination Program ⁷	28,674,381	(18,840,551)	9,978,444	19,812,274	9,046,420	28,858,694
BART to Warm Springs	327,727	0	0	327,727	0	327,727
eBART	327,727	(327,727)	0	0	0	0
Transit Emergency Service Contingency Fund ⁸	0	0	0	0	333,333	333,333
SamTrans	38,631	0	0	38,631	0	38,631
GRAND TOTAL	\$49,283,506	(\$36,048,422)	\$37,151,982	\$50,387,065	\$34,015,182	\$84,177,718

1. Balance as of 6/30/14 is from MTC FY2013-14 Audit, and it contains both funds available for allocation and funds that have been allocated but not disbursed.

2. The outstanding commitments figure includes all unpaid allocations as of 6/30/14, and FY2014-15 allocations as of 6/30/15.

3. Projected carryover as of 6/30/15 does not include interest accrued in FY 2014-15.

4. The FY2015-16 STA revenue generation based on the \$352 million in the adopted FY2015-16 State Budget. The State Controller's Office did not issue an updated estimate in August 2015 due to an inter

5. Beginning in FY2008-09, the Vallejo allocation is combined with Solano, as per MTC Resolution 3837.

6. Includes 2/26/14 Commission action to re-assign \$1.1 million in FY 2014-15 Lifeline funds, and re-assigning \$693,696 of MTC's Means-Based Discount Project balance.

7. Committed to Clipper® and other MTC Customer Service projects.

8. Funds for the Transit Emergency Service Contingency Fund are taken "off the top" from the STA Population-Based program.

FY 2015-16 FUND ESTIMATE
BRIDGE TOLLS^{1,2}

Attachment A
Res No. 4177
Page 13 of 17
10/28/2015

BRIDGE TOLL APPORTIONMENT BY CATEGORY

<i>Column</i>	<i>A</i>	<i>B</i>	<i>C</i>	<i>D=Sum(A:C)</i>	<i>E</i>	<i>F=D+E</i>
	6/30/2014	FY2012-15	FY2014-15	6/30/2015	FY2015-16	Total
Fund Source	Balance ³	Outstanding Commitments ⁴	Programming Amount ⁵	Projected Carryover	Programming Amount ⁵	Available for Allocation
AB 664 Bridge Revenues						
70% East Bay	18,919,723	(26,472,023)	7,552,300	0	1,600,000	1,600,000
30% West Bay	11,200,499	(58,437,199)	47,236,700	0	700,000	700,000
SUBTOTAL	30,120,223	(84,909,223)	54,789,000	0	2,300,000	2,300,000
MTC 2% Toll Revenues						
Ferry Capital	3,239,424	(2,047,897)	1,000,000	2,191,526	1,000,000	3,191,526
ABAG Bay Trail	4,138	(454,138)	450,000	0	450,000	450,000
SMART ⁵	7,677,000	(14,977,000)	7,300,000	0	0	0
Studies	804,365	(85,960)	0	718,404	0	718,404
SUBTOTAL	11,724,926	(17,564,995)	8,750,000	2,909,930	1,450,000	4,359,930
5% State General Fund Revenues						
Ferry	5,443,106	(339,000)	2,913,721	8,017,827	2,945,512	10,963,339
ABAG Bay Trail	0	(265,380)	265,380	0	265,380	265,380
SUBTOTAL	5,443,106	(604,380)	3,179,101	8,017,827	3,210,892	11,228,719

1. BATA Resolution 93 and MTC Resolution 3948 required BATA to make a payment to MTC equal to the estimated present value of specified fund transfers for the next 50 years (FY2010-11 through FY2059-60) and relieved BATA from making those fund transfers for that 50 year period. The AB 664, RM1, and MTC 2% Toll Revenues, listed above, commencing in FY2010-11, are funded from this payment.

2. RM1 90% Rail Extension allocation is made through MTC Resolutions 3833 and 3915.

3. Balance as of 6/30/14 is from MTC FY2013-14 Audit, and it contains both funds available for allocation and funds that have been allocated but not disbursed.

4. The outstanding commitments figure includes all unpaid allocations as of 6/30/14, and FY2014-15 allocations as of 6/30/15.

5. MTC Resolution 4015 states that annual funding levels are established and adjusted through the fund estimate for AB 664, 2%, and 5% bridge toll revenues.

FY 2015-16 FUND ESTIMATE
AB1107 FUNDS
AB1107 IS TWENTY-FIVE PERCENT OF THE ONE-HALF CENT BART DISTRICT SALES TAX

Attachment A
Res No. 4177
Page 14 of 17
10/28/2015

FY2014-15 AB1107 Revenue Estimate					FY2015-16 AB1107 Estimate				
1. Original MTC Estimate (Feb, 14)				\$73,100,000	4. Projected Carryover (Feb, 15)				\$0
2. Actual Revenue (June, 15)				\$77,621,031	5. MTC Estimate (Feb, 15)				\$77,560,800
3. Revenue Adjustment (Lines 2-1)				\$4,521,031	6. Total Funds Available (Lines 4+5)				\$77,560,800
AB1107 APPORTIONMENT BY OPERATOR									
Column	A	B	C=Sum(A:B)	D	E	F	G=Sum(A:F)	H	I=Sum(G:H)
	6/30/2014	FY2013-14	6/30/2014	FY2013-15	FY2014-15	FY2014-15	6/30/2015	FY2015-16	FY2015-16
Apportionment Jurisdictions	Balance (w/o interest)	Interest	Balance (w/ interest) ¹	Outstanding Commitments ²	Original Estimate	Revenue Adjustment	Projected Carryover	Revenue Estimate	Available for Allocation
AC Transit	0	0	0	(38,810,515)	36,550,000	2,260,515	0	38,780,400	38,780,400
SFMTA	0	0	0	(38,810,515)	36,550,000	2,260,515	0	38,780,400	38,780,400
TOTAL	\$0	\$0	\$0	(\$77,621,031)	\$73,100,000	\$4,521,030	\$0	\$77,560,800	\$77,560,800

1. Balance as of 6/30/14 is from MTC FY2013-14 Audit, and it contains both funds available for allocation and funds that have been allocated but not disbursed.

2. The outstanding commitments figure includes all unpaid allocations as of 6/30/14, and FY2014-15 allocations as of 6/30/15.

**FY 2015-16 FUND ESTIMATE
TDA & STA FUND SUBAPPORTIONMENT FOR ALAMEDA & CONTRA COSTA COUNTIES
& IMPLEMENTATION OF OPERATOR AGREEMENTS**

Attachment A
Res No. 4177
Page 15 of 17
10/28/2015

ARTICLE 4.5 & STA PARATRANSIT SUBAPPORTIONMENT				
Apportionment Jurisdictions	Alameda		Contra Costa	
	Article 4.5	STA Paratransit	Article 4.5	STA Paratransit
Total Available	\$3,485,012	\$1,080,403	\$2,033,845	\$560,276
AC Transit	\$3,161,733	\$986,325	\$654,308	\$6,982
LAVTA	\$129,331	\$45,055		
Pleasanton	\$70,371			
Union City	\$123,578	\$49,022		
CCCTA			\$822,757	\$328,035
ECCTA			\$434,374	\$172,985
WCCTA			\$122,405	\$52,274
IMPLEMENTATION OF OPERATOR AGREEMENTS				
Fund Source	Apportionment Jurisdictions	Claimant	Amount¹	Program
Total Available BART STA Revenue-Based Funds			\$21,857,441	
STA Revenue-Based	BART	AC Transit	(378,000)	Fare Coordination Set-Aside ²
STA Revenue-Based	BART	CCCTA	(739,702)	BART Feeder Bus
STA Revenue-Based	BART	LAVTA	(622,455)	BART Feeder Bus
STA Revenue-Based	BART	ECCTA	(2,404,790)	BART Feeder Bus
STA Revenue-Based	BART	WCCTA	(2,533,220)	BART Feeder Bus
Total Payment			(6,678,166)	
Remaining BART STA Revenue-Based Funds			\$15,179,275	
Total Available BART TDA Article 4 Funds			\$335,908	
TDA Article 4	BART-Alameda	LAVTA	(85,000)	BART Feeder Bus
TDA Article 4	BART-Contra Costa	WCCTA	(250,908)	BART Feeder Bus
Total Payment			(335,908)	
Remaining BART TDA Article 4 Funds			\$0	
Total Available SamTrans STA Revenue-Based Funds			\$3,702,362	
STA Revenue-Based	SamTrans	BART	(801,024)	SFO Operating Expense
Total Payment			(801,024)	
Remaining SamTrans STA Revenue-Based Funds			\$2,901,338	
Total Available Union City TDA Article 4 Funds			\$6,017,727	
TDA Article 4	Union City	AC Transit	(116,699)	Union City service
Total Payment			(116,699)	
Remaining Union City TDA Article 4 Funds			\$5,901,028	

1. Amounts assigned to the claimants in this page will reduce the funds av

2. MTC holds funds in accordance with the BART-AC Transit Memorandum of Understanding on feeder/transfer payments. This amount represents the actual set-aside for FY 2015-16.

3. Actual payment to reimburse transit operators for costs incurred as a result of the 2013 BART strikes approved through 2/26/14 Commission action through MTC Resolution Nos. 4098, Revised and 4086, Revised.

**FY 2015-16 FUND ESTIMATE
STA SPILLOVER FUNDING AGREEMENT PER RESOLUTION 3814**

*Attachment A
Res No. 4177
Page 16 of 17
10/28/2015*

PROPOSITION 1B TRANSIT FUNDING PROGRAM -- POPULATION BASED SPILLOVER DISTRIBUTION

Apportionment Category	MTC Resolution 3814	%	FY 2007-08	FY2009-14	MTC Res-3833	MTC Res-3925	FY2015-16
	Spillover Payment Schedule		Spillover Distribution	Spillover Distribution	(RM 1 Funding)	(STP/CMAQ Funding)	Remaining
Lifeline	10,000,000	16%	1,028,413	0	0	8,971,587	0
Small Operators / North Counties	3,000,000	5%	308,524	0	0	2,691,476	0
BART to Warm Springs	3,000,000	5%	308,524	0	0	0	2,691,476
eBART	3,000,000	5%	327,726	0	2,672,274	0	0
SamTrans	43,000,000	69%	4,422,174	0	0	19,288,913	19,288,913
TOTAL	\$62,000,000	100%	\$6,395,361	\$0	\$0	\$30,951,976	\$21,980,389

FY 2015-16 FUND ESTIMATE
CAP AND TRADE LOW CARBON TRANSIT OPERATIONS PROGRAM (LCTOP)

Attachment A
Res No. 4177
Page 17 of 17
10/28/2015

FY2014-15 LCTOP Revenue Estimate¹		FY2015-16 LCTOP Revenue Estimate²	
1. Statewide Appropriation (Nov, 14)	\$25,000,000	5. Estimated Statewide Appropriation (Jan, 15)	\$100,000,000
2. MTC Region Revenue-Based Funding	\$6,757,934	6. Estimated MTC Region Revenue-Based Funding	\$27,100,809
3. MTC Region Population-Based Funding	\$2,417,898	7. Estimated MTC Region Population-Based Funding	\$9,677,150
4. Total MTC Region Funds	\$9,175,832	8. Estimated Total MTC Region Funds	\$36,777,959

1. The FY 2014-15 LCTOP revenue generation based on the State Controller's Office Low Carbon Transit Operations Program Allocation Summary of 11/26/2014

2. The FY 2015-16 LCTOP revenue generation based on the \$100 million estimated in the FY 2015-16 State Budget.



Metropolitan Transportation Commission

101 Eighth Street,
Joseph P. Bort MetroCenter
Oakland, CA

Legislation Details (With Text)

File #: 15-0899 **Version:** 1 **Name:**

Type: Resolution **Status:** Consent

File created: 9/15/2015 **In control:** Programming and Allocations Committee

On agenda: 10/28/2015 **Final action:** 10/28/2015

Title: Allocate \$45.1 million in FY2015-16 Transportation Development Act (TDA) and State Transit Assistance (STA) funds to SamTrans and Union City in support of transit operations. MTC Resolution Nos. 4187, Revised and 4188, Revised.

Sponsors:

Indexes:

Code sections:

Attachments: [6f_Resos-4187-4188_SamTrans&UnionCity_Allocation](#)

Date	Ver.	Action By	Action	Result
10/14/2015	1	Programming and Allocations Committee		

Subject:

Allocate \$45.1 million in FY2015-16 Transportation Development Act (TDA) and State Transit Assistance (STA) funds to SamTrans and Union City in support of transit operations. MTC Resolution Nos. 4187, Revised and 4188, Revised.

Presenter:

Cheryl Chi

Recommended Action:

Commission Approval

Metropolitan Transportation Commission Programming and Allocations Committee

October 14, 2015

Resolution No. 4187, Revised and 4188, Revised

Subject: Allocate \$45.1 million in FY2015-16 Transportation Development Act (TDA) and State Transit Assistance (STA) funds to SamTrans and Union City in support of transit operations.

Background: This month's proposed actions continue the annual allocation process of these funds for FY2015-16. SamTrans and Union City have requested allocations of TDA and STA funds that exceed the \$1 million delegated authority limit. Allocation requests that are less than \$1 million are approved separately through the Executive Director's Delegated Authority process. The allocation requests are consistent with the adopted MTC Fund Estimate (Resolution 4177, Revised). Allocation requests, greater than \$1 million, are summarized below.

Transit Operator/Claimant	TDA Resolution No. 4187	STA Resolution No. 4188	Total
SamTrans	\$33,984,277	\$ 8,727,780	\$42,712,057
Union City	\$ 2,416,816		\$ 2,416,816
Total	\$36,401,093	\$ 8,727,780	\$45,128,873

Information regarding the operating budgets of the above operators is provided in Attachment A.

Issues: Unfortunately, both operators continue to follow the trend identified in our transit sustainability analysis: operating costs are growing much faster than hours of service provided.

Recommendation: Refer MTC Resolution Nos. 4187, Revised and 4188, Revised to the Commission for approval.

Attachments: MTC Resolution Nos. 4187, Revised and 4188, Revised

Attachment A - Transit Operator Budget Summary

Operator	FY2014-15 Operating Budget	FY2015-16 Operating Budget	% Change	Revenue Vehicle Hours % Increase	FY2015-16 Operating Request*	Allocation Request as a % of Operating Budget	Highlight of FY2015-16 Budgets
SamTrans	\$126,441,410	\$132,870,357	5.1%	1.7%	\$ 38,075,984 and \$ 5,046,388 (Caltrain pass through)	28.7% (SamTrans only)	<ul style="list-style-type: none"> Increases in the contract rates for purchased transportation, demand for paratransit taxi service, and employer operated shuttles service account for almost half of the budget increase. Added employer revenue will fully offset the increased cost of employer operated shuttles (about \$1 million). Increases in staff pay and fringe benefits account for 30% of the budget increase. Caltrain contribution accounts for 4.6% of the budget. Refinanced debt in FY2014-15 leading to a \$2.8 million or 10% annual decrease in debt payments.
Union City	\$ 4,531,484	\$ 4,618,055	1.9%	-3.8%	\$ 2,881,414	62.4%	<ul style="list-style-type: none"> Clipper implementation is expected in Spring 2016. Following ridership decreases resulting from service changes implemented in 2013, service was restructured again in August 2015 to eliminate unproductive routes, change hours of operations and return service hours back to routes that had been productive previously. In addition, AC Transit's increased peak period headways on a route through Union City has had a negative impact on ridership on Union City service. Funding from the Alameda County Transportation Commission has doubled due to Measure BB. Cost increase is primarily due to an increase in the contract rates for purchased transportation.

* The allocation request includes funds that will be allocated through Executive Director's Delegated Authority as allowed by MTC Resolution No. 3620, Revised. Allocations made by Delegated Authority are reported to the Commission quarterly.

Date: June 24, 2015
Referred by: PAC
Revised: 07/22/15-C 08/26/15-DA
09/23/15-C 10/28/15-C

ABSTRACT

Resolution No. 4187, Revised

This resolution approves the allocation of fiscal year 2015-16 Transportation Development Act Article 4, Article 4.5 and Article 8 funds to claimants in the MTC region.

This resolution allocates funds to AC Transit, County Connection (CCCTA), LAVTA, NCTPA, Tri Delta Transit (ECCTA), Petaluma, and WestCAT.

This resolution was revised on July 22, 2015 to allocate funds to Napa County Transportation and Planning Agency (NCTPA), San Francisco Municipal Transportation Agency (SFMTA), Solano County Transit (SolTrans), Sonoma County Transit, Tri Delta Transit (ECCTA), and Santa Clara Valley Transportation Authority (VTA).

This resolution was revised on August 26, 2015 to both allocate and rescind funds from County Connection (CCCTA).

This resolution was revised on September 23, 2015 to allocate funds to Fairfield and Suisun Transit (FAST).

This resolution was revised on October 28, 2015 to allocate funds to San Mateo County Transit District (SamTrans), and Union City.

Discussion of the allocations made under this resolution is contained in the MTC Programming and Allocations Committee Summary Sheets dated June 10, 2015, July 8, 2015, September 9, 2015, and October 14, 2015.

Date: June 24, 2015
Referred by: PAC

Re: Allocation of Fiscal Year 2015-16 Transportation Development Act Article 4, Article 4.5 and Article 8 Funds to Claimants in the MTC Region

METROPOLITAN TRANSPORTATION COMMISSION
RESOLUTION NO. 4187

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

WHEREAS, the Mills-Alquist-Deddeh Act (“Transportation Development Act” or “TDA”), Public Utilities Code Section 99200 et seq., makes certain retail sales tax revenues available to eligible claimants for public transportation projects and purposes; and

WHEREAS, MTC is responsible for the allocation of TDA funds to eligible claimants within the MTC region; and

WHEREAS, claimants in the MTC region have submitted claims for the allocation of fiscal year 2015-16 TDA funds; and

WHEREAS, Attachment A to this resolution, attached hereto and incorporated herein as though set forth at length, lists the amounts of and purposes for the fiscal year 2015-16 allocations requested by claimants, and is from time-to-time revised; and

WHEREAS, this resolution, including the revisions to Attachment A and the sum of all allocations made under this resolution, are recorded and maintained electronically by MTC; and

WHEREAS, Attachment B to this resolution, attached hereto and incorporated herein as though set forth at length, lists the required findings MTC must make, as the case may be, pertaining to the various claimants to which funds are allocated; and

WHEREAS, the claimants to which funds are allocated under this resolution have certified that the projects and purposes listed and recorded in Attachment A are in compliance with the requirements of the California Environmental Quality Act (Public Resources Code Section 21000 et seq.), and with the State Environmental Impact Report Guidelines (14 California Code of Regulations Section 15000 et seq.); now, therefore, be it

RESOLVED, that MTC approves the findings set forth in Attachment B to this resolution; and, be it further

RESOLVED, that MTC approves the allocation of fiscal year 2015-16 TDA funds to the claimants, in the amounts, for the purposes, and subject to the conditions, as listed and recorded on Attachment A to this resolution; and, be it further

RESOLVED, that pursuant to 21 California Code of Regulations Sections 6621 and 6659, a certified copy of this resolution, along with written allocation instructions for the disbursement of TDA funds as allocated herein, shall be forwarded to the county auditor of the county in which each claimant is located; and, be it further

RESOLVED, that all TDA allocations are subject to continued compliance with MTC Resolution 3866, Revised, the Transit Coordination Implementation Plan.

METROPOLITAN TRANSPORTATION COMMISSION



Dave Cortese, Chair

The above resolution was approved by the Metropolitan Transportation Commission at a regular meeting of the Commission held in Oakland, California, on June 24, 2015.

Date: June 25, 2014
 Referred by: PAC
 Revised: 07/22/15-C 08/26/15-DA
 09/23/15-C 10/28/15-C

Attachment A
 MTC Resolution No. 4187
 Page 1 of 2

ALLOCATION OF TRANSPORTATION DEVELOPMENT ACT ARTICLE 4, 4.5 and 8 FUNDS
 DURING FISCAL YEAR 2015-16

All TDA allocations are subject to continued compliance with MTC Resolution 3866,
 the Transit Coordination Implementation Plan.

Claimant	Project Description	Allocation Amount	Alloc. Code	Approval Date	Apportionment Area/Footnotes	Note
5801 - 99233.7, 99275 Community Transit Service - Operations						
SamTrans	Transit Operating	1,771,554	23	10/28/15	San Mateo County	
	Subtotal	1,771,554				
5802 - 99260A Transit - Operations						
LAVTA	Transit Operating	9,476,888	01	06/24/15	LAVTA	
CCCTA	Transit Operating	17,978,531	02	06/24/15	CCCTA	
WCCTA	Transit Operating	2,474,911	03	06/24/15	WCCTA	
AC Transit	Transit Operating	42,419,679	04	06/24/15	AC Transit Alameda D1	
AC Transit	Transit Operating	11,315,000	05	06/24/15	AC Transit Alameda D2	
AC Transit	Transit Operating	6,254,093	06	06/24/15	AC Transit Contra Costa	
AC Transit	Transit Operating	3,161,732	07	06/24/15	Alameda County	1
ECCTA	Transit Operating	9,729,397	08	07/22/15	ECCTA	
SFMTA	Transit Operating	43,280,753	10	07/22/15	SFMTA	
SFMTA	Transit Operating	2,278,290	11	07/22/15	San Francisco County	1
VTA	Transit Operating	91,430,754	12	07/22/15	VTA	
VTA	Transit Operating	4,812,145	13	07/22/15	Santa Clara County	1
NCTPA	Transit Operating	4,452,969	14	07/22/15	NCTPA	
SolTrans	Transit Operating	3,896,195	15	07/22/15	Vallejo/Benicia	
Sonoma County	Transit Operating	7,188,143	16	07/22/15	Sonoma County	
Sonoma County	Transit Operating	216,445	16	07/22/15	Petaluma	
CCCTA	Transit Operating	(568,378)	02	08/26/15-DA	CCCTA	
FAST	Transit Operating	1,425,348	21	09/23/15	Fairfield	
FAST	Transit Operating	923,878	21	09/23/15	Suisun City	
SamTrans	Transit Operating	32,212,723	24	10/28/15	SamTrans	
Union City	Transit Operating	2,416,816	25	10/28/15	Union City	
	Subtotal	296,776,312				
5803 - 99260A Transit - Capital						
CCCTA	Transit Capital	1,304,000	09	06/24/15	CCCTA	
SolTrans	Transit Capital	1,841,204	17	07/22/15	Vallejo/Benicia	
NCTPA	Transit Capital	4,054,800	18	07/22/15	NCTPA	
CCCTA	Transit Capital	790,000	09	08/26/15-DA	CCCTA	
	Subtotal	7,990,004				

5807 - 99400C General Public - Operating

Sonoma County	Transit Operating	1,252,084	19	07/22/15	Sonoma County
Sonoma County	Transit Operating	43,289	19	07/22/15	Petaluma
Fairfield	Transit Operating	1,244,880	22	09/23/15	Fairfield
	Subtotal	2,540,253			

5812 - 99400D Planning & Admin - Operating

NCTPA	Planning and Administration	1,822,850	20	07/22/15	NCTPA
	Subtotal	1,822,850			

TOTAL 310,900,973

Note:

(1) MTC finds that these Article 4.5 funds can be used to better advantage for Article 4 purposes.

Date: June 24, 2015
Referred by: PAC
Revised: 07/22/15-C

Attachment B
Resolution No. 4187
Page 1 of 3

ALLOCATION OF FISCAL YEAR 2015-16
TRANSPORTATION DEVELOPMENT ACT
ARTICLE 4, ARTICLE 4.5 AND ARTICLE 8
FUNDS TO CLAIMANTS IN THE MTC REGION

FINDINGS

The following findings pertain, as the case may be, to claimants to which Transportation Development Act funds are allocated under this resolution.

Transportation Development Act Article 4 Funds

Public Utilities Code § 99268 et seq.

1. That each claimant has submitted, or shall have submitted prior to the disbursement of funds, copies, to MTC and to appropriate agencies, of all required State Controller's reports and fiscal audit reports prepared in accordance with Public Utilities Code §§ 99243 and 99245; and
2. That the projects and purposes for which each claimant has submitted an application for TDA Article 4 funds to MTC are in conformance with MTC's Regional Transportation Plan (21 California. Code of Regulations § 6651), and with the applicable state regulations (21 California Code of Regulations § 6600 et seq.), and with the applicable MTC rules and regulations; and
3. That each claimant has submitted to MTC as part of its application for TDA Article 4 funds a budget indicating compliance with the 50% expenditure limitation of Public Utilities Code § 99268, or with the applicable fare or fares-plus-local-support recovery ratio requirement (Public Utilities Code §§ 99268.2, 99268.3, 99268.4, 99268.12, or 99270.5), as so attested to by the claimant's chief financial officer; and
4. That the sum of each claimant's total allocation of Transportation Development Act and State Transit Assistance funds does not exceed the amount that the claimant is eligible to receive, in accordance with the calculations prescribed by 21 California Code of Regulations § 6633.1, or § 6634; and

5. That pursuant to Public Utilities Code § 99233.7 funds available for purposes stated in TDA Article 4.5 can be used to better advantage by a claimant for purposes stated in Article 4 in the development of a balanced transportation system.

6. As allowed by to Public Utilities Code § 99268.12, the farebox recovery for TDA 4 service operated by Napa County Transportation and Planning Agency (NCTPA), the farebox is set at 15% commencing with FY2015-16. NCTPA qualifies for a reduced farebox due its high proportion of riders that receive a discount fare.

Transportation Development Act Article 4.5 Funds

Public Utilities Code § 99275

1. That each claimant has submitted, or shall have submitted prior to the disbursement of funds, copies, to MTC and to appropriate agencies, of all required State Controller's reports and fiscal audit reports prepared in accordance with Public Utilities Code §§ 99243 and 99245; and

2. That the projects and purposes for which each claimant has submitted an application for TDA Article 4.5 funds to MTC are in conformance with MTC's Regional Transportation Plan (21 California Code of Regulations § 6651), and with the applicable state regulations (21 California Code of Regulations § 6600 et seq.), and with the applicable MTC rules and regulations, including MTC Resolution No. 1209, Revised; and

3. That in accordance with Public Utilities Code § 99275.5(c), MTC finds that the projects and purposes for which each claimant has submitted an application for TDA Article 4.5 funds to MTC, responds to a transportation need not otherwise met in the community of the claimant; that the services of the claimant are integrated with existing transit services, as warranted; that the claimant has prepared and submitted to MTC an estimate of revenues, operating costs and patronage for the fiscal year in which TDA Article 4.5 funds are allocated; and that the claimant has submitted a budget indicating compliance with the applicable fare or fares-plus-local-match recovery ratio requirement (as set forth, respectively, in Public Utilities Code § 99268.5 or MTC Resolution No. 1209, Revised), as so attested to by the claimant's chief financial officer; and

4. That the sum of each claimant's total allocation of Transportation Development Act and State Transit Assistance funds does not exceed the amount that the claimant is eligible to receive, in accordance with the calculations prescribed by 21 California Code of Regulations § 6634; and

5. That each claimant is in compliance with Public Utilities Code §§ 99155 and 99155.5, regarding user identification cards.

Transportation Development Act Article 8 Transit Funds

Public Utilities Code §§ 99400(c), 99400(d) and 99400(e)

1. That each claimant has submitted, or shall have submitted prior to the disbursement of funds, copies, to MTC and to appropriate agencies, of all required State Controller's reports and fiscal audit reports prepared in accordance with Public Utilities Code §§ 99243 and 99245; and
2. That the projects and purposes for which each claimant has submitted an application for TDA Article 8 funds to MTC are in conformance with MTC's Regional Transportation Plan (21 California Code of Regulations § 6651), and with the applicable state regulations (21 California Code of Regulations § 6600 et seq.), and with the applicable MTC rules and regulations, including MTC Resolution No. 1209, Revised; and
3. That each claimant has submitted to MTC as part of its application for TDA Article 8 funds a budget indicating compliance with the applicable fare or fares-plus-local-match recovery ratio requirement (as set forth, respectively, in Public Utilities Code §§ 99268.5, 99268.12, or MTC Resolution No. 1209, Revised), as so attested to by the claimant's chief financial officer; and
4. That the sum of each claimant's total allocation of Transportation Development Act and State Transit Assistance funds does not exceed the amount that the claimant is eligible to receive, in accordance with the calculations prescribed by 21 California Code of Regulations § 6634.

Date: June 25, 2014
Referred by: PAC
Revised: 07/22/15-C
10/28/15-C

ABSTRACT

Resolution No. 4188, Revised

This resolution approves the allocation of State Transit Assistance (STA) funds for fiscal year 2015-16.

This resolution allocates funds to AC Transit, County Connection (CCCTA), MTC, and WestCAT (WCCTA).

This resolution was revised on July 22, 2015 to allocate funds to San Francisco Municipal Transportation Agency (SFMTA), Tri Delta Transit (ECCTA), and Santa Clara Valley Transportation Authority (VTA).

This resolution was revised on October 28, 2015 to allocate funds to San Mateo County Transit District (SamTrans).

Discussion of the allocations made under this resolution is contained in the MTC Programming and Allocations Committee Summary Sheets dated June 10, 2015, July 8, 2015, and October 14, 2015.

Date: June 24, 2015
Referred by: PAC

Re: Allocation of Fiscal Year 2015-16 State Transit Assistance to Claimants in the MTC Region

METROPOLITAN TRANSPORTATION COMMISSION
RESOLUTION NO. 4188

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

WHEREAS, the Mills-Alquist-Deddeh Act (“Transportation Development Act” or “TDA”), Public Utilities Code Section 99200 et seq., provides that the State Controller shall, pursuant to Public Utilities Code Section 99310, allocate funds in the Public Transportation Account (“PTA”) to the MTC region to be subsequently allocated by MTC to eligible claimants in the region; and

WHEREAS, pursuant to Public Utilities Code Section 99313.6, MTC has created a State Transit Assistance (“STA”) fund which resides with the Alameda County Auditor for the deposit of PTA funds allocated to the MTC region; and

WHEREAS, pursuant to Public Utilities Code Section 99313.6(d), MTC may allocate funds to itself for projects to achieve regional transit coordination objectives; and

WHEREAS, pursuant to Public Utilities Code Sections 99314.5(a) and 99314.5(b), claimants eligible for Transportation Development Act Article 4 and Article 8 funds are eligible claimants for State Transit Assistance funds; and

WHEREAS, eligible claimants have submitted applications to MTC for the allocation of fiscal year 2015-16 STA funds; and

WHEREAS, Attachment A to this resolution, attached hereto and incorporated herein as though set forth at length, lists the amounts of and purposes for the fiscal year 2015-16 allocations requested by claimants, and is from time-to-time revised; and

WHEREAS, this resolution, including the revisions to Attachment A and the sum of all allocations made under this resolution, are recorded and maintained electronically by MTC; and

WHEREAS, pursuant to 21 California Code of Regulations Section 6754, MTC Resolution Nos. 3837 and 4184, and Attachment B to this resolution, attached hereto and incorporated herein as though set forth at length, lists the required findings MTC must make, as the case may be, pertaining to the various claimants to which funds are allocated; and

WHEREAS, the claimants to which funds are allocated under this resolution have certified that the projects and purposes listed and recorded in Attachment A are in compliance with the requirements of the California Environmental Quality Act (Public Resources Code Section 21000 et seq.), and with the State Environmental Impact Report Guidelines (14 California Code of Regulations Section 15000 et seq.); now, therefore, be it

RESOLVED, that MTC approves the findings set forth in Attachment B to this resolution; and, be it further

RESOLVED, that MTC approves the allocation of fiscal year 2015-16 STA funds to the claimants, in the amounts, for the purposes, and subject to the conditions, as listed and recorded on Attachment A to this resolution; and, be it further

RESOLVED, that, pursuant to 21 Cal. Code of Regs. §§ 6621 and 6753, a certified copy of this resolution, along with written allocation instructions for the disbursement of STA funds as allocated herein, shall be forwarded to the Alameda County Auditor; and, be it further

RESOLVED, that all STA allocations are subject to continued compliance with MTC Resolution 3866, the Transit Coordination Implementation Plan.

METROPOLITAN TRANSPORTATION COMMISSION



Dave Cortese, Chair

The above resolution was approved by the Metropolitan Transportation Commission at a regular meeting of the Commission held in Oakland, California, on June 24, 2015.

Date: June 24, 2015
 Referred by: PAC
 Revised: 07/22/15-C 10/28/15-C

Attachment A
 MTC Resolution No. 4188
 Page 1 of 1

**ALLOCATION OF STATE TRANSIT ASSISTANCE FUNDS
 DURING FISCAL YEAR 2015-16**

All STA allocations are subject to continued compliance with MTC Resolution 3866, Revised,
 the Transit Coordination Implementation Plan.

Claimant	Project Description	Allocation Amount	Alloc. Code	Approval Date	Apportionment Area
<i>5820 - 6730A Operating Costs - Population-based Small Operator/Northern Counties</i>					
CCCTA	Transit Operations	2,004,761	01	06/24/15	CCCTA
ECCTA	Transit Operations	1,159,791	09	07/22/15	ECCTA
	Subtotal	3,164,552			
<i>5820 - 6730A Operating Costs - Population-based Regional Paratransit</i>					
VTA	Paratransit Operations	1,175,189	10	07/22/15	Santa Clara County
	Subtotal	1,175,189			
<i>5820 - 6730A Operations - Population-based Lifeline</i>					
AC Transit	Cycle 4: Preserve Operations	3,583,129	02	06/24/15	Alameda County
AC Transit	Cycle 4: Preserve Operations	1,740,785	03	06/24/15	Alameda County
AC Transit	Cycle 4: Preserve Operations	1,423,905	04	06/24/15	Contra Costa County
SFMTA	Cycle 4: Expand Late Night Tra	3,511,930	11	07/22/15	San Francisco County
	Subtotal	10,259,749			
<i>5820 - 6730A Operating Costs - Revenue-based</i>					
WCCTA	Transit Operations	2,145,258	05	06/24/15	BART
AC Transit	Transit Operations	8,045,389	06	06/24/15	AC Transit
ECCTA	Transit Operations	2,404,790	12	07/22/15	BART
VTA	Transit Operations	11,263,409	13	07/22/15	VTA
SFMTA	Transit Operations	36,379,697	14	07/22/15	SFMTA
SamTrans	Transit Operations	3,681,392	15	10/28/15	SamTrans
SamTrans	Transit Operations	5,046,388	16	10/28/15	Caltrain
	Subtotal	68,966,323			
<i>5820 - 6730A Operating Costs - Population-based MTC Regional Coordination</i>					
MTC	Transit Operations	11,450,000	07	06/24/15	MTC
	Subtotal	11,450,000			
<i>5821 - 6730B Capital Costs - Population-based MTC Coordination</i>					
MTC	Transit Capital	2,560,000	08	06/24/15	MTC
	Subtotal	2,560,000			
	TOTAL	97,575,813			

Date: June 24, 2015
Referred by: PAC

Attachment B
Resolution No. 4188
Page 1 of 2

ALLOCATION OF FISCAL YEAR 2015-16 STATE TRANSIT ASSISTANCE FUNDS
TO CLAIMANTS IN THE MTC REGION

FINDINGS

The following findings pertain, as the case may be, to claimants to which State Transit Assistance funds are allocated under this resolution.

1. That each claimant has submitted, or shall have submitted prior to the disbursement of funds, copies, to MTC and to appropriate agencies, of all required State Controller's reports and fiscal audit reports prepared in accordance with PUC §§ 99243 and 99245; and
2. That the projects and purposes for which each claimant has submitted an application for TDA Article 8 funds to MTC are in conformance with MTC's Regional Transportation Plan (21 Cal. Code of Regs. § 6651), and with the applicable state regulations (21 Cal. Code of Regs. § 6600 et seq.), and with the applicable MTC rules and regulations; and
3. That each claimant has submitted to MTC as part of its application for TDA Article 4 funds a budget indicating compliance with the 50% expenditure limitation of PUC § 99268, or with the applicable fare or fares-plus-local-support recovery ratio requirement (PUC §§ 99268.2, 99268.3, 99268.4, 99268.12, or 99270.5), or with the applicable fare or fares-plus-local-match recovery ratio requirement (as set forth, respectively, in PUC §§ 99268.5, 99268.12, or MTC Resolution No. 1209, Revised), as so attested to by the claimant's chief financial officer; and
4. That each claimant is making full use of federal funds available under the Moving Ahead for Progress in the 21st Century Act (MAP-21), as amended; and
5. That the sum of each claimant's allocation of Transportation Development Act and State Transit Assistance funds does not exceed the amount the claimant is eligible to receive, in accordance with the calculations prescribed by 21 Cal. Code of Regs. § 6633.1 or § 6634; and

6. That MTC has given priority consideration to claims to offset reductions in federal operating assistance and the unanticipated increase in the cost of fuel, to enhance existing public transportation services, and to meet high priority regional, countywide, or areawide public transportation needs; and
7. That each claimant has made a reasonable effort to implement the productivity improvements recommended pursuant to PUC § 99244; and
8. That each claimant has submitted to MTC a copy of a certification from the California Highway Patrol verifying that the claimant is in compliance with Section 1808.1 of the Vehicle Code (“Pull Notice Program”), as required by PUC § 99251; and
9. That each claimant is in compliance with the eligibility requirements of PUC §§ 99314.6 or 99314.7; and
10. That each claimant has certified that it has entered into a joint fare revenue sharing agreement with every connecting transit operator, and that it is in compliance with MTC’s Transit Coordination Implementation Plan, pursuant to Government Code §§ 66516 and 66516.5, PUC §§ 99314.5(c) and §99314.7, and MTC Resolution No. 3866, Revised.



Metropolitan Transportation Commission

101 Eighth Street,
Joseph P. Bort MetroCenter
Oakland, CA

Legislation Details (With Text)

File #: 15-0902 **Version:** 1 **Name:**

Type: Resolution **Status:** Consent

File created: 9/15/2015 **In control:** Programming and Allocations Committee

On agenda: 10/28/2015 **Final action:** 10/28/2015

Title: Revisions to the Transit Capital Priorities program for FY2014-15 and AB664 bridge toll program and allocations for FY2014-15. MTC Resolution Nos. 4162, Revised, 4163, Revised and 4165, Revised.

Sponsors:

Indexes:

Code sections:

Attachments: [6g Resos-4162-4163-4165 TCP Revisions and AB664 P&A](#)

Date	Ver.	Action By	Action	Result
10/14/2015	1	Programming and Allocations Committee		

Subject:

Revisions to the Transit Capital Priorities program for FY2014-15 and AB664 bridge toll program and allocations for FY2014-15. MTC Resolution Nos. 4162, Revised, 4163, Revised and 4165, Revised.

Presenter:

Shruti Hari

Recommended Action:

Commission Approval

**Metropolitan Transportation Commission
Programming and Allocations Committee**

October 14, 2015

Resolution Nos. 4162, Revised, 4163, Revised, and 4165, Revised

Subject: Revisions to the Transit Capital Priorities program for FY2014-15, and AB664 bridge toll program and allocations for FY2014-15.

Background: *Revisions to the Transit Capital Priorities program for FY2014-15*

MTC is responsible for programming the region's Federal Transit Administration (FTA) Urbanized Area Formula (Section 5307), State of Good Repair (Section 5337) and Bus & Bus Facilities (Section 5339) funds, as well as Cycle 2 Surface Transportation Program (STP) Transit Capital Rehabilitation funds. MTC programs these funds to eligible transit operators to support capital replacement and rehabilitation projects, preventive maintenance, and operating costs through the Transit Capital Priorities (TCP) program.

This item revises the preliminary TCP program adopted by the Commission in December 2014 in order to reconcile the FY2014-15 program with final apportionment amounts, and to make minor adjustments to the FY2014-15 program. The regional apportionments for the Section 5307, 5337 and 5339 programs for the five large urbanized areas combined totaled \$377.9 million, which is only \$338,673 higher than the projections used to develop the preliminary program.

Since the final apportionments were close to the estimates, balancing the FY2014-15 TCP program requires only minor revisions, including:

- Transferring costs between the urbanized areas and programs to keep the total amounts received by the operators at the same level;
- Minor adjustments to ADA operating set-asides to keep programming within the 10% limit; to associated transit improvements to meet the 1% requirement; and to Santa Rosa urbanized area operating assistance to match the cap on large urbanized area operating assistance calculated by FTA; and
- Reducing amounts for operating assistance and preventive maintenance where necessary to match apportionment amounts.

The FY2014-15 revisions will be proposed in the Transportation Improvement Program Administrative Modification 15-16 anticipated to be approved at the end of October or Amendment 15-21, which will be brought to the Commission for approval in November.

AB664 bridge toll program and allocations for FY2014-15

AB 664 Net Bridge Toll Revenues are programmed annually to eligible operators as the local match required for the FTA formula funds. AB 664 funds are programmed in accordance with MTC Resolution No. 4015 and are generally programmed in proportion to each operator's share of federal funds in the TCP program. This item programs and allocates the FY2014-15 AB 664 funds based on the final TCP program. This item also re-allocates approximately \$1.3 million in lapsed funds from the FY2011-12 program to BART.

Issues: None.

Recommendation: Refer Resolution Nos. 4162, Revised, 4163, Revised, and 4165, Revised, to the Commission for approval.

Attachments: MTC Resolution No. 4162, Revised
MTC Resolution No. 4163, Revised
MTC Resolution No. 4165, Revised

Date: December 17, 2014
W.I.: 1512
Referred By: PAC
Revised: 01/28/15-C 03/25/15-C
05/27/15-C 07/22/15-C
09/23/15-C 10/28/15-C

ABSTRACT

Resolution No. 4162, Revised

This resolution approves the FY2014-15 Transit Capital Priorities preliminary program of projects for inclusion in the Transportation Improvement Program (TIP). The program includes projects funded with FTA Section 5307 Urbanized Area, Section 5337 State of Good Repair, and Section 5339 Bus and Bus Facilities. In addition, Surface Transportation Program Cycle 2 Transit Capital Rehabilitation funds are being programmed in MTC Resolution No. 4035, Revised, and AB 664 Bridge Toll revenues are programmed in MTC Resolution No. 4163 for FY2014-15 Transit Capital Priorities projects.

This Resolution includes the following attachment:

Attachment A – FY2014-15 Program of Projects

This resolution was revised on January 28, 2015 to reprogram \$24.8 million from SFMTA's fixed guideway rehabilitation projects towards SFMTA's light rail vehicles (LRV) purchase.

This resolution was revised on March 25, 2015 to program \$10.5 million in San Jose urbanized area 5337 funds, previously held in a vehicle procurement reserve for Caltrain's Railcar Replacement project, to VTA for preventive maintenance.

This resolution was revised on May 27, 2015 to make minor programming changes requested by the operators, which are consistent with the TCP policy.

This resolution was revised on July 22, 2015 to make minor programming changes, to transfer funds between SolTrans' projects, which are consistent with the TCP policy.

This resolution was revised on September 23, 2015 to reprogram \$24.7 million from SFMTA's LRV purchase (previously programmed on January 28, 2015 to serve as a back-stop for the

ABSTRACT

MTC Resolution No. 4162, Revised

Page 2

receipt of Cap and Trade funds), back to the fixed guideway rehabilitation projects they were originally programmed to.

This resolution was revised on October 28, 2015 to make minor revisions to the Transit Capital Priorities program for FY2014-15 to reconcile the program to final FTA apportionments.

Further discussion of the Transit Capital Priorities program of projects is contained in the Programming and Allocations Committee summary sheet dated December 10, 2014, January 14, 2015, March 11, 2015, May 13, 2015, July 8, 2015, September 9, 2015, and October 14, 2015.

Date: December 17, 2014
W.I.: 1512
Referred By: PAC

RE: San Francisco Bay Area Regional Transit Capital Priorities

METROPOLITAN TRANSPORTATION COMMISSION
RESOLUTION NO. 4162

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

WHEREAS, MTC is the designated Metropolitan Planning Organization (MPO) for the nine-county Bay Area and is required to prepare and endorse a Transportation Improvement Program (TIP) which includes a list of priorities for transit capital projects; and

WHEREAS, MTC is the designated recipient of the Federal Transit Administration (FTA) Section 5307 Urbanized Area, Section 5337 State of Good Repair, and Section 5339 Bus and Bus Facilities funds for the large urbanized areas of San Francisco-Oakland, San Jose, Concord, Antioch, and Santa Rosa, and has been authorized by the California Department of Transportation (Caltrans) to select projects and recommend funding allocations subject to state approval for the FTA Section 5307 and Section 5339 small urbanized area funds of Vallejo, Fairfield, Vacaville, Napa, Livermore, Gilroy-Morgan Hill, and Petaluma in MTC's Federal Transportation Improvement Program; and

WHEREAS, MTC has worked cooperatively with the cities, counties and transit operators and with Caltrans in the region to establish priorities for the transit capital projects to be included in the TIP; and

WHEREAS, the process and criteria used in the selection and ranking of such projects are set forth in MTC Resolution No. 4140; and


WHEREAS, the projects to be included in the TIP are set forth in the detailed project listings in Attachment A, which are incorporated herein as though set forth at length; now, therefore, be it

RESOLVED, that MTC adopts the FY 2014-15 Transit Capital Priorities program of projects to be included in the TIP as set forth in Attachment A; and, be it further

RESOLVED, that the Executive Director or designee is authorized to revise Attachment A as necessary to reflect the programming of projects as the projects are revised in the TIP; and be it further

RESOLVED, that the Executive Director of MTC is authorized and directed to forward a copy of this resolution to FTA, and such agencies as may be appropriate.

METROPOLITAN TRANSPORTATION COMMISSION



Amy Rein Worth, Chair

The above resolution was entered into by the Metropolitan Transportation Commission at a regular meeting of the Commission held in Oakland, California on December 17, 2014.

FY 2014-15 Transit Capital Priorities / Transit Capital Rehabilitation Program					
TIP ID	Operator	Project Description	FTA Section 5307	FTA Section 5337	FTA Section 5339
Actual Apportionments			208,447,779	171,411,774	13,021,534
Previous Year Carryover			7,663,919	0	695,353
Funds Available for Programming			216,111,698	171,411,774	13,716,887
Lifeline Set-Aside (JARC Projects)					
To be programmed	To be programmed	Reserved for future programming in Lifeline Transportation Program Cycle 4.	2,889,856		
ADA Operating Set-Aside					
ALA990076	AC Transit	ADA Set-aside	3,913,691		
ALA050042	ACE	Preventive Maintenance	8,836		
BRT99T01B	BART	ADA Paratransit Capital Accessibility Improve	2,678,954		
REG090051	Caltrain	Revenue Vehicle Rehab Program	163,267		
CC-99T001	CCCTA	ADA Set-aside	1,178,716		
CC-030035	ECCTA	ADA Set-aside	523,153		
MRN130015	GGBHTD	Transit System Enhancements	307,963		
ALA990077	LAVTA	ADA Set-aside	335,328		
MRN110047	Marin Transit	ADA Set-aside	461,944		
NAP030004	Napa VINE	ADA Set-aside	38,496		
SON150007	Petaluma Transit	ADA Set-aside	82,649		
SM-990026	SamTrans	ADA Set-aside	1,112,576		
SM-070049	SamTrans	Facility/Equipment Rehab/Replacement	416,000		
SM-150008	SamTrans	Replacement of Non-Revenue Vehicles	319,200		
SF-990022	SFMTA	ADA Set-aside	3,990,682		
SOL110025	SolTrans	ADA Set-aside	302,177		
New	Sonoma City Transit	ADA Set-aside	28,888		
New	Union City Transit	ADA Set-aside	128,318		
SCL050046	VTA	ADA Set-aside	3,645,530		
CC-990045	WestCat	ADA Set-aside	243,804		
New	WETA	Ferry Major Component Rehab/Replacement	5,133		
Vehicle Procurement Reserve					
New	Caltrain	Positive Train Control/Electrification - RESERVED		10,770,994	
Total Program Set-asides and Commitments			22,775,161	10,770,994	0
Funds Available for Capital Programming			193,336,537	160,640,780	13,716,887
Capital Projects					
ALA010034	AC Transit	Replace CAD/AVL/Radio System	8,567,594		
ALA150018	AC Transit	Replace (25) 40ft Urban Buses - Hybrids	9,940,433		
ALA150018	AC Transit	Replace (40) 40ft Urban Buses - Diesels	13,953,720		
ALA150013	AC Transit	Purchase (15) 40ft Expansion Urban Buses - Diesels	5,232,645		
ALA990052	AC Transit	ADA Paratransit Van Replacement	1,363,034		
REG110044	ACE	Positive Train Control		1,240,810	
REG050020	BART	BART Car Exchange Preventive Maintenance	1,202,349	51,469,449	
BRT030004	BART	Train Control		11,000,000	
BRT030005	BART	Traction Power		4,000,000	
BRT97100B	BART	Rail, Way, and Structures Program		14,875,097	
ALA090065	BART	Fare Collection Equipment		6,000,000	
REG090037	BART	Railcar Replacement		500,000	
SF-010028	Caltrain	Railcar Replacement		5,234,766	
CC-150006	CCCTA	Replace (18) 30' Buses	5,995,811		852,829
CC-150007	CCCTA	Replace (13) 35' Buses	5,106,140		
CC-150008	CCCTA	Replace (3) Paratransit Vans	295,200		
REG090045	Clipper	Golden Gate Bus - Fare Collection Equipment Replacement	918,823		
REG090045	Clipper	AC Transit - Fare Collection Equipment Replacement	4,000,957		
REG090045	Clipper	MTC - Fare Collection Back Office Equipment Replacement		2,315,228	
REG090045	Clipper	SFMTA - Fare Collection Equipment Replacement		2,538,052	
REG090045	Clipper	Golden Gate Ferry - Fare Collection Equipment Replacement		195,958	
REG090045	Clipper	Golden Gate Bus - Fare Collection Equipment Replacement		1,228,907	
CC-070092	ECCTA	Replace (5), 45' diesel, over the road coaches	2,038,393		450,307
CC-070092	ECCTA	Replace (20) Ford four year gas cutaway/vans	1,410,400		
CC-070092	ECCTA	Replace (30) MDTs for paratransit fleet	360,000		
SOL100006	Fairfield	Fairfield Operating Assistance	2,417,873		
SOL110041	Fairfield	(2) 40' Transit Hybrid Buses			284,891
MRN990017	GGBHTD	Ferry Channel and Berth Dredging		5,200,000	
MRN030010	GGBHTD	Fixed Guideway Connectors		4,000,000	
ALA150017	LAVTA	Replace (5) 2000 40' Diesel Vehicles with 5 40' Hybrids	2,594,228		513,572
ALA150015	LAVTA	Replace (4) 2002- Over the Road Diesel vehicles with 4 40' Hybrids	2,486,240		
ALA150014	LAVTA	Replace (4) 2002- Low Floor Diesel vehicles with 4 40' Hybrids	2,486,240		
ALA150016	LAVTA	Replace (7) 2003- Diesel vehicles with 7 40' Hybrids	4,350,920		
MRN150001	Marin Transit	Replace (9) ADA Paratransit Vehicles	634,680		
MRN150002	Marin Transit	Replace (3) Stage Coach Vehicles	364,080		
MRN150003	Marin Transit	Install fareboxes on Marin County Paratransit Vehicles	76,260		
MRN150003	Marin Transit	Install fareboxes on Marin County Dial-A-Ride Vehicles	22,960		
MRN150003	Marin Transit	Replace Marin Transit Fixed Route Fareboxes	34,440		
MRN150001	Marin Transit	Replace Paratransit Radios	49,200		
MRN150001	Marin Transit	Replace Paratransit MDTs	29,520		
NAP090008	Napa Vine	Equipment Replacement & Upgrades			174,228
NAP970010	Napa Vine	Napa Vine: Operating Assistance	1,477,490		

FY 2014-15 Transit Capital Priorities / Transit Capital Rehabilitation Program					
TIP ID	Operator	Project Description	FTA Section 5307	FTA Section 5337	FTA Section 5339
Capital Projects, continued					
SON150004	Petaluma	(1) 40' Diesel Electric Replacement Standard Bus	494,701		126,859
SON090030	Petaluma	AVL/CAD Communications System	352,302		
SON150005	Petaluma	Purchase new Bus Radios	1,476		
SM-150005	Samtrans	Replacement of (60) 2003 Gillig Buses	20,000,000		
SM-110068	Samtrans	Replacement of (55) NABI articulated buses	20,000,000		
SON150008	Santa Rosa	Replace 40' New Flyer buses with new 40' Diesel Buses	154,203		273,017
SON150008	Santa Rosa	Equip new fixed route fleet buses with farebox	24,000		
SON150008	Santa Rosa	Equip new fixed route fleet buses with radio systems	60,000		
SON030012	Santa Rosa	Security improvements for access at bus stops	43,724		
SON090023	Santa Rosa	Santa Rosa CityBus: Operating Assistance	1,645,512		
SON090024	Santa Rosa	Santa Rosa CityBus: Preventative Maintenance	408,030		
SON030012	Santa Rosa	Santa Rosa CityBus: Transit Enhancements	24,379		
SF-150004	SFMTA	Station-Area Pedestrian and Bicycle Access Improvements	500,000		
SF-95037B	SFMTA	Muni Rail Replacement		6,316,972	
SF-030013	SFMTA	Wayside Fare Collection		1,000,000	
SF-970170	SFMTA	Overhead Line Rehabilitation		10,481,371	
SF-050024	SFMTA	Wayside/Central Train Control & Trolley Signal Systems Rehabilitation		5,000,000	
SF-99T002	SFMTA	Cable Car Infrastructure		1,000,000	
SF-970073	SFMTA	Cable Car Renovation Program		960,000	
SF-150005	SFMTA	Replacement of (67) 40' Motor Coaches	5,625,263		6,874,737
SF-150006	SFMTA	Replacement of (98) 60' Motor Coaches	20,000,000		
SOL110040	Soltrans	Operating Assistance	5,584,630		
SOL090033	Soltrans	Maintenance Facility			387,398
SON030005	Sonoma County	SCT Preventive Maintenance Program	1,248,007		
SON110049	Sonoma County	Replacement of (1) CNG 40-Foot Heavy-Duty Bus in SCT's Fixed-Route Fleet	442,294		197,701
SON050021	Sonoma County	Installation of Passenger Shelters and Other Amenities at Various SCT Bus Stops	17,654		
ALA130033	Union City	Union City: Replacement of Two (2) Transit Buses	588,728		
SOL010007	Vacaville	Operating Assistance	985,000		
SCL050045	VTA	ADA Bus Stop Improvements	358,222		
SCL050001	VTA	(61) 40' Hybrid Bus Procurement	30,683,245		3,187,275
SCL990046	VTA	Preventive Maintenance	1,845,840	10,625,493	
SCL050002	VTA	Rail Replacement Program		943,088	
SCL110104	VTA	Light Rail Track Crossovers and Switches		2,179,440	
SCL150011	VTA	North First Street Corridor Light Rail Speed Improvements		400,000	
SCL150005	VTA	Train to Wayside Communication System Upgrade		200,000	
SCL150007	VTA	Upgrade Ohlone/Chynoweth Interlocking		960,000	
SCL150008	VTA	Track Intrusion Abatement		1,600,000	
SCL150009	VTA	LR Signal Shop Modification		396,000	
SCL150010	VTA	Upgrade LR Ring #1 Communications Equipment		1,760,000	
SCL150006	VTA	Back-up Power Devices for Elevated Station		320,000	
CC-150001	WestCat	Replacement of (10) Cut Away Vans	984,000		
CC-150004	WestCat	Replacement of (1) 40 Ft Revenue Vehicle	427,220		
CC-150005	WestCat	Replacement of (1) 40 Ft Revenue Vehicle	497,740		
CC-150002	WestCat	Purchase of (10) Radio systems for (10) Cut Away Van's	8,000		
CC-150003	WestCat	Purchase of (2) Fast Fare Electronic Fareboxes	28,498		
CC-030025	WestCat	Preventive Maintenance	232,200		
REG090057	WETA	Ferry Major Component Rehab/Replacement		3,496,000	
REG090055	WETA	Ferry Propulsion System Replacement		2,288,000	
REG090067	WETA	Fixed Guideway Connectors		376,000	
Total Capital Projects			190,674,498	160,100,631	13,322,814
Total Programmed			213,449,659	170,871,625	13,322,814
Fund Balance			2,662,039	540,149	394,073

Date: December 17, 2014
W.I.: 1514
Referred By: PAC
Revised: 01/28/15-C
07/22/15-C
09/23/15-C
10/28/15-C

ABSTRACT

Resolution No. 4163, Revised

This resolution establishes the AB 664 Net Bridge Toll Revenues program of projects for FY2014-15. The initial program consists of \$5,219,167 being programmed to AC Transit towards their fleet replacement consistent with the Core Capacity Challenge Grant Program funding plan. The initial program also consists of \$67,304 in savings from the original allocation to the region for the Regional Transit Capital Inventory project in FY2006-07 that has lapsed and is now being re-programmed towards the same project. This resolution will be amended to add the remainder of the FY2014-15 AB 664 program in conjunction with final revisions to the FY2014-15 Transit Capital Priorities program.

The following attachment is provided with this resolution:

Attachment A. Program of AB 664 Net Bridge Toll Revenue Projects FY2014-15

This resolution was revised on January 28, 2015 to program \$44 million towards SFMTA's light rail vehicles (LRV) purchase.

This resolution was revised on July 22, 2015 to re-program \$237,424 in expired funds to SFMTA.

This resolution was revised on September 23, 2015 to reduce the programming of the AB 664 funds previously programmed to SFMTA for their LRV project on January 28, 2015, by \$16,422,657.

This resolution was revised on October 28, 2015, to add the remainder of the FY2014-15 AB 664 program based on the final revisions to the FY2014-15 Transit Capital Priorities program. This resolution was also revised to reprogram approximately \$1.3 million in lapsed funds to BART from the FY11-12 program.

Further discussion of the AB 664 program of projects is contained in the Programming and Allocations Committee summary sheet dated December 10, 2014, January 14, 2015, July 8, 2015, September 9, 2015, and October 14, 2015.

Date: December 17, 2014
W.I.: 1514
Referred by: PAC

RE: Programming of AB 664 Net Bridge Toll Revenues in Fiscal Year 2014-15

METROPOLITAN TRANSPORTATION COMMISSION
RESOLUTION NO. 4163

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, pursuant to Streets and Highways Code § 30892, after deduction for MTC's administrative costs, MTC shall allocate toll bridge net revenues to public entities operating public transportation systems to achieve MTC's capital planning objectives in the vicinity of toll bridges as set forth in its adopted Regional Transportation Plan (RTP) ("Net Revenues"); and

WHEREAS, pursuant to Streets and Highways Code § 30894, MTC has adopted MTC Resolution No. 4015, which sets forth MTC's Bridge Toll Revenue Allocation Policy; and

WHEREAS, MTC has adopted a transit capital priorities program which set forth the priorities for funding transit capital projects in the Transportation Improvement Program (TIP); and

WHEREAS, "claimants" certify that their respective projects programmed in the TIP are in conformance with MTC's Regional Transportation Plan, with the requirements of the California Environmental Quality Act (Public Resources Code § 2100 et seq.) and the State EIR Guidelines (14 Cal. Admin. Code § 15000 et seq.); now therefore, be it

RESOLVED, that MTC approves the FY2014-15 programming of AB 664 Net Bridge Toll Revenues to the claimants, in the amounts, for the purposes, and subject to the conditions listed on Attachment A to this resolution, attached hereto and incorporated herein as though set forth at length.

METROPOLITAN TRANSPORTATION COMMISSION



Amy Rein Worth, Chair

The above resolution was entered into by the
Metropolitan Transportation Commission
at a regular meeting of the Commission held in
Oakland, California on December 17, 2014.

FY2014-15 Program			East Bay	West Bay
	Revenue Projections		\$6,819,167	\$44,700,000
	Previous Year Carry-Over (if any)			
	Expirations and Rescissions		\$1,370,305	\$267,424
	Total Funds Available		\$8,189,472	\$44,967,424
Sponsor	Eligible Capital Projects	Fund Source		
Current Year Programming				
AC Transit	Replace (25) 40ft Urban Buses - Hybrids	AB664		
	Total Amount Programmed to AC Transit		5,219,167	
Region	Regional Transit Capital Inventory ¹	AB664		
	Total Amount Programmed to the Region		37,304	30,000
SFMTA	Light Rail Vehicle Purchase ^{2,4}	AB664		
	Total Amount Programmed to SFMTA's Light Rail Vehicle Purchase project			27,577,343
SFMTA	Cable Car Vehicle Renovation	AB664		
SFMTA	Central Control & Communication (C3)	AB664		
SFMTA	Escalator Rehabilitation	AB664		
SFMTA	Historic Vehicle Rehabilitation	AB664		
SFMTA	ITS Radio System Replacement	AB664		
SFMTA	Potrero-Presidio Hoists	AB664		
SFMTA	Light Rail Vehicle Safety Modifications	AB664		
SFMTA	Motor Coach Replacement	AB664		
SFMTA	Paratransit Van Replacement	AB664		
SFMTA	Rail Replacement Projects	AB664		
SFMTA	Security Projects	AB664		
SFMTA	Safety Projects	AB664		
SFMTA	Trolley Car Replacement	AB664		
SFMTA	Trolley Overhead Rehabilitation Projects	AB664		
SFMTA	Wayside Train Control Equipment Rehab and Replacement	AB664		
SFMTA	Wayside Fare Collection Equipment Rehab and Replacement	AB664		
	Total Amount Programmed to SFMTA - Other projects ³			237,424
CCCTA	Replace (18) 30' Buses	AB664		
CCCTA	Replace (13) 35' Buses	AB664		
CCCTA	Replace (3) Paratransit Vans	AB664		
	Total Amount Programmed to CCCTA		512,363	
ECCTA	Replace (5), 45' diesel, over the road coaches	AB664		
ECCTA	Replace (20) Ford four year gas cutaway/vans	AB664		
ECCTA	Replace (30) MDTs for paratransit fleet	AB664		
	Total Amount Programmed to ECCTA		178,139	
LAVTA	Replace (5) 2000 40' Diesel Vehicles with 5 40' Hybrids	AB664		
LAVTA	Replace (4) 2002- Over the Road Diesel vehicles with 4 40' Hybrids	AB664		
LAVTA	Replace (4) 2002- Low Floor Diesel vehicles with 4 40' Hybrids	AB664		
LAVTA	Replace (7) 2003- Diesel vehicles with 7 40' Hybrids	AB664		
	Total Amount Programmed to LAVTA		519,943	
Soltrans	Maintenance Facility	AB664		
	Total Amount Programmed to Soltrans		16,203	
Union City	Union City: Replacement of Two (2) Transit Buses	AB664		
	Total Amount Programmed to Union City		24,624	
WestCat	Replacement of (10) Cut Away Vans	AB664		
WestCat	Replacement of (1) 40 Ft Revenue Vehicle	AB664		
WestCat	Replacement of (1) 40 Ft Revenue Vehicle	AB664		
WestCat	Purchase of (10) Radio systems for (10) Cut Away Van's	AB664		
WestCat	Purchase of (2) Fast Fare Electronic Fareboxes	AB664		
WestCat	Preventive Maintenance	AB664		
	Total Amount Programmed to WestCAT		91,082	
WETA	Ferry Major Component Rehab/Replacement - Gemini & Pisces	AB664		
WETA	Ferry Major Component Rehab/Replacement - Scorpio & Taurus	AB664		
WETA	Ferry Propulsion System Replacement	AB664		
WETA	Ferry Major Component Rehab/Replacement - Solano	AB664		
WETA	Fixed Guideway Connectors	AB664		
	Total Amount Programmed to WETA		257,646	
SamTrans	Replacement of (60) 2003 Gillig Buses	AB664		
SamTrans	Replacement of (55) NABI articulated buses	AB664		
	Total Amount Programmed to SamTrans			700,000
BART	Preventive Maintenance	AB664		
BART	ADA Paratransit Capital Accessibility Improvements	AB664		
BART	Traction Power	AB664		
BART	Track Replacement Rehabilitation	AB664		
BART	Replacement of Fixed Guideway Elements and Fare Collection Equipment	AB664		
	Total Amount Programmed to BART ⁵		1,333,001	
		Fund Balance	\$0	\$16,422,657

Notes:

1. Includes reallocation of lapsed savings of \$79,000 from #07-3768-8/5850 and 07-3768-13/5850 07/26/06.

2. This programming action is conditioned on:

a. SFMTA is required to provide \$57 million in their local funds, which could include SFMTA Revenue Bonds, development impact fees and other non-federal sources towards, the cost of the LRV purchase.

b. The regional programming will serve as a back-stop for Cap and Trade (C&T) funds. SFMTA will make good faith efforts to obtain a Letter of No Prejudice or other commitment from the California State Transportation Agency to maintain eligibility of the LRVs for the C&T Transit and Intercity Rail program, and to pursue C&T funding for the LRVs when C&T funding is made available.

c. If C&T funds are secured for the expansion LRVs, the \$27.6 million of AB 664 and \$84 million of BATA project savings will be restored to SFMTA's LRV replacement project in accordance with the Core Capacity Challenge Grant Program commitment.

d. If C&T funds are not secured for the expansion LRVs, SFMTA will replace the \$27.6 million of AB 664 and \$84 million of BATA project savings for SFMTA's LRV replacement project with local funds.

e. If C&T funds are not secured for the expansion LRVs, SFMTA agrees to develop an agreement with MTC on the terms of the replacement funding for the LRV replacement projects.

MTC reserves the right to withhold allocation of the AB 664 and BATA project savings funds if these conditions are not met.

3. Includes reallocation of lapsed savings of \$237,424 from #11-4014-08/5850 06/22/11.

4. SFMTA received \$41.2 million in TIRCP (Cap and Trade) funds in June 2015. The TCP funds and the AB 664 funds programmed to the LRV project on January 28, 2015, were intended as a backstop for the Cap and Trade funds (see note 2 above). After restoring the \$24.7 million of TCP funds to SFMTA's fixed guideway rehabilitation projects, \$16.4M in AB664 funds are being de-programmed for future programming to SFMTA's fleet replacement projects in accordance with the Core Capacity Challenge Grant Program.

5. Includes reprogramming of lapsed savings of \$1,333,001 from 12-4044-03/5850 06/27/12.

Date: December 17, 2014
W.I.: 1514
Referred by: PAC
Revised: 07/22/15-C
10/28/15-C

ABSTRACT

Resolution No. 4165, Revised

This resolution allocates AB 664 Net Bridge Toll Revenues to eligible transit operators for FY2014-15. The initial allocations consist of \$5,219,167 to AC Transit towards their fleet replacement consistent with the Core Capacity Challenge Grant Program funding plan, and \$67,304 to the region for the Regional Transit Capital Inventory project (this was part of the original allocation to the region for the Regional Transit Capital Inventory project in FY2006-07 that has lapsed and is now being re-allocated towards the same project). This resolution will be amended to add the remainder of the FY2014-15 AB 664 allocations in conjunction with final revisions to the FY2014-15 Transit Capital Priorities program.

The following attachment is provided with this resolution:

Attachment A. Allocation of AB 664 Net Bridge Toll Revenue FY2014-15

This resolution was revised on July 22, 2015 to re-allocate \$237,424 in expired funds to SFMTA.

This resolution was revised on October 28, 2015, to allocate the remainder of the FY2014-15 AB 664 program based on the final revisions to the FY2014-15 Transit Capital Priorities program. This resolution was also revised to reallocate approximately \$1.3 million in lapsed funds to BART from the FY11-12 program.

Further discussion of the AB 664 program of projects is contained in the Programming and Allocations Committee summary sheet dated December 10, 2014, July 8, 2015 and October 14, 2015.

Date: December 17, 2014
W.I.: 1514
Referred by: PAC

RE: Allocation of AB 664 Net Bridge Toll Revenues for FY 2014-15

METROPOLITAN TRANSPORTATION COMMISSION
RESOLUTION NO. 4165

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

WHEREAS, MTC is responsible for the allocation of certain bridge toll revenues, to wit:

(1) Pursuant to Streets and Highways Code § 30892, after deduction for MTC's administrative costs, MTC shall allocate certain toll bridge net revenues to public entities operating public transportation systems to achieve MTC's capital planning objectives in the vicinity of toll bridges as set forth in its adopted Regional Transportation Plan (RTP) ("Net Revenues"); and

WHEREAS, MTC Resolution No. 4015 sets forth MTC's bridge toll revenue allocation policies; and

WHEREAS, pursuant to Streets and Highways Code § 30895, MTC has prepared and submitted to the Legislature a report on the capital planning and ferry system objectives of MTC to be achieved through the allocation of net toll revenues; and

WHEREAS, "Claimants" have each submitted an application to MTC for an allocation of net bridge toll revenues in FY2014-15 for the projects and purposes set forth in Attachment A to this resolution, attached hereto and in MTC Resolution No. 4163, and incorporated herein as though set forth at length; and

WHEREAS, MTC Resolution No. 4163 programs Net Bridge Toll Revenues for FY2014-15; and

WHEREAS, claimants certify that their respective projects and purposes set forth in Attachment A are in compliance with the requirements of the California Environmental Quality Act (Public Resources Code § 21000 et seq.) and the State EIR Guidelines (14 Cal. Code Regs. § 15000 et seq.); now, therefore, be it

RESOLVED, that MTC finds that the Claimants' projects and purposes as set forth in Attachment A are in conformance with MTC's Regional Transportation Plan, MTC's bridge toll revenue allocation policies, and MTC's capital planning and ferry system objectives; and, be it further

RESOLVED, that MTC approves the allocation of net bridge toll revenues in FY2014-15 to Claimants, in the amounts, for the purposes, and subject to the conditions listed on Attachment A to this resolution and consistent with MTC Resolution 4163.

METROPOLITAN TRANSPORTATION COMMISSION



Amy Rein Worth, Chair

The above resolution was entered into by the
Metropolitan Transportation Commission
at a regular meeting of the Commission held in
Oakland, California on December 17, 2014.

Date: December 17, 2014
W.I.: 1514
Referred by: PAC
Revised: 07/22/15-C
10/28/15-C

Attachment A
Resolution No. 4165
Page 1 of 1

**ALLOCATION OF AB 664 NET BRIDGE TOLL REVENUE
FY 2014-15 Program**

PO/Acct. Code	Project Sponsor	Project	East Bay Allocation	West Bay Allocation	Approval Date
Match to Federal Transit Capital Funds					
15-4165-01/5850	MTC (1)	Match to capital projects programmed in MTC Resolution No. 4163 -Regional Transit Capital Inventory	37,304	30,000	12/17/14
15-4165-02/5850	AC Transit	Match to capital projects programmed in MTC Resolution No. 4163 - Replace (25) 40ft Urban Buses - Hybrids	5,219,167		12/17/14
15-4165-03/5850	SFMTA (2)	Match to capital projects programmed in MTC Resolution No. 4163		237,424	7/22/15
15-4165-04/5850	CCCTA	Match to capital projects programmed in MTC Resolution No. 4163	512,363		10/28/15
15-4165-05/5850	ECCTA	Match to capital projects programmed in MTC Resolution No. 4163	178,139		10/28/15
15-4165-06/5850	LAVTA	Match to capital projects programmed in MTC Resolution No. 4163	519,943		10/28/15
15-4165-07/5850	SamTrans	Match to capital projects programmed in MTC Resolution No. 4163		700,000	10/28/15
15-4165-08/5850	SolTrans	Match to capital projects programmed in MTC Resolution No. 4163	16,203		10/28/15
15-4165-09/5850	Union City	Match to capital projects programmed in MTC Resolution No. 4163	24,624		10/28/15
15-4165-10/5850	WestCat	Match to capital projects programmed in MTC Resolution No. 4163	91,082		10/28/15
15-4165-11/5850	WETA	Match to capital projects programmed in MTC Resolution No. 4163	257,646		10/28/15
15-4165-12/5850	BART (3)	Match to capital projects programmed in MTC Resolution No. 4163	1,333,001		10/28/15
Grand Total					
Total Allocations			8,189,472	967,424	9,156,896

Notes:

1. Includes reallocation of lapsed savings of \$67,304 from #07-3768-8/5850 and 07-3768-13/5850 07/26/06.
2. Includes reallocation of lapsed savings of \$237,424 from #11-4014-08/5850 06/22/11.
3. Includes reallocation of lapsed savings of \$1,333,001 from #12-4044-03/5850 06/27/12.



Metropolitan Transportation Commission

101 Eighth Street,
Joseph P. Bort MetroCenter
Oakland, CA

Legislation Details (With Text)

File #: 15-0904 **Version:** 1 **Name:**
Type: Resolution **Status:** Commission Approval
File created: 9/15/2015 **In control:** Programming and Allocations Committee
On agenda: 10/14/2015 **Final action:**
Title: Adoption of the 2015 Regional Active Transportation Program (ATP) Cycle 2 Program of Projects.
MTC Resolution No. 4172, Revised.

Sponsors:

Indexes:

Code sections:

Attachments: [6h Reso-4172 Cycle 2 ATP Revised](#)

Date	Ver.	Action By	Action	Result
10/14/2015	1	Programming and Allocations Committee		

Subject:

Adoption of the 2015 Regional Active Transportation Program (ATP) Cycle 2 Program of Projects.
MTC Resolution No. 4172, Revised.

Proposed adoption of the 2015 Regional Competitive ATP, programming \$30 million of state and federal funds.

Presenter:

Kenneth Kao

Recommended Action:

Commission Approval

October 21, 2015

Commission Meeting Handout to Agenda Item 6h – MTC Resolution No. 4172, Revised

Correspondence received regarding opposition to the Novato RGTIP proposed center platform design proposed by Marin Transit.

From: Al Dugan
To: Steve Heminger
Subject: Fwd: Marin Transit Flawed Novato RGTIP Grant request

Please see below. I will also send you an email from CA DOT stating the funding will be submitted to the MPO of MTC.

As I mentioned today, this design was considered at the Van Ness But Terminal and was reject early in the process as unsafe.

Best,
Al Dugan
Novato

Sent from my iPad

From: Al Dugan
Date: August 28, 2015 at 6:57:22 PM PDT
To: Dave Cortese
Subject: Marin Transit Flawed Novato RGTIP Grant request

I am writing to you on behalf of a large group of citizens in Novato to oppose the Novato RGTIP proposed center platform design proposed by Marin Transit. Marin Transit has requested grant funding from you organization for this project.

This flawed center platform contra weave design in the median of a main Novato downtown arterial road with mid-block crosswalks has numerous safety issues. We support continuing the use of the side platform design that has operated safely and efficiently for the last 37 years and can be renovated for far less cost than this proposed unsafe center platform design.

I have attached a petition submitted by over 100 bus drivers that operate out of this facility stating this flawed center platform contra weave design "...would create and unsafe environment for the safe operation of transit vehicles inside and outside the transit center..."

I have also attached two key documents from the W-Trans Traffic Analysis that shows the adverse impact of this new design and the driver blind spots created by the flawed design.

We asked for other locations with the same critical characteristics of this proposed design to investigate the safety and operational records. The consultant on the project provided Escondido, Oceanside, San Bernardino and Vallejo. We hired a transportation consultant to review the sites at these locations and NONE had the key elements and were nothing like the single block center platform contra weave in a busy arterial road with mid-block pedestrian crosswalks.

To date 291 citizens in Novato have signed a petition opposed to this ill-advised project.

We request your organization not provide funding for this documented unsafe project until a safe, common sense, cost efficient and acceptable side platform design has been completed.

Please confirm receipt of this email.

Sincerely,
Al Dugan

August 10, 2015

Marin County Transit District Board of Directors,

We the drivers at Golden Gate Transit and members of Amalgamated Transit Union Local 1575 hereby request that Marin County Transit, Golden Gate Transit and the City of Novato vacate the idea of a center platform design at Redwood and Grant in Novato. Our drivers on the safety committee at Golden Gate Transit have found this design to have too many safety concerns that would create an unsafe environment for the safe operation of transit vehicles inside and outside of the transit center should the center design be used. The side platform design is overall the safest for both passengers and drivers. As the people who will be entering and exiting this transit center and who drive public transit buses for a living, we know better than anyone what will work and what is safe.

Sincerely,

Golden Gate Transit Safety Committee Co-Chair

A handwritten signature in black ink, appearing to read "Tyrone Angel", with a stylized, flowing script.

Tyrone Angel

Mark Harris	Mark Harris	5901
Man. Daniels	Man. Daniels	6681
R Ceballos Jr.	RAUL CEBALLOS JR	23530
V. W. H.	KA WAN CHAN	2405
STEPHEN C. WARE	Stephen C. Ware	19016
JAMES RILEY	James R. Riley	06521
Bobby Davis	Bobby Davis	01341
Dorian Thibault	Dorian Thibault	06360
MATT GROOM	Matt Groom	
ALEC S. MINDERHAVER	Alec S. Minderhaver	1606
AMIR SAFRA	A. Safra	3396
ANTONIO DA GAMA LACANTO	Antonio da Gama Lacanto	10641
Pyrocl Smith	Pyrocl Smith	2426
Michael March	Michael March	06072
John	John	9826
Sylvia Anderson	Sylvia Anderson	5615
GARY BERRY	Gary Berry	
ALBERT SCOTT	ALBERT SCOTT	537
Angela Washington	Angela Washington	1026
Colman Holliday	Colman Holliday	6172
RITXIS CANO	Ritxis Cano	18481
SAMUEL DON LEMIS	Samuel Don Lemis	9357
CORCEN FELLAN	CORCEN FELLAN	19135
L. Southern	L. Southern	9619
Diana Brown	Diana Brown	2800
Maria Sus L.	Scott Hamilton	5277
Manuel Bofayos	Manuel Bofayos	17160
Diana Watson	Diana Watson	5957

[illegible]

[illegible]

Good day President Kellner and the Board,

My name is Ray Messier and I am the President of Amalgamated Transit Union Local 1575, I represent the Golden Gate Transit bus operators. Before I became the President I was a full time bus operator and I was the co-chair of the Golden Gate Transit Safety Committee for 6 years. On May 14, 2014 our safety committee was given a presentation by Robert Betts of MCT on the Redwood and Grant redesign. Our drivers on the safety committee stated in this meeting that the side platform design is the safest of the three options we were shown.

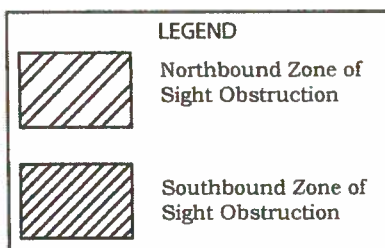
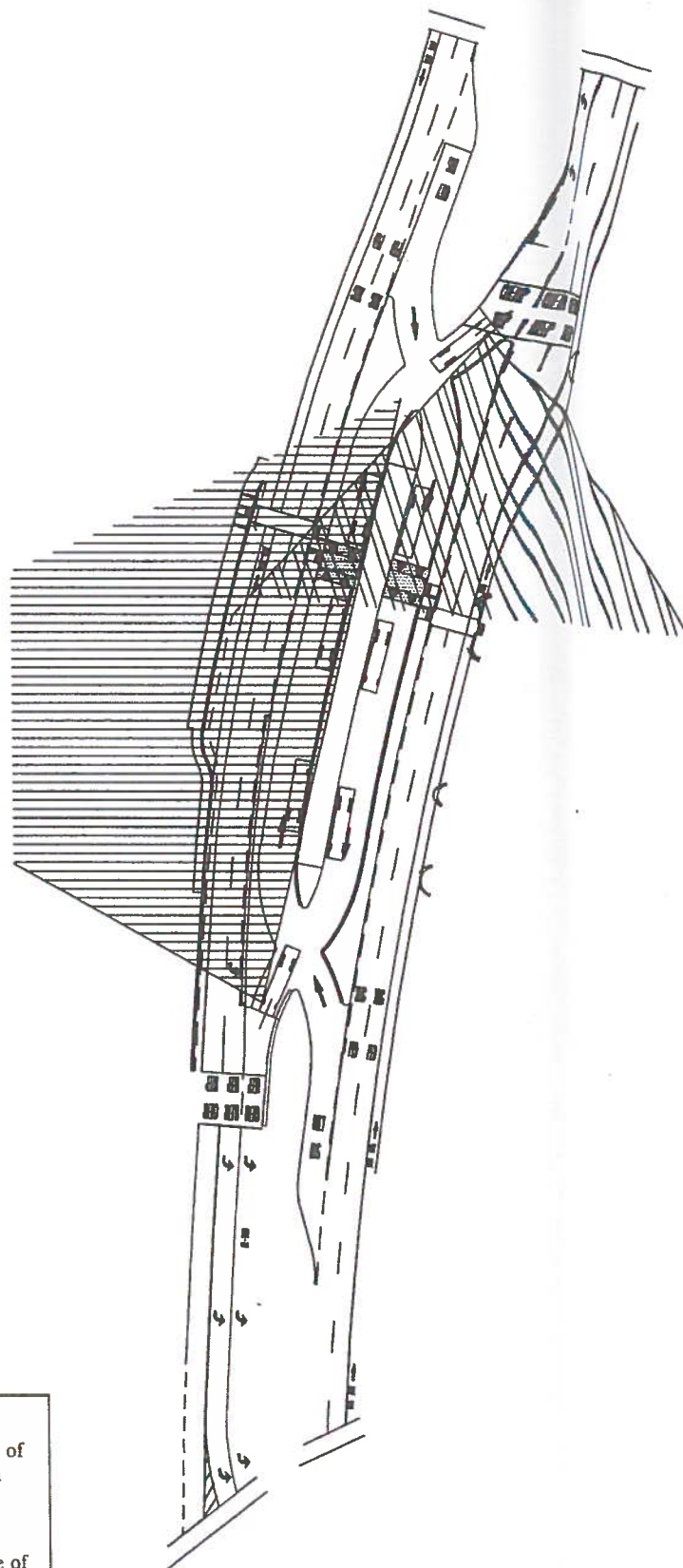
The center design has many issues that are unsafe, crisscrossing is very dangerous and the center design has very unsafe entering and exiting issues which creates a very risky and unsafe situation. I could go on for hours on the liabilities the center design brings to this transit stop but I won't, I think you get the idea. This design may look good on paper but in practical use it does not work safely. The people who know if it will work are the actual users, the drivers.

I am requesting the MCT Board of Directors take a close look at the reality of this design and send it back, it is unsafe, hands down the side platform is safer. I would ask this question of anyone who had a hand in this unsafe design? How many years have you operated a public transit bus.

I ask the MCT Board of Directors to listen to the experts who operate the equipment and use the side platform design. Thank you

**Table I
Summary of Key Issues**

Issues	Existing	Proposed
Pedestrian Crossing Distances	(distance on pavement) 27 ft east curb to NB bus 64 ft east curb to SB bus 64 ft west curb to NB bus 27 ft west curb to SB bus	(distance on pavement) 44 ft east curb to NB bus 44 ft east curb to SB bus 59 ft west curb to NB bus 59 ft west curb to SB bus Enhance signing and striping
Sight Distance	Adequate	NB obstructed SB obstructed Mitigated w/traffic signals
Left-Turn Storage and Merging Distances	NB 240 ft available SB 380 ft available	NB 150 ft available SB 270 ft available
Traffic Queuing	NB AM 140 ft SB AM 275 ft NB PM 140 ft SB PM 253 ft	NB AM 140 ft SB AM 275 ft NB PM 140 ft SB PM 231-249 ft Mitigated w/traffic signals
Bus Weaving w/Traffic	NB across 1 or 2 lanes SB across 1 or 2 lanes	NB across 1 or 2 lanes SB across 1 or 2 lanes Mitigated w/signal signals
Impeded Flow Within Transit Center	None	Queued buses may impede buses to enter bus facility. Mitigated with yield markings



111-1noval 11/14

Redwood & Grant Transit Center Traffic Analysis for GGBH&TD
Figure I – Visibility Analysis

Metropolitan Transportation Commission Programming and Allocations Committee

October 14, 2015

Resolution No. 4172, Revised

Subject: Cycle 2 Regional Active Transportation Program (ATP) of Projects

Background: The State established the Active Transportation Program (ATP) in September 2013. The ATP funding is distributed as follows:

- 50% to the state for a statewide competitive program (“Statewide Competitive ATP”);
- 10% to the small urban and rural area competitive program to be managed by the state; and
- 40% to the large urbanized area competitive program, with funding distributed by population and managed by the Metropolitan Planning Organization (“Regional ATP”).

MTC is responsible for developing the region’s guidelines for the Regional ATP, and for submitting the proposed projects to the California Transportation Commission (CTC) for adoption. CTC approved MTC’s Regional ATP Guidelines in March 2015, and applications for the Regional Program were due to MTC on June 1, 2015. Roughly \$30 million is available for programming under the Cycle 2 Regional ATP.

MTC staff’s recommended regional project awards and recommended contingency projects are listed in Attachment 1.

Statewide Competitive ATP Results

Concurrent with the Regional ATP process described below, the CTC released the staff recommendations for the Statewide Competitive ATP projects on September 15, 2015. The recommended projects are listed in Attachment 2. CTC proposes to fund eight projects in the MTC region for a total of \$20 million, out of a statewide program of \$180 million. Those projects that CTC recommended were removed from further Regional ATP evaluation. CTC will consider approving the statewide program at its meeting on October 21-22, 2015.

Regional Project Selection Process

MTC received 107 applications totaling about \$220 million in response to the Regional ATP Call for Projects. Of these, one project was withdrawn after submittal. MTC staff worked with a 21-member multi-disciplinary advisory committee to score and rank the remaining applications (see Attachment 3). The MTC review advisory committee used the same evaluation form and scoring criteria from Statewide Competitive ATP, plus an additional 10 maximum points for regional priorities.

Each application was assigned to a team of three members of the advisory committee, and in order to ensure an objective review, applications were assigned to evaluators from another county when possible, and not assigned to an evaluator from the sponsor agency. The team then met and agreed to a consensus score. Staff ranked all responsive applications from highest to lowest based on the consensus score.

Staff recommends fully funding 10 projects and partially funding 1 project for a total of \$30 million. Staff also recommends that MTC adopt a list of contingency projects, ranked in priority order based on the project's evaluation score, of \$29 million. MTC would fund projects on the contingency list should there be any project failures or savings in the Cycle 2 Regional ATP. The recommended projects are listed in Attachment 1. Note that 66% of regional ATP funding as proposed by staff would benefit Communities of Concern, greatly exceeding the 25% target. While there is no regional target for Safe Routes to Schools (SRTS) projects, 29% of regional ATP funding would benefit SRTS type projects.

Issues:

- **Partial Funding:**
The Lombard Street Vision Zero project sponsored by the San Francisco Department of Public Works requested \$3.8 million in ATP funds; however, only \$1.9 million of ATP remains after funding higher-scoring projects. Therefore, staff recommends partially funding the Lombard Street project at \$1.9 million. Should San Francisco not be able to scale the project or to fully fund the project using other funds, staff recommends going down the contingency list to fully program the remaining \$1.9 million.
- **Improvements for Cycle 3 ATP:**
Cycle 2 implemented suggested improvements from Cycle 1, including a role for the Congestion Management Agencies, and more evaluators reviewing each application. Potential improvements for Cycle 3 include revising the point structure for disadvantaged communities, and establishing a two-tier program based on size of funding request, in order to encourage more, smaller projects in the program (many projects funded in Cycle 2 requested large amounts of ATP funds, \$2-6 million, which presents challenges in a relatively small program). CTC will form a Technical Advisory Committee to review potential changes to Cycle 3.

Recommendation: Refer MTC Resolution No. 4172, Revised to the Commission for approval, and direct staff to transmit the recommended project list to the CTC.

Attachments:

- Attachment 1:** Recommended 2015 Regional ATP Program of Projects and Contingency Projects
- Attachment 2:** Approved Statewide ATP Projects in the Bay Area
- Attachment 3:** List of Project Evaluators
- Attachment 4:** 2015 ATP Regional Applications (List of Received Project Applications)

MTC Resolution No. 4172, Revised

Attachment 1: Recommended 2015 Regional ATP Program of Projects

County	Sponsor	Project	Amount (\$1,000s)	Project Description
Alameda	Alameda County Public Works Agency	Castro Valley Elementary Safe Routes to Schools (Design Only)	\$250	Install sidewalks, curbs, gutters and crosswalks along Anita Avenue between Castro Valley Boulevard and Somerset Avenue. The Castro Valley Elementary Safe Routes to School project will increase walking and biking, as well as reduce injuries.
Alameda	Alameda County Public Works Agency	Creekside Middle School Safe Routes to Schools	\$475	Installing sidewalks, curbs, gutters, crosswalks, and Class III bike routes along Center Street between Heyer Avenue and Paradise Knolls. The Creekside Middle School Safe Routes to School project will increase walking and biking, as well as reduce injuries.
Alameda	Alameda County Public Works Agency	Stanton Elementary School Safe Routes to Schools (Design and Right-of-Way Only)	\$300	Install sidewalks, curbs, gutters, crosswalks, and Class III bike routes along Stanton Avenue between Castro Valley Boulevard and Somerset Avenue. The Stanton Elementary School Safe Routes to Schools project will increase walking and biking, as well as reduce injuries along Stanton Avenue.
Alameda	City of Oakland	Telegraph Avenue Complete Street Improvements	\$4,554	Improve transportation safety and comfort on Telegraph Avenue (between 20th Street and 41st Street) through installation of dedicated bicycle facilities, safer and more frequent pedestrian crossings, and transit boarding islands. This project will provide direct connections to downtown Oakland, BART stations on both ends of the corridor, a major hospital center, and multiple commercial districts.
Contra Costa	City of San Pablo	Rumrill Boulevard Complete Streets Improvements	\$4,310	Implement complete streets improvements along Rumrill Boulevard in the City of San Pablo (between San Pablo Avenue to the North and Costa Avenue to the South). This project will provide directional cycletracks, sidewalk and crossing improvements, street trees, landscaping, lighting and transit shelters along the length of the corridor.
Marin	Marin County Transit District (Marin Transit)	Pedestrian Access and Safety Improvements for the Downtown Novato Bus Transit Facility	\$1,286	Reconstruct the existing Downtown Novato transit facility to improve pedestrian safety, bus operations, accessibility, and provide new bicycle racks. The Novato transit facility is located on Grant Avenue at Redwood Blvd, within Downtown, in the City of Novato.
Napa	Napa County Transportation Planning Agency	Napa Valley Vine Trail - St. Helena to Calistoga	\$6,106	Construct 9.4 miles of the Class I bicycle and pedestrian facility on the Napa Valley Vine Trail. The portion of the trail that will be constructed will be within Napa County from Pratt Avenue in the City of St. Helena to Lincoln Avenue in the City of Calistoga, generally along the SR 29 corridor.

County	Sponsor	Project	Amount (\$1,000s)	Project Description
San Francisco	San Francisco County Department of Public Health	SF Safe Routes to Schools 2017-2019 Non-Infrastructure Project	\$2,797	Implement a pilot proposal that includes innovative educational, encouragement, and evaluation activities and deliverables from school years 2017-2019 at 29 elementary, 4 middle and 2 high schools in San Francisco Unified School District.
San Francisco	San Francisco Public Works	Lombard Street Vision Zero Project (Partial Funding)	\$1,854	Install curb extensions (pedestrian and transit bulbs), implement parking removal at intersections (daylighting), implement signal timing improvements, and potentially install advanced stop bars and high visibility crosswalks as part of the Lombard Street Vision Zero Project. This project will focus on the 1.1 mile section of Lombard Street (a section of California Highway 101) between Van Ness Avenue and Doyle Drive.
Santa Clara	City of San Jose	Coyote Creek Trail - Mabury to Empire	\$5,256	Close a 0.3-mile gap in the 25-mile regional Coyote Creek Trail system that has been recently master planned. This gap is located from Mabury Road to Empire Street, along the Coyote Creek channel.
Solano	Solano Transportation Authority	Solano Transportation Authority - Safe Routes to Schools Infrastructure and Non-infrastructure in the Cities of Benicia, Rio Vista & Vallejo	\$3,067	This combined infrastructure and non-infrastructure Safe Routes to Schools project, provides for infrastructure improvements at 7 schools, while providing education outreach to 26 schools throughout the Cities of Benicia, Rio Vista & Vallejo.
Total			\$30,255	

Staff Recommendations for MTC 2015 Regional ATP – Contingency List

MTC Score	County	Sponsor	Project	Amount (\$1,000s)
91.7	San Francisco	San Francisco DPW	Lombard St Vision Zero *Remaining Amount*	\$1,946
91.6	Alameda	ACTC	East Bay Greenway (Design Only)	\$4,125

91.0	Contra Costa	Contra Costa Co	Pacheco Blvd Sidewalk Gap Closure Ph III	\$759
91.0	San Francisco	SFMTA	SE SF Multi-Modal Safety Upgrades	\$10,164
91.0	Alameda	Piedmont	Pedestrian Safety & Bike Lane Implementation	\$3,062
91.0	Santa Clara	San Jose	ATP Safety and Behavior Change Campaign	\$889
90.0	Alameda	Alameda Co PW	Somerset Ave School Corridor SRTS (Design Only)	\$330
90.0	Contra Costa	Richmond	Goodrick Ave Bay Trail Gap Closure	\$1,271
89.5	Solano	Solano TA	Bay /Napa Vine Trail Gap Closure (Vallejo/Amer Cyn)	\$6,208
Total				\$28,754

Attachment 2
CTC-Recommended 2015 Statewide ATP Projects in the Bay Area

County	Agency	Description	Funded Amount (\$1,000s)
Alameda	Berkeley	9 th Street Bicycle Blvd Pathway Extension, Ph. 2	\$850
Alameda	Oakland	19 th Street BART to Lake Merritt Urban Greenway	\$4,583
Contra Costa	Contra Costa County	Rio Vista Elementary School Pedestrian Connection	\$600
Contra Costa	Contra Costa County	Bailey Rd/SR-4 Interchange Bicycle/Pedestrian Improvements	\$4,160
Contra Costa	Richmond	Yellow Brick Rd in Richmond's Iron Triangle	\$6,209
San Mateo	Daly City	Central Corridor Bicycle/Pedestrian Safety Improvements	\$2,019
San Mateo	San Mateo County	Redwood City 2020 Sustainable Transportation Encouragement Program (STEP)	\$966
San Mateo	South San Francisco	Linden/Spruce Ave Traffic Calming Improvements	\$868
Total			\$20,255

Metropolitan Transportation Commission
2015 Regional Active Transportation Program - Cycle 2

List of Project Evaluators

Affiliation	Description
ABAG Bay Trail Project	Recreational Trails
Alameda County Transportation Commission	Congestion Management Agency
Bay Area Rapid Transit (BART) District	Transit
California Walks	Safe Routes to School/ Pedestrian Safety
ChangeLab Solutions	Public Health
City of Albany	City
City of Menlo Park	City
City of San Jose	City
City/County Ass'n of Gov'ts of San Mateo County	Congestion Management Agency
Metropolitan Transportation Commission (1)	Metropolitan Planning Organization
Metropolitan Transportation Commission (2)	Metropolitan Planning Organization
Napa County Transportation Planning Agency	Congestion Management Agency
Petaluma Transit	Transit
MTC Policy Advisory Council (1)	Policy Advisory Council/ Paratransit
MTC Policy Advisory Council (2)	Policy Advisory Council/ Public Health
San Francisco County Transportation Authority	Congestion Management Agency
San Francisco Municipal Transportation Agency	Transit
Santa Clara Dept of Public Health	Public Health
Santa Clara Valley Transportation Authority	Congestion Management Agency
Sonoma County Bicycle Coalition	Bicycle Coalition
Transportation Authority of Marin	Congestion Management Agency

Metropolitan Transportation Commission
2015 Regional Active Transportation Program - Cycle 2

List of Applications Received

Co	Agency	Project Title	Total Project Cost (\$1,000s)	Total Fund Request (\$1,000s)	MTC Reg'l Score
ALA	ACTC	East Bay Greenway	145,872	4,125	91.6
ALA	Alameda Co PW	Castro Valley Elementary SRTS	2,530	250	92.8
ALA	Alameda Co PW	Creekside MS SRTS	647	475	91.9
ALA	Alameda Co PW	CVHS SRTS	2,680	2,175	89.0
ALA	Alameda Co PW	D St SRTS	5,104	600	63.7
ALA	Alameda Co PW	Heyer Ave School Corridor SRTS	1,990	290	70.6
ALA	Alameda Co PW	Proctor ES SRTS	6,040	600	89.0
ALA	Alameda Co PW	Royal Ave SRTS	460	300	82.0
ALA	Alameda Co PW	Somerset Ave School Corridor SRTS	3,652	330	90.0
ALA	Alameda Co PW	Stanton ES SRTS	2,099	300	94.5
ALA	Alameda, City of	Clement Ave Complete Streets	5,783	5,120	79.0
ALA	Alameda, City of	Encinal HS Intersection Safety Improv	436	386	66.0
ALA	Berkeley	9th St Bicycle Blvd Ext Pathway Ph II	895	850	92.0
ALA	Berkeley	John Muir ES SRTS	382	363	84.8
ALA	Berkeley	Oxford/Jefferson ES SRTS	303	287	87.0
ALA	Berkeley	Sacramento St Pedestrian Improvement	1,766	1,678	89.0
ALA	Berkeley	San Pablo Ave Pedestrian Improvements	490	462	84.0
ALA	Berkeley	University Ave Pedestrian Improvements	824	783	79.8
ALA	EBRPD	Doolittle Dr Bay Trail - MLK, Jr Shoreline Oak	19,750	1,000	59.0
ALA	Emeryville	South Bayfront Bike/Ped Bridge	19,412	3,000	84.7
ALA	Hayward	Tennyson Bike/Ped Bridge	1,161	1,161	58.3
ALA	Oakland	19th St BART to Lake Merritt Urban Greenway	4,683	4,583	91.8
ALA	Oakland	27th St Gateway	3,293	2,913	87.4
ALA	Oakland	Park Blvd SRTS	1,760	1,448	89.0
ALA	Oakland	Telegraph Ave Complete Streets	4,914	4,554	100.0
ALA	Piedmont	Pedestrian Safety & Bike Lane Implementation	3,456	3,062	91.0

Co	Agency	Project Title	Total Project Cost (\$1,000s)	Total Fund Request (\$1,000s)	MTC Reg'l Score
CCC	Antioch	Delta DeAnza Regional Trail Gap Closure	624	500	52.3
CCC	Antioch	Fitzuren Rd Sidewalk Gap Closure and Bike Lane	400	300	56.0
CCC	Antioch	John Marsh ES Pedestrian Improvements	1,650	1,400	63.3
CCC	CCTA	Mokelumne Pedestrian O/C	6,139	5,424	61.7
CCC	Contra Costa Co	Appian Wy Complete Streets	5,710	5,650	81.0
CCC	Contra Costa Co	Bailey Rd/SR 4 Interchange Bike/Ped Improv	5,195	4,160	86.0
CCC	Contra Costa Co	Fred Jackson Wy 1st Mile/Last Mile Connection	4,400	4,356	89.0
CCC	Contra Costa Co	Pacheco Blvd Sidewalk Gap Closure Ph III	1,235	759	91.0
CCC	Contra Costa Co	Rio Vista ES Pedestrian Connection	905	600	96.0
CCC	EBRPD	Lone Tree Pt Bay Trail - Hercules to Rodeo CCC	2,458	378	73.0
CCC	El Cerrito	SRTS for Summit K2	1,170	1,170	81.0
CCC	Lafayette	Pleasant Hill Rd. Complete Streets	3,967	3,480	84.0
CCC	Moraga, Town of	Moraga Way Bike/Ped Improv	892	800	88.0
CCC	Moraga, Town of	St. Mary's Rd Improvements: Rheem Blvd.-Bollinger	4,890	440	70.0
CCC	Pittsburg	Railroad Ave Multi-Use Trail	1,765	1,545	66.8
CCC	Richmond	Goodrick Ave Bay Trail Gap Closure	1,462	1,271	90.0
CCC	Richmond	Regional Transit Connectivity Improv, Harbor Wy & 16th St	2,557	2,456	67.3
CCC	Richmond	Yellow Brick Rd in Richmond's Iron Triangle	6,452	6,209	96.4
CCC	San Pablo	Rumrill Blvd Complete Streets Improv	5,610	4,310	98.0
CCC	San Ramon	Street Smarts Traffic Safety Program	426	318	84.9
CCC	Walnut Creek	Crosswalk Safety Enhancement: 5 locations	628	555	50.0
CCC	Walnut Creek	SRTS Cedro Lane Improvements	987	874	63.1
MRN	Corte Madera	Central Marin Regional Pathways Gap Closure	2,797	2,475	84.0
MRN	Marin County	Mill Valley/Sausalito Multi-Use Path	1,090	872	57.7
MRN	Marin Transit	Novato Transit Facility: Pedestrian Access and Safety Improv	3,255	1,286	94.0
MRN	Novato	North Novato SMART	982	850	51.0
MRN	San Rafael	Francisco Blvd. E/Grand Ave Bridge Ped/Bike	5,628	3,040	89.0
MRN	SMART	SMART Pathway - San Rafael (McInnis to Smith Ranch)	2,468	2,050	70.0
NAP	Napa	SR 29 Bike/Ped Undercrossing	795	698	77.9
NAP	Napa Co (NCTPA)	Napa Valley Vine Trail - St. Helena to Calistoga	9,206	6,106	95.0
NAP	St. Helena	New Sidewalk Construction	399	399	61.7

Co	Agency	Project Title	Total Project Cost (\$1,000s)	Total Fund Request (\$1,000s)	MTC Reg'l Score
SCL	Campbell	Eden Ave Sidewalk Improvements	520	460	70.9
SCL	Cupertino	iWalk/iBike Cupertino	2,554	2,554	66.6
SCL	Gilroy	Downtown Gilroy Specific Plan RR Alley Streetscape	1,741	1,539	58.0
SCL	Gilroy	Fifth Street Streetscape	1,120	990	81.0
SCL	Gilroy	Fourth Street Streetscape	1,110	980	69.0
SCL	Gilroy	Gourmet Alley Streetscape	2,767	2,448	81.0
SCL	Gilroy	Lions Creek Trail	1,644	1,454	80.3
SCL	Gilroy	Lions Creek Trail West	519	458	77.3
SCL	Gilroy	West Branch Llagas Creek Trail	1,580	1,398	82.7
SCL	Los Altos	Citywide SRTS	2,284	1,942	71.0
SCL	Los Altos Hills	West Fremont Rd Pathways	1,320	1,056	61.0
SCL	San Jose	ATP Safety and Behavior Change Campaign	989	889	91.0
SCL	San Jose	Coyote Creek Trail: Mabury to Empire	6,184	5,256	96.0
SCL	Santa Clara Co RDA	Fitzgerald Ave Bike/Ped Shoulder & Intersection Improv	1,500	1,100	59.0
SCL	Santa Clara Co RDA	Pedestrian Sensors - Various Locations (SCI Co)	900	700	61.0
SCL	Saratoga	Highway 9 Pedestrian Safety Improv	2,173	1,800	78.0
SCL	Sunnyvale	Interactive Audible Countdown ADA Ped Signals	770	654	64.0
SF	San Francisco DPH	SF SRTS 2017-2019 NI	2,931	2,797	92.7
SF	San Francisco PW	John Yehall Chin SRTS	3,189	2,635	0.0
SF	San Francisco PW	Lombard St Vision Zero	7,697	3,800	91.7
SF	San Francisco PW	Upper Haight Pedestrian Improvements	10,023	1,880	89.0
SF	SFMTA	SE SF Multi-Modal Safety Upgrades	27,394	10,164	91.0
SF	SFMTA	SFMTA Pedestrian Wayfinding Program	980	980	78.0
SF	SFMTA	Vision Zero NOMA/SOMA Signal Retiming	4,368	3,977	66.3
SF	SFMTA	Vision Zero SF Safer Intersections	2,780	2,780	89.2
SF	TBJPA	Transbay Transit Bike/Ped Safety and Accessibility	11,480	2,922	82.0
SM	Belmont	Ralston Ave Corridor Complete Streets	8,908	7,886	63.0
SM	Daly City DPW	Central Corridor Bike/Ped Safety Improvements	2,276	2,019	84.0
SM	East Palo Alto	University Ave Complete Streets Pilot	4,900	4,360	81.7
SM	Pacifica	Palmetto Ave Streetscape	4,900	2,900	66.0
SM	San Carlos	Hwy 101 Bike/Ped Overcrossing	4,500	3,600	86.0

Co	Agency	Project Title	Total Project Cost (\$1,000s)	Total Fund Request (\$1,000s)	MTC Reg'l Score
SM	San Carlos	SRTS Improvements - Arroyo and Orange Ave	685	685	81.0
SM	San Mateo Co	Redwood City 2020 STEP	966	966	89.0
SM	San Mateo, City of	Hillsdale/US-101 Bike/Ped O/C	41,918	2,655	85.6
SM	So San Francisco	Sunshine Gardens Traffic Calming Improvements	1,139	968	73.0
SM	So. San Francisco	Linden/Spruce Ave Traffic Calming Improv	1,038	868	68.8
SM	Woodside	Woodside ES Student Pathway	994	795	82.0
SOL	Fairfield	E. Tabor/Tolenas SRTS Gap Closure	1,700	1,700	87.0
SOL	Fairfield	W. Texas St Gateway Improvements	3,500	3,500	86.0
SOL	Rio Vista	Bicycle and Pedestrian Master Plan	120	100	75.0
SOL	Solano Co	Farm to Market Ph I	2,131	1,420	75.0
SOL	Solano Transportation Authority	Bay Trail/Vine Trail Gap Closure: Vallejo to American Canyon	7,489	6,208	89.5
SOL	Solano Transportation Authority	SR2S Infrastructure & NI: Benicia, Rio Vista, Vallejo	3,467	3,067	92.0
SOL	Suisun	McCoy Creek Trail Improvements Ph II	2,720	2,720	79.0
SON	Santa Rosa	Jennings Ave At-Grade Bike/Ped Xing - SMART RR Tracks	2,217	1,279	75.6
SON	Sebastopol	Bike Lanes on Rte 116, City of Sebastopol	1,000	800	77.1
SON	SMART	SMART Pathway - Petaluma (Payran to Southpoint)	3,272	1,950	84.0
SON	Sonoma Co Regional Parks	Bellevue Creek Trail	1,355	1,300	76.0
SON	Sonoma County Air Pollution District	Crocker Road Bike/Ped	2,197	1,944	63.0
SON	Sonoma County DPW	Willowside SRTS	1,700	900	79.0
107 Applications Received.			Totals	532,133	218,029

Color Key

White on Black: Projects Funded by the Statewide ATP

Black on Green: Projects Recommended in the Regional ATP

Black Strikeout on White: Withdrawn Project

Date: February 25, 2015
W.I.: 1515
Referred by: PAC
Revised: 10/28/15-C

ABSTRACT

Resolution No. 4172

This resolution adopts the Active Transportation Program (ATP) Regional Program Cycle 2 Guidelines and Program of Projects for the San Francisco Bay Area, for submission to the California Transportation Commission (CTC), consistent with the provisions of Senate Bill 99 and Assembly Bill 101.

This resolution includes the following attachments:

- Attachment A – Guidelines: Policies, Procedures and Project Selection Criteria
- Attachment B – Regional Active Transportation Program of Projects

This resolution was amended by Commission Action on October 28, 2015 to include Attachment B, the Regional Active Transportation Program of Projects.

Further discussion of these actions is contained in the Summary Sheet to the MTC Programming and Allocations Committee dated February 11, 2015 and October 14, 2015.

Date: February 25, 2015
W.I.: 1515
Referred by: PAC

RE: Adoption of Regional Active Transportation Program (ATP)
Cycle 2 Guidelines and Program of Projects

METROPOLITAN TRANSPORTATION COMMISSION
RESOLUTION NO. 4172

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 has adopted and periodically revises, pursuant to Government Code Sections 66508 and 65080, a Regional Transportation Plan (RTP); and

WHEREAS, MTC is the designated Metropolitan Planning Organization (MPO) for the nine-county San Francisco Bay Area region and is required to prepare and endorse a Transportation Improvement Program (TIP) which includes federal funds; and

WHEREAS, MTC is the designated recipient for federal funding administered by the Federal Highway Administration (FHWA) assigned to the MPO/Regional Transportation Planning Agency (RTPA) of the San Francisco Bay Area for the programming of projects (regional federal funds); and

WHEREAS, the California State Legislature passed and the Governor signed into law Senate Bill 99 (Chapter 359, Statutes 2013) and Assembly Bill 101 (Chapter 354, Statutes 2013), establishing the Active Transportation Program (ATP); and

WHEREAS, MTC adopts, pursuant to Streets and Highways Code Section 2381(a)(1), an Active Transportation Program of Projects using a competitive process consistent with guidelines adopted by the California Transportation Commission (CTC) pursuant to Streets and Highways Code Section 2382(a), that is submitted to the CTC and the California Department of Transportation (Caltrans); and

WHEREAS, MTC has developed, in cooperation with CTC, Caltrans, operators of publicly owned mass transportation services, congestion management agencies, countywide

transportation planning agencies, and local governments, guidelines to be used in the development of the ATP; and

WHEREAS, a multi-disciplinary advisory group evaluates and recommends candidate ATP projects for MTC inclusion in the Active Transportation Program of Projects; and

WHEREAS, the ATP is subject to public review and comment; now, therefore, be it

RESOLVED, that MTC approves the guidelines to be used in the evaluation of candidate projects for inclusion in the ATP, as set forth in Attachment A of this resolution, and be it further

RESOLVED, that MTC approves the Active Transportation Program of Projects, as set forth in Attachment B of this resolution, and be it further

RESOLVED that the Executive Director or designee can make technical adjustments and other non-substantial revisions; and be it further

RESOLVED, that the Executive Director shall forward a copy of this resolution, and such other information as may be required to the CTC, Caltrans, and to such other agencies as may be appropriate.

METROPOLITAN TRANSPORTATION COMMISSION

A handwritten signature in blue ink, appearing to read "Joel Cant", is written over a horizontal line.

Chair

The above resolution was entered into by the Metropolitan Transportation Commission at a regular meeting of the Commission held in Oakland, California, on February 25, 2015.

Attachment B
Metropolitan Transportation Commission
2015 Active Transportation Program (ATP)
Cycle 2
FY 2016-17 through FY 2018-19
Regional ATP Cycle 2 List of Projects
October 2015

MTC Resolution No. 4172
Attachment B
Adopted: 02/25/15-C
Revised: 10/28/15-C

Regional ATP Cycle 2 Projects (in county order)

County	Implementing Agency	Project	Regional ATP
Alameda	Alameda Co PW	Castro Valley Elementary Safe Routes to School (PS&E)	\$250,000
Alameda	Alameda Co PW	Creekside MS Safe Routes to School	\$475,000
Alameda	Alameda Co PW	Stanton ES Safe Routes to School (PS&E/ROW)	\$300,000
Alameda	Oakland	Telegraph Ave Complete Streets	\$4,554,000
Contra Costa	San Pablo	Rumrill Blvd Complete Streets Improvements	\$4,310,000
Marin	Marin Transit	Novato Transit Facility: Ped Access & Safety Imps	\$1,286,000
Napa	Napa Co (NCTPA)	Napa Valley Vine Trail - St. Helena to Calistoga	\$6,106,000
San Francisco	San Francisco DPH	SF Safe Routes to School Non-Infrastructure	\$2,797,000
San Francisco	San Francisco DPW	Lombard St Vision Zero *Partially Funded*	\$1,854,000
Santa Clara	San Jose	Coyote Creek Trail: Mabury to Empire	\$5,256,000
Solano	Solano TA	SRTS Infrastructure & NI: Benicia, Rio Vista, Vallejo	\$3,067,000
TOTAL:			\$30,255,000

J:\SECTION\ALLSTAFF\Resolution\TEMP-RES\MTC\Oct PAC\[tmp-4172_Attachment-B.xlsx]ATP Cycle 2- 2015-10-28

Regional ATP Cycle 2 Contingency List (in descending score order)

County	Implementing Agency	Project	Regional ATP
San Francisco	San Francisco PW	Lombard St Vision Zero *Remaining Amount*	\$1,946,000
Alameda	ACTC	East Bay Greenway (PS&E)	\$4,125,000
Contra Costa	Contra Costa Co	Pacheco Blvd Sidewalk Gap Closure Ph III	\$759,000
San Francisco	SFMTA	SE SF Multi-Modal Safety Upgrades	\$10,164,000
Alameda	Piedmont	Pedestrian Safety & Bike Lane Implementation	\$3,062,000
Santa Clara	San Jose	ATP Safety and Behavior Change Campaign	\$889,000
Alameda	Alameda Co PW	Somerset Ave School Corridor SRTS (PS&E)	\$330,000
Contra Costa	Richmond	Goodrick Ave Bay Trail Gap Closure	\$1,271,000
Solano	Solano TA	Bay/Napa Vine Trail Gap Closure (Vallejo/Amer Cyn)	\$6,208,000
TOTAL:			\$28,754,000

J:\SECTION\ALLSTAFF\Resolution\TEMP-RES\MTC\Oct PAC\[tmp-4172_Attachment-B.xlsx]ATP Cycle 2- 2015-10-28



Metropolitan Transportation Commission

101 Eighth Street,
Joseph P. Bort MetroCenter
Oakland, CA

Legislation Details (With Text)

File #: 15-0880 **Version:** 1 **Name:**
Type: Report **Status:** Commission Approval
File created: 9/14/2015 **In control:** Legislation Committee
On agenda: 10/28/2015 **Final action:** 10/28/2015
Title: S. 1994 (Carper)
Tax Relief And #FixTheTrustFund For Infrastructure Certainty Act of 2015 (TRAFFIC)

Sponsors:

Indexes:

Code sections:

Attachments: [6i LEG S. 1994 Carper](#)

Date	Ver.	Action By	Action	Result
10/9/2015	1	Legislation Committee		

Subject:

S. 1994 (Carper)

Tax Relief And #FixTheTrustFund For Infrastructure Certainty Act of 2015 (TRAFFIC)

Presenter:

Randy Rentschler

Recommended Action:

Support / Commission Approval

Attachments



METROPOLITAN
TRANSPORTATION
COMMISSION

Agenda Item 3a

Joseph P. Bort MetroCenter
101 Eighth Street
Oakland, CA 94607-4700
TEL 510.817.5700
TDD/TTY 510.817.5769
FAX 510.817.5848
E-MAIL info@mtc.ca.gov
WEB www.mtc.ca.gov

Memorandum

TO: Legislation Committee

DATE: October 2, 2015

FR: Deputy Executive Director, Policy

W. I. 1131

RE: S. 1994 (Carper): Tax Relief And #FixTheTrustFund For Infrastructure Certainty Act of 2015 (TRAFFIC)

Background

Senator Carper recently introduced S. 1994 to restore solvency to the Highway Trust Fund and create a mechanism to pay for a long-term authorization bill by raising the federal excise tax on gasoline and diesel fuels by 16-cents per gallon over four years. The bill doubles the federal Earned Income Tax Credit in order to reduce the potentially regressive nature of the gas tax.ⁱ

Recommendation: Support

Discussion

This bill is very similar to H.R. 680 (Blumenauer), which MTC supported last March. Whereas H.R. 680 proposed a 15-cent increase in the federal gasoline excise tax over three years, S. 1994 would raise the tax by 16-cents, in 4-cent increments over four years. Both bills would index the tax to inflation thereafter. S. 1994 would also raise the diesel excise tax by 16 cents, whereas H.R. 680 proposed a slightly higher 18.4-cent tax increase on diesel fuel.

Raising and indexing the federal gas tax to restore its purchasing power and provide for reliable, long term federal transportation funding is a long-standing component of MTC's federal advocacy program. With gasoline prices at historic lows this year, legislators from both parties have championed a gas tax increase. The federal fuel excise taxes have not been adjusted since 1993 and have lost almost 40% of their purchasing power since then.

Lastly, we note that a number of national publications have urged Congress to embrace the simple solution of the gas tax as the proper user fee to solve the transportation trust fund shortfall.

Known Positions

Support

American Public Transportation Association
American Automobile Association
Sand & Gravel Association

Oppose

Americans for Prosperity
Americans for Tax Reform


Alix Bockelman

AB: rl

J:\COMMITTEE\Legislation\Meeting Packets\Legis2015\10_Legis_Oct 2015\3a_S. 1994 Carper.docx

ⁱ Institute on Taxation and Economic Policy, "[The Federal Gas Tax: Long Overdue for Reform](#)," 5/20/2014



Metropolitan Transportation Commission

101 Eighth Street,
Joseph P. Bort MetroCenter
Oakland, CA

Legislation Details (With Text)

File #:	15-0771	Version:	1	Name:	
Type:	Report	Status:		Commission Approval	
File created:	8/12/2015	In control:		Operations Committee	
On agenda:	10/28/2015	Final action:		10/28/2015	
Title:	Contract Approval: Amended and Restated Clipper® Memorandum of Understanding (MOU).				

Amendment and restatement of the 2011 MOU between MTC and transit operators participating in the Clipper® program to clarify existing roles and responsibilities and define new roles and responsibilities for the ongoing operation and maintenance of Clipper®.

Sponsors:

Indexes:

Code sections:

Attachments: [7a Contract Approval Clipper MOU](#)

Date	Ver.	Action By	Action	Result
10/9/2015	1	Operations Committee		

Subject:

Contract Approval: Amended and Restated Clipper® Memorandum of Understanding (MOU).

Amendment and restatement of the 2011 MOU between MTC and transit operators participating in the Clipper® program to clarify existing roles and responsibilities and define new roles and responsibilities for the ongoing operation and maintenance of Clipper®.

Presenter:

Carol Kuester

Recommended Action:

Commission Approval

Attachments



**METROPOLITAN
TRANSPORTATION
COMMISSION**

Joseph P. Bort MetroCenter
101 Eighth Street
Oakland, CA 94607-4700
TEL 510.817.5700
TDD/TTY 510.817.5769
FAX 510.817.5848
E-MAIL info@mtc.ca.gov
WEB www.mtc.ca.gov

Memorandum

TO: Operations Committee

DATE: October 2, 2015

FR: Executive Director

W.I. 1221

RE: Contract Approval: Amended and Restated Clipper® Memorandum of Understanding (MOU)

This item requests the Committee to forward the amended and restated Clipper® MOU to the Commission for approval.

Background

MTC and seven transit agencies¹ entered into an MOU effective November 10, 2011 under which MTC operates the Clipper® electronic fare payment system. Subsequently an additional fifteen transit agencies² have signed on to the MOU, and the MOU has been amended twice.

The existing MOU identifies:

- MTC's Clipper®-related responsibilities,
- the transit agencies' Clipper®-related responsibilities,
- the process for amending the Clipper® Operating Rules,
- the process for resolving disputes among the program participants, and
- the method by which MTC and transit operators divide Clipper® costs and revenues.

Changes from the Original MOU

In May 2013, MTC received correspondence from transit agency general managers which outlined the transit agencies' desire to have more input and control with respect to the current Clipper® system and planning for the next generation Clipper® system. Over several months, the transit agency general managers and the MTC executive director met regularly to discuss how best to implement this greater degree of input and control for transit agencies. Ultimately, it was mutually agreed to amend and restate the existing Clipper® MOU to reflect the changes listed below:

¹ Alameda-Contra Costa Transit District (AC Transit), San Francisco Bay Area Rapid Transit (BART), Peninsula Corridor Joint Powers Board (Caltrain), Golden Gate Bridge Highway and Transportation District (GGBHTD), San Mateo County Transit District (SamTrans), City and County of San Francisco Municipal Transportation Agency (SFMTA), and the Santa Clara Valley Transportation Authority (VTA)

² Central Contra Costa Transit Authority, City of Fairfield, as the operator of Fairfield and Suisun Transit, City of Petaluma, Eastern Contra Costa Transit Authority, Livermore/Amador Valley Transit Authority, Marin County Transit District, Napa County Transportation and Planning Agency, Solano County Transit, Sonoma County Transit, Sonoma-Marin Area Rail Transit, Vacaville City Coach, Western Contra Costa Transit Authority, San Francisco Bay Area Water Emergency Transportation Authority, City of Santa Rosa, and Union City Transit.

- **Clipper® Executive Board:** A Clipper® Executive Board comprised of nine members (one each from SFMTA, BART, Caltrain/SamTrans, AC Transit, VTA, GGBHTD and MTC, and two representatives who are selected by the remaining MOU parties to represent all other MOU parties) would have responsibility to meet regularly, establish goals and a budget and work plan for the Clipper® program, and approve significant business matters (as defined in the amended and restated MOU and subject to revision by unanimous vote of the Clipper® Executive Board).
- **Clipper® Program Goals and Objectives:** An initial set of goals and objectives for the Clipper® program are included in the amended and restated MOU and could be amended by unanimous vote of the Executive Board.
- **Contracting Agency:** A role for a Clipper® Contracting Agency would be defined, with MTC serving as the initial Contracting Agency. The Contracting Agency would serve as the agency counterparty to any contracts related to the Clipper® system, provide staffing for the Clipper® program and fulfill related duties. The Executive Board would have authority to review the designation of the Contracting Agency from time to time (but not more often than once every three years) and could designate a new Contracting Agency, subject to approval by MTC (or the then-current Contracting Agency) and its proposed successor.
- **Clipper® Executive Director:** A Clipper® Executive Director engaged by the Contracting Agency would coordinate the Clipper® program among the agencies and contractors, carry out the program goals and work plan in accordance with the budget, develop goals and objectives for the position jointly with the Executive Board, and be subject to annual performance evaluations by the Clipper® Executive Board. Carol Kuester, MTC Director of Electronic Payments, will serve as the initial Clipper® Executive Director. The Contracting Agency is to consult with the Clipper® Executive Board before selecting and appointing the Clipper® Executive Director.

Implementation of the amended and restated MOU requires a change to MTC Resolution No. 3983, Revised, which established the Clipper® Operating Rules. The proposed changes to MTC Resolution No. 3983, Revised, are discussed in agenda item 4b and would delegate authority to approve changes to the Operating Rules to the new Clipper® Executive Board established under the amended and restated MOU. The amended and restated MOU would still require a consultation process regarding changes to the Clipper® Operating Rule.

Recommendation

Staff recommends that the Operations Committee forward the amended and restated MOU to the Commission for approval and authorization of the Executive Director or his designee to enter into the amended and restated MOU in substantially the form attached as Attachment A.



Steve Heminger

SH: jw

J:\COMMITTEE\Operations\2015 Operations Comm Packet\10_Ops_Oct_2015\5a_Clipper MOU memo.doc

REQUEST FOR COMMITTEE APPROVAL

Summary of Proposed Amended and Restated Memorandum of Understanding

Work Item No.: 310-1221, 320-2700, 320-2780

Parties: MTC, Alameda-Contra Costa Transit District, San Francisco Bay Area Rapid Transit, Peninsula Corridor Joint Powers Board, Golden Gate Bridge Highway and Transportation District, San Mateo County Transit District, City and County of San Francisco Municipal Transportation Agency, Santa Clara Valley Transportation Authority, Central Contra Costa Transit Authority, City of Fairfield, City of Petaluma, Eastern Contra Costa Transit Authority, Livermore/Amador Valley Transit Authority, Marin County Transit District, Napa County Transportation and Planning Agency, Solano County Transit, Sonoma County Transit, Sonoma-Marin Area Rail Transit, Vacaville City Coach, Western Contra Costa Transit Authority, San Francisco Bay Area Water Emergency Transportation Authority, City of Santa Rosa, and Union City Transit

Project Title: Amended and Restated Clipper® Memorandum of Understanding

Purpose of Project: Amendment and restatement of the 2011 MOU to clarify existing roles and responsibilities and define new roles and responsibilities for the ongoing operation and maintenance of Clipper®.

Project Cost Not to Exceed: Clipper program costs are borne by MTC and the transit operators based on a cost sharing allocation included in the MOU. MTC's cost share is proposed and adopted annually as part of the agency budget process and is subject to approval of applicable annual agency budgets.

Fiscal Impact: None.

Motion by Committee: That the Executive Director or his designee is authorized to negotiate and enter into the amended and restated Clipper® Memorandum of Understanding with the Parties as described above.

Operations Committee:

Scott Haggerty, Chair

Approved: Date: October 9, 2015

AMENDED AND RESTATED CLIPPER® MEMORANDUM OF UNDERSTANDING

This Amended and Restated Clipper® Memorandum of Understanding (this "MOU") is entered into as of the ____ day of _____, 2015 (the "Effective Date"), by and among the Metropolitan Transportation Commission ("MTC") and the following transit operators participating in the Clipper® program (referred to herein individually as an "Operator" or collectively as the "Operators"):

Alameda-Contra Costa Transit District ("AC Transit"); Golden Gate Bridge Highway and Transportation District ("GGBHTD"); the San Francisco Bay Area Rapid Transit District ("BART"); the City and County of San Francisco, acting by and through its Municipal Transportation Agency ("SFMTA"); the San Mateo County Transit District ("SamTrans"); the Santa Clara Valley Transportation Authority ("VTA"); the Peninsula Corridor Joint Powers Board ("Caltrain"); Central Contra Costa Transit Authority; City of Fairfield, as the operator of Fairfield and Suisun Transit; City of Petaluma; Eastern Contra Costa Transit Authority; Livermore/Amador Valley Transit Authority; Marin County Transit District; Napa County Transportation and Planning Agency; Solano County Transit; Sonoma County Transit; Sonoma-Marin Area Rail Transit; Vacaville City Coach; Western Contra Costa Transit Authority; San Francisco Bay Area Water Emergency Transportation Authority; City of Santa Rosa; and City of Union City; and any other transit operators that implement Clipper® and execute a Supplemental Agreement to the MOU.

MTC and the Operators are referred to herein collectively as the "Parties" or individually as a "Party".

Recitals

1. Clipper® (formerly TransLink®) is an automated fare payment system for intra- and inter-Operator transit trips in the San Francisco Bay Area that has been implemented and is currently being operated on Operators' transit systems.
2. MTC entered into a contract (the "Clipper® Contract") with Cubic Transportation Systems, Inc. (the "Clipper® Contractor"), to implement, operate and maintain the Clipper® fare payment system through November 2, 2019.
3. On December 12, 2003, MTC and six of the Operators entered into an interagency participation agreement (the "IPA") to create a forum for joint agency decision-making (the "TransLink® Consortium") to work towards the successful implementation of the TransLink® automated fare payment system. The IPA was superseded and replaced by a Memorandum of Understanding Regarding Operations and Maintenance of Clipper® Fare Collection System dated November 10, 2011, by and among MTC and, initially, seven of the Operators (the "2011 MOU"). The 2011 MOU delineated, among other things, MTC's responsibilities, including as contracting agency, the Operators' responsibilities, a consultation process for amending the Clipper® Operating Rules, allocation of operating expenses among the Operators and MTC, and a dispute resolution process.
4. The Parties have examined the successes and challenges of the program to date and have identified certain areas in which existing arrangements should be modified or clarified to maximize the benefits to the Parties and Bay Area transit customers of the continued expansion, modification, operation and maintenance of the Clipper® program.

5. The Parties now wish to amend and restate the 2011 MOU in its entirety to clarify their respective roles and responsibilities, define roles and responsibilities for a newly-defined "Contracting Agency," establish a "Clipper® Executive Board," and establish a Clipper® Executive Director to ensure the successful operation and maintenance of Clipper®.

ARTICLE I

Operator Responsibilities

Each Operator agrees to:

- A. Implement and operate the Clipper® fare payment system in accordance with the Clipper® Operating Rules, as adopted and amended from time to time, consistent with the consultation and approval process set forth in Appendix A, Process for Amending Clipper® Operating Rules, attached hereto and incorporated herein by this reference. The Clipper® Operating Rules establish operating parameters and procedures for the consistent and efficient operation of Clipper® throughout the region. The current version of the Clipper Operating Rules® is available on MTC's website at <http://www.mtc.ca.gov/planning/tcip/>.
- B. Pay its share of Clipper® costs, including costs of the salary of additional Clipper® staff necessary to support the Executive Board, according to Appendix B, Clipper® Cost and Revenue Allocation, attached hereto and incorporated herein by this reference. Changes to Appendix B require an amendment to the MOU in accordance with Article XI.A.
- C. Make its facilities and staff available for implementation and operation of Clipper®. Any Operator and the Contracting Agency may agree to an Operator-specific implementation plan, setting forth specific requirements regarding implementation and operation of Clipper® for such Operator.
- D. Make determinations regarding the placement of Clipper® equipment on the Operator's facilities and equipment; perform necessary site preparation; attend Clipper® Contractor training on the use of the Clipper® equipment; and provide training to employees using the equipment.
- E. Beginning two years after the effective date of this Agreement, and every two years thereafter, participate in a review of the cost and revenue allocation formula in Appendix B, to support fairness among Operators and to accommodate changes in shared operation costs.

ARTICLE II

MTC Responsibilities

MTC agrees to:

- A. Fund a portion of the Clipper® operating and maintenance costs, including costs of the salary of additional Clipper® staff necessary to support the Executive Board, as set forth in Appendix B. Subject to availability of necessary funds, inclusion of projects in the Regional Transportation Plan and Transportation Improvement Program where necessary, and receipt of all necessary Commission approvals, budget appropriations and

allocations, MTC will continue to fund capital and Contracting Agency operating costs in the manner that it has funded capital and Contracting Agency operating costs to date, through a dedicated allocation of federal, state and local funds, both discretionary and project designated. Recommended annual capital allocations will be identified in the work plan approved by the Executive Board. (See Article IV.C.4.)

- B. Retain all books, papers, records, documents, and other materials pertaining to its responsibilities under Appendix B (the "Materials") in accordance with federal grant and audit requirements and generally accepted accounting principles and make the Materials available to Parties upon request through reasonable means and at reasonable times. Parties may request that Materials be made available for the most recently closed fiscal year during the term of this MOU and for up to one year thereafter; provided, however, that nothing in this Article II.B is intended to limit a Party's rights to obtain records under the California Public Records Act (Government Code Section 6250 *et seq.*).
- C. Continue to serve as the Contracting Agency (described in Article III), and continue to provide adequate staffing to support the Clipper® program under the direction of the Clipper® Executive Director (described in Article V), until such time as the Executive Board designates, and MTC's Commission approves, the assignment of MTC's duties as Contracting Agency to another Party pursuant to Article IV.D.
- D. Employ the initial Clipper® Executive Director (described in Article V). MTC reserves the right to make decisions regarding hiring, promotion, termination, compensation, and removal of the initial Clipper® Executive Director. Selection of a successor Executive Director shall be in accordance with Article III.J.
- E. Continue to create and maintain all copyrights and other intellectual property necessary or convenient for the operation of the Clipper® fare payment system and provide any necessary licenses to use such intellectual property to the Contracting Agency, if other than MTC.
- F. Enter into supplemental agreements with new operator participants in accordance with Article VI.

ARTICLE III

Contracting Agency Responsibilities

The Contracting Agency agrees to:

- A. On behalf of the Parties, procure, award, manage and carry out the duties and responsibilities of the Clipper® program counterparty under all contracts necessary for the expansion, modification, modernization, operation, maintenance, marketing and customer service of the Clipper® fare payment system, including the Clipper® Contract and any successor contract and any contracts for associated professional services for the Clipper® program as a whole.
- B. Establish, manage and implement Clipper® Operating Rules in accordance with Appendix A.
- C. Provide regular updates (at least quarterly) on the Clipper® program to the Parties.

- D. Support the Parties with respect to Articles I.E and II.A by providing system data affecting the cost allocation formula.
- E. Own specified Clipper® program capital equipment, as may be required by grant or funding agency rules and regulations, and transfer ownership, to the greatest extent permitted under such rules and regulations, to any successor Contracting Agency.
- F. Hold and manage the Clipper® bank accounts and act as an agency in trust for the benefit of the cardholders for funds deposited by the cardholders for the ultimate use on the services provided by the Operators, and for the benefit of the Operators for funds due to Operators until dispersed to such Operators.
- G. Conduct an annual contract compliance audit covering Clipper® program revenue collection and allocation and cost allocation responsibilities under the MOU and provide a copy of the complete audit report to all Parties upon conclusion of each such annual audit.
- H. Retain all books, papers, records, documents, and other materials pertaining to its responsibilities under Appendix B (the "Materials") in accordance with federal grant and audit requirements and generally accepted accounting principles and make the Materials available to Parties upon request through reasonable means and at reasonable times. Parties may request that Materials be made available for the most recently closed fiscal year during the term of this MOU and for up to one year thereafter; provided, however, that nothing in this Article III.H is intended to limit a Party's rights to obtain records under the California Public Records Act (Government Code Section 6250 *et seq.*).
- I. Serve as the Application Issuer and Card Issuer, as those terms are defined in the Clipper® Operating Rules.
- J. Engage the Clipper® Executive Director in accordance with Article V. The Contracting Agency reserves the right to make decisions regarding hiring, promotion, termination, compensation, and removal of the Clipper® Executive Director provided that it shall not engage the successor to the initial and successor Executive Directors without the concurrence of the Executive Board. The Contracting Agency shall collaborate with the Executive Board in considering potential candidates for Executive Director.
- K. Provide adequate staffing (including program and legal staff) to support the Clipper® program. The Contracting Agency reserves the right to make decisions regarding hiring, promotion, termination, compensation and removal of program staff.
- L. Provide necessary logistical and technological support to the Executive Board and any committees thereof, except as provided in Article IV.H.

ARTICLE IV

Clipper® Executive Board

- A. Role; Composition. The Parties agree that responsibility for the management of the current Clipper® program, as well as the strategic planning effort to procure and implement a future system on or before the termination of the current Clipper® Contract, shall reside with a Clipper® Executive Board ("Executive Board"). The Executive Board's responsibilities shall be executed in a manner consistent with the Operator, MTC

and Contracting Agency responsibilities set forth in Articles I, II and III, respectively. The Executive Board shall be comprised of nine members: one representative each from SFMTA, BART, Caltrain/SamTrans, AC Transit, VTA, GGBHTD and MTC, and two representatives who are selected to represent all other Operators (the "Small Operators") in the sole discretion of the Small Operators. Each representative shall be at the General Manager or Senior Management level.

B. Principles. The Executive Board shall adhere to the following principles:

1. The Clipper® program shall continue as the primary electronic fare collection system for the Operators.
2. Each member of the Executive Board commits to actively advance the continued successful operation, maintenance and growth of the Clipper® program on a cost effective, operationally efficient, and coordinated basis.
3. Promote efforts to reduce the overall cost of the Clipper® system, including operating costs, capital costs and consultant expense.
4. Promote regional efforts to simplify fare structures while protecting revenue levels.

C. Duties. The Executive Board shall undertake the following duties:

1. Meet in accordance with a regular meeting schedule established by the Executive Board, not less than quarterly.
2. Establish goals for the Clipper® program, including targets to increase market penetration and cost containment initiatives. The Program Goals and Performance Measures are attached as Appendix C, and may be amended by unanimous vote of the Executive Board from time to time.
3. Propose for review by MTC, Operators and other funding sources (collectively, the "Funding Agencies") a biennial capital and operating budget for the Clipper® program. Revise and adopt the proposed budget in accordance with the Clipper® budgets adopted and/or allocations made by each of the Funding Agencies. The biennial budget will outline staffing requirements and resources needed to accomplish the work plan. The budget will define required funding, identify funding sources, and specify the amount of individual agency contributions.
4. Adopt a detailed biennial work plan to implement the established goals and budget.
5. Designate the Contracting Agency, as further described in and subject to Article IV.D, and provide policy oversight, advice, and direction to the Contracting Agency.
6. Evaluate the performance of the Clipper® Executive Director on at least an annual basis. The Board will develop goals and objectives jointly with the Clipper® Executive Director, which will form the basis for the annual evaluation.
7. Review and authorize Significant Business Matters as described in Article IV.E.

8. Establish such procedures as shall be necessary or desirable to facilitate compliance by the Executive Board with the Ralph M. Brown Act (Government Code Section 54950 *et seq.*) (the "Brown Act") and other applicable laws.
- D. Designation of a Contracting Agency. The Executive Board shall designate one of the Parties to serve as the "Contracting Agency" with the responsibilities defined in Article III. MTC shall serve as the initial Contracting Agency. The Executive Board shall review the designation of the Contracting Agency not more often than once every three (3) years and may designate any of the Parties as a new Contracting Agency no later than one year prior to the proposed assignment date, which designation may be subject to the approval of the governing board of the proposed new Contracting Agency. In the event of a new designation, the then-current Contracting Agency shall seek approval from its governing board to assign all outstanding contracts, funding agreements, licenses, and accounts to the newly designated Contracting Agency and, if it receives approval from its governing board for such assignment, take such other actions as may be necessary or convenient to effect the transition of the Contracting Agency role. In the event of a change from the role of MTC as the Contracting Agency, the Executive Board will work with MTC and the successor Contracting Agency to protect or minimize loss or degradation of jobs for Clipper® support staff at MTC.
- E. Significant Business Matters. The Executive Board shall decide all Significant Business Matters by a majority vote. "Significant Business Matter" shall mean any matter that can reasonably be expected to have a substantial financial impact (defined as an impact of \$250,000 or more) or a substantial operating impact (defined as causing operations to fall below then-current annual operational goals) on Clipper® or any of the Parties. Significant Business Matters, include, but are not limited to the following:
1. Approval of Clipper® Contract Change Orders that exceed the maximum authority levels established by the Contracting Agency's procurement rules for its chief executive officer, or \$250,000, whichever is less, or that are not funded in the biennial budget. Contracting Agency governing board approval may also be required.
 2. Amendments to the Clipper® operating rules, pursuant to Appendix A.
 3. Acceptance of new Parties to the Clipper® program. The Executive Board delegates to MTC the authority to sign supplemental agreements with new Parties accepted into the program, as provided in Article VI.
 4. Implementation of new business ventures or opportunities for the Clipper® program.
 5. Contract awards for contract amounts that exceed the maximum authority levels established by the then-current Contracting Agency's procurement rules for its chief executive officer, or \$250,000, whichever is less. Contracting Agency governing board approval may also be required.
 6. Assignment of the Clipper® Contract. Contracting Agency approval shall also be required.
 7. Approval of expenses (administrative, operating and legal) incurred by the Contracting Agency if in excess of or not contemplated by the current approved budget.

8. Approval of the Clipper® 2.0 rollout strategy.
9. Decision whether any other matter, not expressly included or excluded as a Significant Business Matter in this list, is a Significant Business Matter in accordance with the definition above.

The foregoing definition of “Significant Business Matters” may be amended by unanimous vote of the Executive Board from time to time.

- F. Quorum. Five members of the Executive Board constitute a quorum. In the absence of a quorum, a smaller number of Executive Board members may secure the attendance of absent members by video conference, teleconference or other means compliant with the Brown Act to establish a quorum. Only eligible voting members shall be counted to establish a quorum.
- G. Voting. Each member of the Executive Board shall have one vote. A vote of a majority of the Executive Board is required for approval. Executive Board members may not abstain from voting on any matter before the Executive Board, except in cases of conflicts of interest.
- H. Board Chair; Committees. The Executive Board shall annually elect a Chair and Vice Chair from its members. The Chair shall provide administrative staff support to the Executive Board, as needed as determined by the Chair and the Clipper® Executive Director. The Chair may appoint advisory committees or working groups for specified projects of limited duration. The Executive Board may establish standing committees from time to time.
- I. Delegates. Executive Board members may appoint, in writing, delegates to vote on their behalf in the event of a member's absence from any Executive Board meeting, for up to two (2) meetings per calendar year. No voting rights are accorded to alternates, nor do alternates count toward a quorum of the Executive Board, when alternates are representing an Executive Board member for meetings after two (2) missed meetings in a calendar year.

ARTICLE V

Clipper® Executive Director

The Clipper® Executive Director shall be responsible for regional coordination of the Clipper® program among the Parties, oversight of consultants and contractors retained for the design, operation and maintenance of the Clipper® program, and effectuation of the goals and work plan adopted by the Executive Board in accordance with the budget. Clipper® program support staff engaged by the Contracting Agency shall report to the Clipper® Executive Director.

The Clipper® Executive Director shall be selected and appointed by the Contracting Agency following consultation with the Executive Board to factor in any Executive Board concerns. The Contracting Agency will directly engage the Clipper® Executive Director as its employee or independent contractor in accordance with any civil service or procurement rules applicable to the Contracting Agency. The initial Clipper® Executive Director shall be Carol Kuester and shall be an employee of MTC.

ARTICLE VI New Operator Participants

Any Bay Area transit operator not a Party to this Agreement must be approved by the Executive Board and agree to the terms of the MOU then in effect as a condition of implementing Clipper®, by entering into a supplemental agreement to this MOU accepting the then-current terms of this MOU. Signature by the other Parties to the MOU is not required. MTC shall not enter into a supplemental agreement with a particular operator prior to the issuance of a Change Notice to the Clipper® Contract covering all or a portion of the work required to accept such operator into the system. MTC shall provide the other Parties to the MOU with written notice of each supplemental agreement.

ARTICLE VII Indemnification

- A. Mutual Indemnification. No Party to this MOU (including any of its directors, commissioners, officers, agents or employees) shall be responsible for any damage or liability occurring by reason of anything done or omitted to be done by any other Party under or in connection with this Agreement. Pursuant to Government Code Section 895.4, each Party agrees to fully indemnify and hold other Parties harmless from any liability imposed for injury (as defined by Government Code Section 810.8) occurring by reason of anything done or omitted to be done by such indemnifying Party under or in connection with this Agreement and for which such indemnifying Party would otherwise be liable.
- B. Contracting Agency Indemnification of Other Parties. Notwithstanding the provisions of Subsection A above, the Contracting Agency shall indemnify, hold harmless, and defend the other Parties from any and all claims or liability resulting from any action or inaction on the part of Contracting Agency relating to the Clipper® Contract or from its failure to carry out its responsibilities under Article III of this MOU. With respect only to MTC as Contracting Agency, this indemnification covers action or inaction on the part of MTC relating to the Clipper® Contract prior to the Effective Date of this MOU. Except as stated in the previous sentence, this indemnification only covers action or inaction on the part of a Contracting Agency while it serves as Contracting Agency under this MOU.
- C. Other Parties' Indemnification of Contracting Agency. Notwithstanding the provisions of Subsection A above, each Party hereto that is not the Contracting Agency shall indemnify, hold harmless, and defend the Contracting Agency from any and all claims or liability resulting from any action or inaction on the part of such Party relating to its responsibilities under Article I or II, as applicable, of this MOU.
- D. Operator Indemnification of MTC. Notwithstanding the provisions of Subsection A above, each Operator shall indemnify, hold harmless, and defend MTC from any and all claims or liability resulting from any action or inaction on the part of such Operator relating to its responsibilities under Article I of this MOU.
- E. MTC Indemnification of Operators. Notwithstanding the provisions of Subsection A above, MTC shall indemnify, hold harmless, and defend each Operator from any and all claims or liability resulting from any action or inaction on the part of MTC relating to its responsibilities under Article II of this MOU.

ARTICLE VIII
Term

The term of the MOU shall begin upon the Effective Date and continue through June 30, 2025, unless terminated by written agreement of the Parties.

ARTICLE IX
Dispute Resolution

The Parties agree to abide by the dispute resolution procedures in Appendix D, Dispute Resolution, attached hereto and incorporated herein by this reference to resolve disputes between or among Parties to the MOU. To invoke the dispute resolution process, two Executive Board members must request it.

ARTICLE X
Changed Circumstances

Any Party may initiate informal discussions among the Parties concerning the provisions of this MOU, based on its assessment that changes in technology or other factors external to the MOU or the Clipper® Contract indicate that it would be in the best interests of one or more Parties to consider revisions to the MOU. If a majority of Parties agree, the Parties will then jointly evaluate the changed circumstances to determine what, if any, revisions to the MOU are necessary or desirable. Any agreed-upon changes shall require an amendment to the MOU approved and executed by all Parties.

ARTICLE XI
General Provisions

- A. The entire Agreement between and among the Parties is contained herein, and no change in or modification, termination or discharge of this MOU shall be valid or enforceable unless it is approved by the Parties and made in writing and signed by the Parties.
- B. Headings in this MOU are for convenience only and not intended to define, interpret or limit the terms and conditions herein.
- C. This MOU may be executed in one or more counterparts, each of which shall be considered an original and all of which shall constitute a single instrument.
- D. This MOU is intended for the sole benefit of the Parties and is not intended to nor shall be construed to confer any benefit or create any right in any third party.
- E. Appendix E, Special Provisions for the City and County of San Francisco, attached hereto and incorporated herein by this reference, sets forth the terms and conditions required by the City and County of San Francisco in any expenditure contracts entered into by the City.
- F. If any provision of this MOU or the application thereof to any person, entity or circumstance shall, to any extent, be invalid or unenforceable, the remainder of this MOU, or the application of such provision to persons, entities or circumstances, other

than those as to which it is invalid or unenforceable, shall not be affected thereby, and each other provision of this MOU shall be valid and be enforceable to the fullest extent permitted by law.

- G. Notices provided under the MOU shall be provided to the individuals listed in Appendix F, Notices, attached hereto and incorporated herein by this reference. Each Party to the MOU is responsible for notifying other Parties of a change in the individual designated to receive notices in writing. Changes to Appendix F may be made by any Party without an amendment to this MOU. MTC will distribute to every other Party the notice information of new Parties to the MOU added pursuant to Article VI.
- H. This MOU supersedes and replaces the Memorandum of Understanding Regarding Operations and Maintenance of Clipper Fare Collection System dated November 10, 2011, as amended, in its entirety.
- I. By its execution of this MOU, each Party (i) acknowledges that, although the City of Rio Vista executed a Supplemental Agreement to the 2011 MOU, it subsequently declined to have Clipper® implemented on its bus system, (ii) waives the requirement for 240 days' advance notice to it of the City of Rio Vista's withdrawal from the 2011 MOU, and (iii) acknowledges that the City of Rio Vista is therefore not a Party to this MOU upon its initial execution and delivery.

IN WITNESS WHEREOF, this MOU has been duly authorized and executed by the Parties hereto on the dates specified below by their duly authorized representatives.

Metropolitan Transportation Commission

Approved as to form:

Steve Heminger, Executive Director

Adrienne Weil, General Counsel

Date: _____

Alameda-Contra Costa Transit District

Approved as to form:

Name: _____

Denise C. Standridge, General Counsel

Title: _____

Date: _____

**Golden Gate Bridge, Highway and
Transportation District**

Approved as to form:

Name: _____

Title: _____

Date: _____

_____, General Counsel

San Francisco Bay Area Rapid Transit District

Approved as to form:

Name: _____

Title: _____

Date: _____

Matthew Burrows, General Counsel

**City and County of San Francisco
Municipal Transportation Agency**

Approved as to form:
Dennis J. Herrera, City Attorney

Name: Edward D. Reiskin
Title: Director of Transportation

Date: _____

Municipal Transportation Agency Board of Directors
Resolution No. _____
Dated: _____

Name: Robin M. Reitzes
Title: Deputy City Attorney

Secretary, SFMTAB

San Mateo County Transit District

Approved as to form:

Name: Jim Hartnett
Title: General Manager/CEO

Date: _____

Joan L. Cassman, General Counsel

Santa Clara Valley Transportation Authority

Approved as to form:

Name: _____

_____, General Counsel

Title: _____

Date: _____

Peninsula Corridor Joint Powers Board

Approved as to form:

Name: Jim Hartnett

Joan L. Cassman, General Counsel

Title: Executive Director

Date: _____

Central Contra Costa Transit Authority

Approved as to form:

Name: _____

Madeline Chun, General Counsel

Title: _____

Date: _____

**City of Fairfield
Fairfield and Suisun Transit**

Approved as to form:

Name: _____

_____, General Counsel

Title: _____

Date: _____

City of Petaluma

Approved as to form:

Name: _____

_____, General Counsel

Title: _____

Date: _____

Eastern Contra Costa Transit Authority

Approved as to form:

Name: _____

Title: _____

Date: _____

_____, General Counsel

Livermore/Amador Valley Transit Authority

Approved as to form:

Name: _____

Title: _____

Date: _____

Michael N. Conneran, General Counsel

Marin County Transit District

Approved as to form:

Name: _____

Title: _____

Date: _____

_____, General Counsel

Napa County Transportation and Planning Agency

Approved as to form:

Name: _____

Title: _____

Date: _____

_____, General Counsel

Solano County Transit

Approved as to form:

Name: _____

Title: _____

Date: _____

_____, General Counsel

Sonoma County Transit

Approved as to form:

Name: _____

Title: _____

Date: _____

_____, General Counsel

Sonoma-Marin Area Rail Transit District

Approved as to form:

Name: _____

Title: _____

Date: _____

_____, General Counsel

Vacaville City Coach

Approved as to form:

Name: _____

Title: _____

Date: _____

_____, General Counsel

Western Contra Costa Transit Authority

Approved as to form:

Name: _____

Title: _____

Date: _____

_____, General Counsel

**San Francisco Bay Area Water Emergency
Transportation Authority**

Approved as to form:

Name: _____

Title: _____

Date: _____

Stanley S. Taylor III, General Counsel

City of Santa Rosa

Approved as to form:

Name: _____

Title: _____

Date: _____

_____, General Counsel

City of Union City

Approved as to form:

Name: _____

Title: _____

Date: _____

_____, General Counsel

LIST OF APPENDICES

- Appendix A Process for Amending Clipper® Operating Rules
- Appendix B Clipper® Cost and Revenue Allocation, comprised of:
 - Appendix B-1 Effective upon execution of Amended and Restated MOU through June 30, 2016
 - Appendix B-2 Effective July 1, 2016 through December 31, 2016
 - Appendix B-3 Effective January 1, 2017
- Appendix C Program Goals and Performance Measures
- Appendix D Dispute Resolution
- Appendix E Special Provisions for the City and County of San Francisco
- Appendix F Notices

Appendix A

Process for Amending Clipper® Operating Rules

1. The Contracting Agency shall provide written notice to the other Parties at least ninety (90) days in advance of making any changes to the Operating Rules affecting Operator Roles and Responsibilities (Section 3 of the Clipper® Operating Rules). Notice shall be provided by email to the contact named in Appendix F, or as subsequently revised or updated by the Parties, as provided in Article XI.G.
2. The Contracting Agency shall provide additional notice to the other Parties on possible changes to the Operating Rules affecting Operator Roles and Responsibilities in the regular Clipper® program reports furnished under Article III.C.
3. The Contracting Agency's notices shall include enough information to enable the other Parties to determine the financial and other impacts of the proposed change.
4. If requested by any Party within 30 days of issuance of such notice, the Contracting Agency will consult with all affected Parties concerning the proposed change prior to its adoption.
5. Any Party that requires additional time in excess of the notice period specified by the Contracting Agency to implement a change may notify the Contracting Agency of the additional period of time required during the initial 30-day notice period. The Contracting Agency will then work with the Party(ies) during the consultation period to modify the effective date and/or content of the Operating Rules change, as necessary.
6. Following such consultation process, if any Party(ies) objects to the proposed change, as modified during the consultation process, such Party(ies) may initiate one or more of the dispute resolution processes described in Appendix D.
7. The Contracting Agency shall delay the implementation of the disputed change until the conclusion of the dispute resolution process.
8. All proposed changes to the Operating Rules shall be presented for approval to the Executive Board. The Contracting Agency agrees that it shall not implement changes to the Operating Rules that have not been approved by the Executive Board.
9. Upon MTC's approval of this MOU, MTC Commission approval of changes to the Operating Rules will no longer be required.

Appendix B-1

Clipper® Cost and Revenue Allocation Effective upon execution of Amended and Restated MOU through June 30, 2016

1. Cost Allocation Among Operators

The allocation of Clipper® operating costs to each Operator shall be based on a combination of revenue collected and the number of fee payment transactions processed. "Revenue collected" shall mean the fee collected on behalf of each Operator by the Clipper® clearinghouse (*e.g.*, the price charged to ride on the Operator's transit system, the value of pass sales, the amount of parking fees paid). A "fee payment transaction" shall mean any activity in which a Clipper® card is used to receive service on or from an Operator's system (*e.g.*, to ride on the Operator's transit system, to park on the Operator's property). A fee payment transaction shall be attributed to the Operator on whose system the service was provided, except that a transaction in which a patron uses a Muni monthly pass to ride BART will be attributed to SFMTA. All fee payment transactions are included for purposes of allocating Clipper® operating costs, regardless of whether the transaction results in a reduction of the amount of stored value or stored rides on a Clipper® card (*e.g.*, use of a monthly pass on a transit system, intra-operator transfers, entry and exit transactions for a single ride where both transactions are required to compute the appropriate fare payment).

One-third (1/3) of Clipper® operating costs shall be allocated to Operators based on each Operator's share of total revenue collected by the Clipper® clearinghouse, as defined above. Two-thirds (2/3) of Clipper® operating costs shall be allocated to Operators based on each Operator's share of total fee payment transactions processed by the Clipper® clearinghouse, as defined above.

In addition to the Clipper® operating costs allocated in accordance with Section 2.B(i) herein, each Operator shall be responsible for payment of:

- a. Clipper® Data Server (CDS) Store operating costs specified below for any CDS Store implemented on such Operator's site;
- b. Credit/debit interchange fees charged through an Operator-specific credit/debit gateway associated with Clipper® sales through add value machines, ticket office terminal devices and ticket vending machines. This responsibility is subject to review pursuant to Article I.E of the MOU to ensure that no single Operator is unfairly burdened by such fees; and
- c. Incremental Clipper® operating costs established by and/or resulting from Clipper® Contract change orders requested and funded by an Operator for such Operator's use and benefit shall be the responsibility of such Operator. This

applies to costs or portions of costs that would otherwise be MTC's responsibility as described in Section 2.A herein.

2. **Clipper® Costs**

A. MTC Operating and Maintenance Costs. MTC shall pay the following Clipper® operating costs:

- i. All fixed operating costs of the Clipper® clearinghouse and equipment maintenance services costs as specified in the Clipper® Contract's Price Schedule (Attachment 2 to the Clipper® Contract) (the "Price Schedule"), including:
 - a. Item 3.20 Program Management – Operations and Maintenance
 - b. Item 3.30 Clipper® Testbed Operations & Maintenance
 - c. Item 5.31 Operator Help Desk
 - d. Item 5.32 Reporting
 - e. Item 5.33 Asset Management
 - f. Item 6.0 Equipment Maintenance Services
 - g. Item 10.21(a) Location Acquisition
 - h. Item 10.22 Location Servicing and Support
 - i. Item 10.23 (a) Acquisition Payment for Third Party Location
 - j. Item 12.0 Network Management
 - k. Item 13.22 Basic Monthly Operations and Admin
- ii. Variable Clipper® operating costs as specified in the Price Schedule (Attachment 2 to the Clipper® Contract), specifically:
 - a. Item 7.10-2 Senior and Youth Card Mail-In Applications
 - b. Item 8.10(a-g) Card Distribution Services
 - c. Item 8.11 Card Distribution Services
 - d. Item 8.12 Card Distribution Services
 - e. Item 8.20 Cardholder Education
 - f. Item 8.31 Location Acquisition for Completion of Distribution Network
 - g. Item 8.32 Location Acquisition for Completion of Distribution Network
 - h. Item 8.41 Pass Through of Amounts Paid for Installation of Phone Lines
 - i. Item 9.41 Fixed and Incremental Fees Per Active Card Account (50% of the invoiced amount)
 - j. Item 9.5 Service Level Standard Incentives and Abatements
 - k. Item 13.100 Mobile Website Operations and Maintenance
- iii. All other lump sum and capital expense items specified in the Price Schedule not enumerated above or covered by Section 2.B.

B. Operator Operating Costs.

- i. Operators shall pay the following listed Clipper® operating costs in accordance with the cost sharing formula in Section 1, reduced by any amounts payable by MTC pursuant to Section 2.A. References to Item numbers refer to the corresponding prices payable to the Clipper® Contractor under the Price Schedule, which are subject to annual price adjustment as specified in Article 13.6 of the Clipper® Contract:
 - a. Item 9.24 Balance Protection Services Registration

- b. Item 9.25 Lock/unlock Clipper® Application
 - c. Item 9.41 Fixed and Incremental Fees Per Active Card Account (50% of the invoiced amount)
 - d. Item 10.11 Clipper® E-purse Load
 - e. Item 10.12 Pass/Stored Ride Load
 - f. Item 10.24 Employer Program Commission
 - g. Item 11.0 Autoload Services
 - h. Item 13.22.45 Supplemental Monthly Operations and Admin
 - i. Item 13.31 Clipper® Transaction Fee
 - j. Item 13.60 Incremental Gateway Fees
 - k. Item 13.70 Incremental Debit Card Interchange Fees
 - l. Item 13.80 Incremental Credit Card Interchange Fees
 - m. Item 13.90 Pass Through Website Credit Card Processing Fees
 - n. Reimbursement of Contracting Agency bank fees and direct bank charges in connection with the Clipper® bank account(s) in excess of the amounts reimbursed under Section 3.A below
 - o. Direct payment or reimbursement of Contracting Agency costs for network communication.
 - p. Direct payment or reimbursement of Contracting Agency costs for materials necessary for additional printing, e.g. secondary printing or personalization, on Clipper® cards
 - q. Reimbursement of Contracting Agency costs for a portion of salary and benefits of any additional staffing as approved by the Executive Board to support the Clipper® program.
- ii. Changes or Additions to Operator Operating Costs Items. Except as reserved for Executive Board approval in Section 2.B(i)(q), substantive changes or additions to the Operator-paid operating cost items set forth in Section 2.B(i) require an amendment to this Appendix B and approval of all Parties to the MOU as of the date of the change or addition.
- C. Contracting Agency shall invoice each Operator on a monthly basis for its share of the operating costs. The Operators shall pay Contracting Agency within fifteen (15) calendar days of receipt of such invoice.

3. Revenue Allocation

Revenues generated by Clipper® during any period of time, including interest earnings on funds held by the clearinghouse and excluding fare revenues or parking fees collected on behalf of and distributed to Operators, shall be utilized as follows:

- A. To offset Contracting Agency's bank fees and direct bank charges related to the managing of the Clipper® accounts;
- B. After deduction of Contracting Agency's bank fees and charges under Section 3.A, to reduce the Operators' Clipper® operating costs listed in Section 2.B(i); and
- C. After payment of Operators' Clipper® operating costs listed in Section 2.B(i), to be allocated to Operators using the formula specified in Section 1.

Notwithstanding the above, fees charged cardholders for card acquisition, card replacement, balance restoration, failed Autoload funding recovery, card refund processing, and other card-related activities shall be reserved to pay for future card procurements; provided, however, that surcharges on limited use cards or other fare media imposed by an Operator to pay for the acquisition, implementation, administration and replacement of such fare media shall be distributed to and retained by such Operator. (For clarity, any surcharge imposed by an Operator as part of its fare structure shall be considered "fare revenue" and shall be distributed to and retained by such Operator.)

4. Review

The Parties acknowledge that this Appendix B is based upon and specific to the payment terms of the existing Clipper® Contract which has a term through November 2, 2019. Therefore, the Parties agree to commence timely, good-faith negotiations to implement revisions to this Appendix B necessitated by any Executive Board approval of (a) any extension of the existing Clipper contract or (b) any contracts that succeed or replace the existing Clipper contract, whether in whole or in part.

Appendix B-2

Clipper® Cost and Revenue Allocation Effective July 1, 2016 through December 31, 2016

1. Cost Allocation Among Operators

The allocation of Clipper® operating costs to each Operator shall be based on a combination of revenue collected and the number of fee payment transactions processed. "Revenue collected" shall mean the fee collected on behalf of each Operator by the Clipper® clearinghouse (*e.g.*, the price charged to ride on the Operator's transit system, the value of pass sales, the amount of parking fees paid). A "fee payment transaction" shall mean any activity in which a Clipper® card is used to receive service on or from an Operator's system (*e.g.*, to ride on the Operator's transit system, to park on the Operator's property). A fee payment transaction shall be attributed to the Operator on whose system the service was provided, except that a transaction in which a patron uses a Muni monthly pass to ride BART will be attributed to SFMTA. All fee payment transactions are included for purposes of allocating Clipper® operating costs, regardless of whether the transaction results in a reduction of the amount of stored value or stored rides on a Clipper® card (*e.g.*, use of a monthly pass on a transit system, intra-operator transfers, entry and exit transactions for a single ride where both transactions are required to compute the appropriate fare payment).

One-third (1/3) of Clipper® operating costs shall be allocated to Operators based on each Operator's share of total revenue collected by the Clipper® clearinghouse, as defined above. Two-thirds (2/3) of Clipper® operating costs shall be allocated to Operators based on each Operator's share of total fee payment transactions processed by the Clipper® clearinghouse, as defined above.

In addition to the Clipper® operating costs allocated in accordance with Section 2.B(i) herein, each Operator shall be responsible for payment of:

- a. Clipper® Data Server (CDS) Store operating costs specified below for any CDS Store implemented on such Operator's site;
- b. Credit/debit interchange fees charged through ticket office terminal devices using an Operator specific credit/debit gateway. This responsibility is subject to review pursuant to Article I.E of the MOU to ensure that no single Operator is unfairly burdened by such fees; and
- c. Incremental Clipper® operating costs established by and/or resulting from Clipper® Contract change orders requested and funded by an Operator for such Operator's use and benefit shall be the responsibility of such Operator. This applies to costs or portions of costs that would otherwise be MTC's responsibility as described below.

2. Clipper® Costs

A. MTC Operating and Maintenance Costs. MTC shall pay the following Clipper® operating costs:

- i. All fixed operating costs of the Clipper® clearinghouse and equipment maintenance services costs as specified in the Clipper® Contract's Price Schedule (Attachment 2 to the Clipper® Contract) (the "Price Schedule"), including:
 - a. Item 3.20 Program Management – Operations and Maintenance
 - b. Item 3.30 Clipper® Testbed Operations & Maintenance
 - c. Item 5.31 Operator Help Desk
 - d. Item 5.32 Reporting
 - e. Item 5.33 Asset Management
 - f. Item 6.0 Equipment Maintenance Services
 - g. Item 10.21(a) Location Acquisition
 - h. Item 10.22 Location Servicing and Support
 - i. Item 10.23 (a) Acquisition Payment for Third Party Location
 - j. Item 12.0 Network Management
 - k. Item 13.22 Basic Monthly Operations and Admin
- ii. Variable Clipper® operating costs as specified in the Price Schedule (Attachment 2 to the Clipper® Contract), specifically:
 - a. Item 7.10-2 Senior and Youth Card Mail-In Applications
 - b. Item 8.10(a-g) Card Distribution Services
 - c. Item 8.11 Card Distribution Services
 - d. Item 8.12 Card Distribution Services
 - e. Item 8.20 Cardholder Education
 - f. Item 8.31 Location Acquisition for Completion of Distribution Network
 - g. Item 8.32 Location Acquisition for Completion of Distribution Network
 - h. Item 8.41 Pass Through of Amounts Paid for Installation of Phone Lines
 - i. Item 9.41 Fixed and Incremental Fees Per Active Card Account (50% of the invoiced amount)
 - j. Item 9.5 Service Level Standard Incentives and Abatements
 - k. Item 13.100 Mobile Website Operations and Maintenance
- iii. All other lump sum and capital expense items specified in the Price Schedule not enumerated above or covered by Section 2.B.

B. Operator Operating Costs.

- i. Operators shall pay the following listed Clipper® operating costs in accordance with the cost sharing formula in Section 1, reduced by any amounts payable by MTC pursuant to Section 2.A. References to Item numbers refer to the corresponding prices payable to the Clipper® Contractor under the Price Schedule, which are subject to annual price adjustment as specified in Article 13.6 of the Clipper® Contract:
 - a. Item 9.24 Balance Protection Services Registration
 - b. Item 9.25 Lock/unlock Clipper® Application

- c. Item 9.41 Fixed and Incremental Fees Per Active Card Account (50% of the invoiced amount)
 - d. Item 10.11 Clipper® E-purse Load
 - e. Item 10.12 Pass/Stored Ride Load
 - f. Item 10.24 Employer Program Commission
 - g. Item 11.0 Autoload Services
 - h. Item 13.22.45 Supplemental Monthly Operations and Admin
 - i. Item 13.31 Clipper® Transaction Fee
 - j. Item 13.60 Incremental Gateway Fees
 - k. Item 13.70 Incremental Debit Card Interchange Fees
 - l. Item 13.80 Incremental Credit Card Interchange Fees
 - m. Item 13.90 Pass Through Website Credit Card Processing Fees
 - n. Reimbursement of Contracting Agency bank fees and direct bank charges in connection with the Clipper® bank account(s) in excess of the amounts reimbursed under Section 3.A below
 - o. Direct payment or reimbursement of Contracting Agency costs for network communication.
 - p. Direct payment or reimbursement of Contracting Agency costs for materials necessary for additional printing, e.g. secondary printing or personalization, on Clipper® cards
 - q. Reimbursement of Contracting Agency costs for a portion of salary and benefits of staffing to support the Clipper program as approved by the Executive Board.
 - r. Reimbursement of Contracting Agency costs for a portion of (at least fifty percent) of the salary and benefits of the Clipper Executive Director as approved by the Executive Board.
 - s. Reimbursement of Operator costs for credit/debit interchange fees charged through an Operator-specific gateway associated with Clipper® sales through add value and ticket vending machines, as long as the total average fees do not substantially exceed the average Clipper fees. Reimbursement procedures are subject to the adoption by the Clipper® Executive Board at least 90 days in advance.
- ii. Changes or Additions to Operator Operating Costs Items. Except as reserved for Executive Board approval in 2.B(i)(q, r, s), substantive changes or additions to the Operator-paid operating cost items set forth in Section 2.B(i) require an amendment to this Appendix B and approval of all Parties to the MOU as of the date of the change or addition.
- C. Contracting Agency shall invoice each Operator on a monthly basis for its share of the operating costs. The Operators shall pay Contracting Agency within fifteen (15) calendar days of receipt of such invoice.

3. Revenue Allocation

Revenues generated by Clipper® during any period of time, including interest earnings on funds held by the clearinghouse and excluding fare revenues or parking fees collected on behalf of and distributed to Operators, shall be utilized as follows:

- A. To offset Contracting Agency's bank fees and direct bank charges related to the managing of the Clipper® accounts;
- B. After deduction of Contracting Agency's bank fees and charges under Section 3.A above, to reduce the Operators' Clipper® operating costs listed in Section 2.B(i) above; and
- C. After payment of Operators' Clipper® operating costs listed in Section 2.B(i) above, to be allocated to Operators using the formula specified in Section 1 herein.

Notwithstanding the above, fees charged cardholders for card acquisition, card replacement, balance restoration, failed Autoload funding recovery, card refund processing, and other card-related activities shall be reserved to pay for future card procurements; provided, however, that surcharges on limited use cards or other fare media imposed by an Operator to pay for the acquisition, implementation, administration and replacement of such fare media shall be distributed to and retained by such Operator. (For clarity, any surcharge imposed by an Operator as part of its fare structure shall be considered "fare revenue" and shall be distributed to and retained by such Operator.)

4. Review

The Parties acknowledge that this Appendix B is based upon and specific to the payment terms of the existing Clipper® Contract which has a term through November 2, 2019. Therefore, the Parties agree to commence timely, good-faith negotiations to implement revisions to this Appendix B necessitated by any Executive Board approval of (a) any extension of the existing Clipper contract or (b) any contracts that succeed or replace the existing Clipper contract, whether in whole or in part.

Appendix B-3

Clipper® Cost and Revenue Allocation Effective January 1, 2017

1. Cost Allocation Among Operators

The allocation of Clipper® operating costs to each Operator shall be tied to the cost driver of each category of operating expense outlined in Section 2.B. The percent allocation in each category will be based on actuals by Operator. "Percentage of Cards Used" by Operator will be used to assess operating fees for account-based, fixed or other costs not directly attributable to either transit transactions or revenue and will be based on the number of individual cards used at least once on an Operator's system. "Fee Generating Transit Transactions" shall mean any activity in which a Clipper® card is used to receive service on or from an Operator's system that results in a charge pursuant to Attachment 2 to Part I of the contract between MTC and Cubic for the operation of Clipper®. "Revenue Processed" shall mean the fee collected on behalf of each Operator by the Clipper® clearinghouse (e.g., the price charged to ride on the Operator's transit system, the value of pass sales, the amount of parking fees paid).

The allocation of Clipper® operating costs to each Operator shall be based on the following formula:

MOU Section 2.B.i	Fee Category	Allocation Formula
a,b,c	9.0 Cardholder Support Services	Percentage of Cards Used
d,e,f	10.0 Third Party Load Service Fees	Percentage of Cards Used
g	11.0 Autoload Services	Percentage of Cards Used
h	13.22.45 Supplemental Operations	Percentage of Cards Used
i	13.31 Clipper Transaction Fee	Percentage of Fee Generating Transit Transactions
j,k,l,m	13.60-90 Incremental Credit/Debit Card Interchange Fees	Percentage of Revenue Processed
n	Reimbursement of Bank Fees/Direct Charges	Percentage of Revenue Processed
o	Network Communication Reimbursement	Direct Charge to Operator
p	Specialized Card Printing	Direct Charge to Operator
q,r	Operator Share of Staffing	Percentage of Cards Used
s	Add Value/TVM Debit Card Interchange Fees for Non-Clipper Gateways	Percentage of Revenue Processed

In addition to the Clipper® operating costs allocated in accordance with Section 2.B(i) herein, each Operator shall be responsible for payment of:

- a. Clipper® Data Server (CDS) Store operating costs specified below for any CDS Store implemented on such Operator's site;

- b. Credit/debit interchange fees charged through ticket office terminal devices using an Operator specific credit/debit gateway. This responsibility is subject to review pursuant to Article I.E to ensure that no single Operator is unfairly burdened by such fees; and
- c. Incremental Clipper® operating costs established by and/or resulting from Clipper® Contract change orders requested and funded by an Operator for such Operator's use and benefit shall be the responsibility of such Operator. This applies to costs or portions of costs that would otherwise be MTC's responsibility as described below.

2. **Clipper® Costs**

A. MTC Operating and Maintenance Costs. MTC shall pay the following Clipper® operating costs:

- i. All fixed operating costs of the Clipper® clearinghouse and equipment maintenance services costs as specified in the Clipper® Contract's Price Schedule (Attachment 2 to the Clipper® Contract) (the "Price Schedule"), including:
 - a. Item 3.20 Program Management – Operations and Maintenance
 - b. Item 3.30 Clipper® Testbed Operations & Maintenance
 - c. Item 5.31 Operator Help Desk
 - d. Item 5.32 Reporting
 - e. Item 5.33 Asset Management
 - f. Item 6.0 Equipment Maintenance Services
 - g. Item 10.21(a) Location Acquisition
 - h. Item 10.22 Location Servicing and Support
 - i. Item 10.23 (a) Acquisition Payment for Third Party Location
 - j. Item 12.0 Network Management
 - k. Item 13.22 Basic Monthly Operations and Admin
- ii. Variable Clipper® operating costs as specified in the Price Schedule (Attachment 2 to the Clipper® Contract), specifically:
 - a. Item 7.10-2 Senior and Youth Card Mail-In Applications
 - b. Item 8.10(a-g) Card Distribution Services
 - c. Item 8.11 Card Distribution Services
 - d. Item 8.12 Card Distribution Services
 - e. Item 8.20 Cardholder Education
 - f. Item 8.31 Location Acquisition for Completion of Distribution Network
 - g. Item 8.32 Location Acquisition for Completion of Distribution Network
 - h. Item 8.41 Pass Through of Amounts Paid for Installation of Phone Lines
 - i. Item 9.41 Fixed and Incremental Fees Per Active Card Account (50% of the invoiced amount)
 - j. Item 9.5 Service Level Standard Incentives and Abatements
 - k. Item 13.100 Mobile Website Operations and Maintenance
- iii. All other lump sum and capital expense items specified in the Price Schedule not enumerated above or covered by Section 2.B.

B. Operator Operating Costs.

- i. Operators shall pay the following listed Clipper® operating costs in accordance with the cost sharing formula in Section 1, reduced by any amounts payable by MTC pursuant to Section 2.A. References to Item numbers refer to the corresponding prices payable to the Clipper® Contractor under the Price Schedule, which are subject to annual price adjustment as specified in Article 13.6 of the Clipper® Contract:

- a. Item 9.24 Balance Protection Services Registration
- b. Item 9.25 Lock/unlock Clipper® Application
- c. Item 9.41 Fixed and Incremental Fees Per Active Card Account (50% of the invoiced amount)
- d. Item 10.11 Clipper® E-purse Load
- e. Item 10.12 Pass/Stored Ride Load
- f. Item 10.24 Employer Program Commission
- g. Item 11.0 Autoload Services
- h. Item 13.22.45 Supplemental Monthly Operations and Admin
- i. Item 13.31 Clipper® Transaction Fee
- j. Item 13.60 Incremental Gateway Fees
- k. Item 13.70 Incremental Debit Card Interchange Fees
- l. Item 13.80 Incremental Credit Card Interchange Fees
- m. Item 13.90 Pass Through Website Credit Card Processing Fees
- n. Reimbursement of Contracting Agency bank fees and direct bank charges in connection with the Clipper® bank account(s) in excess of the amounts reimbursed under Section 3.A below
- o. Direct payment or reimbursement of Contracting Agency costs for network communication.
- p. Direct payment or reimbursement of Contracting Agency costs for materials necessary for additional printing, e.g. secondary printing or personalization, on Clipper® cards
- q. Reimbursement of Contracting Agency costs for a portion of salary and benefits of any additional staffing as approved by the Executive Board to support the Clipper® program.
- r. Reimbursement of Contracting Agency costs for a portion (at least fifty percent) of the salary and benefits of the Clipper Executive Director as approved by the Executive Board.
- s. Reimbursement of Operator costs for credit/debit interchange fees charged through an Operator-specific gateway associated with Clipper® sales through add value and ticket vending machines, as long as the total average fees do not substantially exceed the average Clipper fees. Reimbursement procedures are subject to the adoption by the Clipper® Executive Board at least 90 days in advance.

- ii. Changes or Additions to Operator Operating Costs Items. Except as reserved for Executive Board approval in 2.B(i)(q, r, s), substantive changes or additions to the Operator-paid operating cost items set forth in Section 2.B(i) require an amendment to this Appendix B and approval of all Parties to the MOU as of the date of the change or addition.

- C. Contracting Agency shall invoice each Operator on a monthly basis for its share of the operating costs. The Operators shall pay Contracting Agency within fifteen (15) calendar days of receipt of such invoice.

3. Revenue Allocation

Revenues generated by Clipper® during any period of time, including interest earnings on funds held by the clearinghouse and excluding fare revenues or parking fees collected on behalf of and distributed to Operators, shall be utilized as follows:

- A. To offset Contracting Agency's bank fees and direct bank charges related to the managing of the Clipper® accounts;
- B. After deduction of Contracting Agency's bank fees and charges under Section 3.A above, to reduce the Operators' Clipper® operating costs listed in Section 2.B(i) above; and
- C. After payment of Operators' Clipper® operating costs listed in Section 2.B(i) above, to be allocated to Operators by applying the percentage of cards used by Operator specified in Section 1 herein, unless otherwise authorized by the Executive Board.

Notwithstanding the above, fees charged cardholders for card acquisition, card replacement, balance restoration, failed Autoload funding recovery, card refund processing, and other card-related activities shall be reserved to pay for future card procurements; provided, however, that surcharges on limited use cards or other fare media imposed by an Operator to pay for the acquisition, implementation, administration and replacement of such fare media shall be distributed to and retained by such Operator. (For clarity, any surcharge imposed by an Operator as part of its fare structure shall be considered "fare revenue" and shall be distributed to and retained by such Operator.)

4. Review

The Parties acknowledge that this Appendix B is based upon and specific to the payment terms of the existing Clipper® Contract which has a term through November 2, 2019. Therefore, the Parties agree to commence timely, good-faith negotiations to implement revisions to this Appendix B necessitated by any Executive Board approval of (a) any extension to the existing Clipper contract or (b) any contracts that succeed or replace the existing Clipper contract, whether in whole or in part, that would take effect on such successor contract's effective date."

Appendix C

Program Goals and Performance Measures

The program goals and performance measures below are intended to guide the development and ongoing operations of Clipper®, however, specific actions and targets may be constrained by legal, fiscal and system limitations.

Goal: Provide an intuitive, efficient, and familiar experience

- Electronic fare payment is the primary payment method for all transportation fares and fees
 - ✓ Mobile fare payment is integrated into and branded as Clipper®
 - ✓ Parking at transit stations is paid with Clipper®
 - ✓ Bikeshare at transit stations can be paid with Clipper®
 - ✓ Paratransit trips can be paid with Clipper®
- Transit systems to move 100% to Clipper or incentivize use of Clipper® depending on mode
 - ✓ Heavy commuter rail and ferry systems accept only Clipper® (extended and limited use)
 - ✓ Bus/light rail operators to adopt fare differentials to incentivize use of Clipper® and transition remaining products to Clipper®

Goal: Provide excellent, proactive customer service

- Customers can easily obtain and use Clipper®
 - ✓ Media dispensing and reloading options are widely available
 - ✓ Ticket vending machines offering new cards and add-value are located at all heavy rail and ferry locations
 - ✓ Online transactions are immediately available for use
 - ✓ Third-party vendor locations are easily accessible in all service areas
 - ✓ Streamline process for refunds and replacements
 - ✓ Support payment for families, groups, institutional programs, and events

Goal: Create a transparent, consistent, inclusive and timely decision-making process

- Implement process for operator involvement in work plan development, field equipment procurement and change order process

Goal: Govern the program efficiently and cost-effectively

- Adopt standard fare categories and discount levels
 - ✓ Minimum \$0.50 discount for full-fare adult transfer customers to bus and light rail
 - ✓ Establish uniform youth discount for ages five to 18 and senior discount for ages 65 and older
- Evaluate staffing plan to enhance internal program resources and reduce reliance on consultants

Goal: Ensure that accurate and complete data is available to support decision making at every level

- System integrates with vehicle on-board equipment to incorporate route, location and revenue information where necessary
- Clipper® data is accessible to operators and the public to the full extent contemplated by the Clipper® privacy policy

Goal: Ensure program flexibility and responsiveness

- System design and contract includes a streamlined process for common changes such as fare adjustments and route changes and additions

Goal: Ensure operational efficiency and reliability

- Ensure continued competitive equipment availability, automated status reporting and remote diagnostics
- Utilize open architecture

Appendix D

Dispute Resolution

The Parties agree to resolve disputes concerning this MOU between or among one or more Parties based on the following dispute resolution principles.

1. Informal Dispute Resolution

The Parties agree to attempt to resolve informally all disputes. In the event of a dispute among any Parties to the MOU, those Parties shall notify every other Party in writing about the substance of the dispute. The Parties to the dispute shall meet and confer by exchanging written positions on the dispute, and by meeting in person thereafter to discuss and resolve the dispute. If those representatives are unable to resolve the dispute, the chief executives of those Parties shall be informed of the substance of the dispute and provided all writings that have been exchanged regarding the dispute. The chief executives shall meet and confer in person or by telephone concerning the dispute, and may choose to exchange letters in preparation for the meet and confer.

2. Mediation

If the dispute is not resolved, the Parties may avail themselves by mutual consent to mediation, arbitration (binding or non-binding), or any other dispute resolution resource (collectively Alternate Dispute Resolution (ADR) processes"). All procedures and methodologies in ADR processes shall be by mutual consent of the Parties, including but not limited to the choice of the mediator or arbitrator, dates and times and timelines, whether documents are exchanged in preparation for the ADR session, etc. Fees and expenses of the mediator will be borne equally, unless otherwise agreed. The Parties to the dispute shall be represented by individuals of their choosing, except that the Parties must agree on the question of whether lawyers are present or not. The entire process shall be confidential and treated as a compromise negotiation for purposes of federal and state rules of evidence. If ADR processes are agreed on, the Parties shall agree on the identity of the mediator or arbitrator within 30 days of agreeing on the ADR process. The Parties shall not unreasonably withhold consent as to the choice of the mediator or arbitrator. Unless the schedule of the mediator or arbitrator does not permit, the Parties shall have their ADR process completed within 60 days after agreement on the choice of the mediator or arbitrator. Nothing in this MOU affects the rights or abilities of the Parties to avail themselves of all rights and remedies they have under the law of California or federal law, and to the state or federal courts to resolve their dispute.

3. Financial Obligations

A Party who disputes amounts claimed by the Contracting Agency to be due under the MOU agrees to pay the amount claimed pending dispute resolution.

Appendix E

Special Provisions for the City and County of San Francisco

(References to "City" in Paragraphs 1 and 2 refer to the City and County of San Francisco)

1. Certification of Funds; Budget and Fiscal Provisions; Termination in the Event of Non-Appropriation. This Agreement is subject to the budget and fiscal provisions of the City's Charter. Charges will accrue only after prior written authorization certified by the Controller, and the amount of City's obligation hereunder shall not at any time exceed the amount certified for the purpose and period stated in such advance authorization. This Agreement will terminate without penalty, liability or expense of any kind to City at the end of any fiscal year if funds are not appropriated for the next succeeding fiscal year. If funds are appropriated for a portion of the fiscal year, this Agreement will terminate, without penalty, liability or expense of any kind at the end of the term for which funds are appropriated. City has no obligation to make appropriations for this Agreement in lieu of appropriations for new or other agreements. City budget decisions are subject to the discretion of the Mayor and the Board of Supervisors. Contractor's assumption of risk of possible non-appropriation is part of the consideration for this Agreement.

THIS SECTION CONTROLS AGAINST ANY AND ALL OTHER PROVISIONS OF THIS AGREEMENT.

2. Guaranteed Maximum Costs. The City's obligation hereunder shall not at any time exceed the amount certified by the Controller for the purpose and period stated in such certification. Except as may be provided by laws governing emergency procedures, officers and employees of the City are not authorized to request, and the City is not required to reimburse the Contractor for, Commodities or Services beyond the agreed upon contract scope unless the changed scope is authorized by amendment and approved as required by law. Officers and employees of the City are not authorized to offer or promise, nor is the City required to honor, any offered or promised additional funding in excess of the maximum amount of funding for which the contract is certified without certification of the additional amount by the Controller. The Controller is not authorized to make payments on any contract for which funds have not been certified as available in the budget or by supplemental appropriation.

3. Sunshine Ordinance. In accordance with San Francisco Administrative Code §67.24(e), contracts, contractors' bids, responses to solicitations and all other records of communications between City and persons or firms seeking contracts, shall be open to inspection immediately after a contract has been awarded. Nothing in this provision requires the disclosure of a private person or organization's net worth or other proprietary financial data submitted for qualification for a contract or other benefit until and unless that person or organization is awarded the contract or benefit. Information provided which is covered by this paragraph will be made available to the public upon request.

Appendix F**Notices**

Contact: Metropolitan Transportation Commission Name: Carol Kuester Title: Director, Electronic Payments Email: ckuester@mtc.ca.gov Phone: 510-817-5853 Fax: 510-817-5848	Mailing Address: <i>Until February 1, 2016</i> 101 – 8th Street Oakland, CA 94607 <i>After February 1, 2016:</i> 375 Beale Street San Francisco, CA 94105
Alameda-Contra Costa Transit District Name: _____ Title: _____ Email: _____ Phone: _____ Fax: _____	1600 Franklin Street Oakland, CA 94612
Central Contra Costa Transit Authority Name: _____ Title: _____ Email: _____ Phone: _____ Fax: _____	2477 Arnold Industrial Way Concord, CA 94520
City of Fairfield, as the operator of Fairfield and Suisun Transit Name: _____ Title: _____ Email: _____ Phone: _____ Fax: _____	
City of Petaluma Name: _____ Title: _____ Email: _____ Phone: _____ Fax: _____	
City and County of San Francisco, acting by and through its Municipal Transportation Agency Name: _____ Title: _____ Email: _____ Phone: _____ Fax: _____	1 South Van Ness Avenue, 7th Floor San Francisco, CA 94103

Eastern Contra Costa Transit Authority Name: _____ Title: _____ Email: _____ Phone: _____ Fax: _____	
Golden Gate Bridge Highway and Transportation District Name: _____ Title: _____ Email: _____ Phone: _____ Fax: _____	P.O. Box 9000, Presidio Station San Francisco, CA 94129-0601
Livermore/Amador Valley Transit Authority Name: _____ Title: _____ Email: _____ Phone: _____ Fax: _____	
Marin County Transit District Name: _____ Title: _____ Email: _____ Phone: _____ Fax: _____	
Napa County Transportation and Planning Agency Name: _____ Title: _____ Email: _____ Phone: _____ Fax: _____	
Peninsula Corridor Joint Powers Board Name: Rita P. Haskin Title: Executive Officer, Customer Service and Marketing Email: haskinr@samtrans.com Phone: 650-508-6248 Fax: 650-508-7919	P.O. Box 3006 San Carlos, CA 94070-1306
San Francisco Bay Area Rapid Transit District Name: Patricia Nelson Title: Project Manager, Clipper Program Email: pnelson@bart.gov Phone: 510-874-7323 Fax: 510-287-4747	300 Lakeside Drive, 16th floor Oakland, CA 94612

San Francisco Bay Area Water Emergency Transportation Authority Name: _____ Title: _____ Phone: _____ Fax: _____	
San Mateo County Transit District Name: Rita P. Haskin Title: Executive Officer, Customer Service and Marketing Email: haskinr@samtrans.com Phone: 650-508-6248 Fax: 650-508-7919	P.O. Box 3006 San Carlos, CA 94070-1306
Santa Clara Valley Transportation Authority Name: Ali Hudda Title: Deputy Director, Accounting Email: ali-hudda@vta.org Phone: 408-546-7922 Fax: _____	3331 N. First Street, Building C San Jose, CA 95134-1906
Solano County Transit Name: _____ Title: _____ Email: _____ Phone: _____ Fax: _____	
Sonoma County Transit Name: _____ Title: _____ Email: _____ Phone: _____ Fax: _____	
Sonoma-Marín Area Rail Transit Name: _____ Title: _____ Email: _____ Phone: _____ Fax: _____	
Vacaville City Coach Name: _____ Title: _____ Email: _____ Phone: _____ Fax: _____	

Western Contra Costa Transit Authority

Name: _____

Title: _____

Email: _____

Phone: _____

Fax: _____

City of Santa Rosa

Name: _____

Title: _____

Email: _____

Phone: _____

Fax: _____

City of Union City

Name: _____

Title: _____

Email: _____

Phone: _____

Fax: _____



Metropolitan Transportation Commission

101 Eighth Street,
Joseph P. Bort MetroCenter
Oakland, CA

Legislation Details (With Text)

File #: 15-0831 **Version:** 1 **Name:**
Type: Resolution **Status:** Commission Approval
File created: 8/14/2015 **In control:** Operations Committee
On agenda: 10/28/2015 **Final action:** 10/28/2015
Title: MTC Resolution No. 3983, Revised: Clipper® Fare Payment System Operating Rules.

This resolution delegates future revisions to the Clipper® Fare Payment System Operating Rules to a regional Clipper® Executive Board effective upon the full execution of the Amended and Restated Clipper® MOU.

Sponsors:

Indexes:

Code sections:

Attachments: [MTC Res. No. 3983, Revised - Revised.pdf](#)

Date	Ver.	Action By	Action	Result
10/9/2015	1	Operations Committee		

Subject:

MTC Resolution No. 3983, Revised: Clipper® Fare Payment System Operating Rules.

This resolution delegates future revisions to the Clipper® Fare Payment System Operating Rules to a regional Clipper® Executive Board effective upon the full execution of the Amended and Restated Clipper® MOU.

Presenter:

Carol Kuester

Recommended Action:

Commission Approval



METROPOLITAN
TRANSPORTATION
COMMISSION

Agenda Item 5b

Joseph P. Bort MetroCenter
101 Eighth Street
Oakland, CA 94607-4700
TEL 510.817.5700
TDD/TTY 510.817.5769
FAX 510.817.5848
E-MAIL info@mtc.ca.gov
WEB www.mtc.ca.gov

Memorandum

TO: Operations Committee

DATE: October 2, 2015

FR: Executive Director

W.I. 1221

RE: MTC Resolution No. 3983, Revised: Clipper® Fare Payment System Operating Rules

This item requests the Committee to forward MTC Resolution No. 3983, Revised, to the Commission for approval.

Background

MTC Resolution No. 3983, Revised, Clipper® Fare Payment System Operating Rules, was originally adopted by the Commission on February 22, 2012. The Operating Rules attached to the Resolution identify and define MTC responsibilities, transit operator responsibilities, and key system operating policies, including policies that serve as the basis for the Clipper® Cardholder License Agreement. MTC adopted the Operating Rules after MTC and transit operator staff worked collaboratively to modernize and update the TransLink® Phase II Operating Rules adopted by the TransLink® Consortium.

The existing Clipper® MOU requires MTC to engage with operators in a consultation process regarding changes to the operator roles and responsibilities in the Operating Rules, but provides that MTC has the final decision on changes to the Operating Rules. The amended and restated MOU being submitted for referral to the Commission as item 4a today would still require a consultation process regarding changes to the Operating Rules, but would delegate authority to approve changes to the Operating Rules to the new Clipper® Executive Board established under the amended and restated MOU. In order to implement this contractual term of the amended and restated MOU, Resolution No. 3983, Revised, would need to be amended to delegate authority over changes to the Operating Rules to the Clipper® Executive Board, effective upon full execution and delivery of the amended and restated Clipper® MOU.

Recommendation

Staff recommends that the Operations Committee refer MTC Resolution No. 3983, Revised, Clipper® Fare Payment System Operating Rules, to the Commission for approval.



Steve Heminger

SH: jw

J:\COMMITTEE\Operations\2015 Operations Comm Packet\10_Ops_Oct_2015\5b_MTC Reso 3983 Revised memo.doc

Date: February 22, 2012
W.I.: 310-2700, 320-1221
Referred by: MTC Operations
Revised: 06/27/12-C
10/28/15-C

ABSTRACT

MTC Resolution No. 3983, Revised

This resolution adopts the Clipper[®] Operating Rules for the Clipper[®] fare payment system, effective February 22, 2012.

This resolution was revised on June 27, 2012 to update the following Sections of the Clipper[®] Operating Rules: 2.4.1, 4.2.4.3.2, 4.2.4.3.3, 4.2.7.3.1, 4.2.8, 4.6.1, and 4.6.2.

This resolution was revised on October 28, 2015 to delegate authority for changes to the Clipper[®] Operating Rules in Appendix A to the Clipper[®] Executive Board

Date: February 22, 2012
W.I.: 310-2700, 320-1221
Referred by: MTC Operations
Revised:

Re: Clipper® Fare Payment System Operating Rules

METROPOLITAN TRANSPORTATION COMMISSION
RESOLUTION No. 3983

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

Whereas, the Clipper® fare payment system, currently operating on seven Bay Area transit systems (AC Transit, BART, Caltrain, Golden Gate Transit bus and ferry, SamTrans, San Francisco Municipal Transportation Agency, and VTA) requires a common set of operating rules;

WHEREAS, pursuant to the requirements of California Government Code §§ 66516 and 66516.5 and Public Utilities Code §§ 99282.5, MTC has adopted the MTC Transit Coordination Implementation Plan (Resolution No. 3866), according to which MTC is responsible for adopting and maintaining operating rules for the Clipper® fare payment system; and

WHEREAS, MTC and the seven Clipper® transit operators have executed a Clipper® Memorandum of Understanding (MOU), pursuant to which MTC has agreed to notify and consult with the operators concerning changes to the Operating Rules affecting transit operator roles and responsibilities; and

WHEREAS, MTC has developed Clipper® Operating Rules, consistent with the MOU, that identify MTC and transit operator roles and responsibilities pertaining to the operation and maintenance of the Clipper® fare payment system; and

WHEREAS, MTC and the Clipper® transit operators are seeking approval to execute an Amended and Restated Clipper® MOU, pursuant to which MTC would agree to delegate its

authority to approve further amendments to the Clipper[®] Operating Rules to a new Clipper[®] Executive Board formed pursuant to the Amended and Restated Clipper[®] MOU; now therefore, be it

RESOLVED, that MTC hereby adopts the Clipper[®] Operating Rules , as set forth in Attachment A to this Resolution, and incorporated herein as though set forth at length; and be it further

RESOLVED, that MTC hereby delegates to the Executive Director or his designated representative the authority to authorize non-substantive changes to the Operating Rules or changes affecting the transit operator roles and responsibilities, and, effective upon full execution of the Amended and Restated Clipper[®] MOU approved by MTC on October 28, 2015, MTC hereby delegates to the Clipper[®] Executive Board the authority to authorize changes to the Operating Rules, in each case in accordance with any applicable requirements of the Clipper[®] MOU or the Amended and Restated Clipper[®] MOU, as applicable, and as needed for the efficient operation of the Clipper[®] fare payment system.

METROPOLITAN TRANSPORTATION COMMISSION

Dave Cortese, Chair

The above resolution, revising and superseding the resolution approved on February 22, 2012, was entered into by the Metropolitan Transportation Commission at a regular meeting of the Commission held in Oakland, California, on October 28, 2015.

Date: February 22, 2012
W.I.: 310-2700, 320-1221
Referred by: MTC Operations

Attachment A
Resolution No. 3983
Page 1 of 40

**Clipper[®] Operating Rules,
Effective June 27, 2012
For the
Clipper[®] Fare Payment System**



CLIPPER

Operating Rules

**MTC Resolution No. 3983, Revised
June 27, 2012**

DOCUMENT HISTORY

1. Draft version 1.0 distributed to transit agencies by MTC on June 29, 2010.
2. Draft version 1.1 approved by MTC Operations Committee on October 8, 2010; approval by MTC Commission deferred pending changes to Section 3.12.1.
3. MTC Resolution No. 3983 includes changes to Section 2.8.1, 3.2.2, 3.2.3, 3.2.6, 3.2.8, 3.5.1, 3.5.2, 3.9.2, 3.12.1, 4.2.1, 4.2.4.3.2, 4.2.4.3.3, 4.2.7.3.1, 4.2.8.1, 4.2.9, 4.2.9.1, 4.2.10.2, 4.11.2, and the Glossary and addition of Section 3.14, 4.6.3, and Attachment 1.
4. MTC adopts Resolution No. 3983 on February 22, 2012.
5. MTC Resolution No. 3983, Revised, adopted June 27, 2012, includes substantive changes to Sections 4.2.4.3.2, 4.2.4.3.3, 4.2.8, 4.6.1 and 4.6.2.

TABLE OF CONTENTS

Document History	2
1. INTRODUCTION.....	7
1.1 Clipper® Overview	7
1.2 Purpose of this Document	7
2. MTC RESPONSIBILITIES	8
2.1 Card issuance	8
2.1.1 Definition of Application Issuer.....	8
2.1.2 Clipper® Application Issuer	8
2.1.3 Definition of Card Issuer	8
2.1.4 Card Issuer for Regionwide Implementation of Clipper®	8
2.2 Card Base Management	8
2.2.1 Clipper® Card Inventory	8
2.2.2 Design of Personalized Cards	8
2.3 Distribution.....	8
2.3.1 Right to Determine Access to Distribution Devices.....	8
2.3.2 Minimum Value Required When Acquiring Clipper® Card.....	9
2.4 Cardholder Fees.....	9
2.4.1 Waiving of Cardholder Fees	9
2.5 Cardholder Confidentiality	9
2.5.1 Confidentiality of Information	9
2.6 System Failure Plan	9
2.6.1 Responsibility for Reviewing and Approving the Disaster Recovery Plan..	9
2.7 Clipper® Financial Settlement and Related Services	9
2.7.1 Treasury/Cash Management	9
2.7.2 Claims.....	10
2.8 Marketing.....	10
2.8.1 Clipper® Marketing Materials/Advertisements.....	10
2.8.2 Updates to Cardholder Education Materials	10
2.8.3 Card Graphics.....	10
2.8.4 Advertising and Promotion General Policy.....	10
2.8.5 Monitoring of Card Promotions	10
3. OPERATOR RESPONSIBILITIES.....	11
3.1 Acceptance and Conditions of Use.....	11
3.1.1 Acceptance of Clipper® Branded Cards.....	11
3.1.2 Fraud Detection and Control.....	11
3.2 Card Base Management	11
3.2.1 Order Acceptance and Shipment.....	11
3.2.2 Operator Responsibility for Lost or Stolen Clipper® Cards.....	11
3.2.3 Proof of Eligibility for Discount Fares	11
3.2.4 Management of Personalized Cards Distributed to Institutional Program Participants	12
3.2.5 Senior/Disabled (RTC Discount) Card Eligibility Tracking.....	12
3.2.6 Availability of Additional Senior/Disabled (RTC Discount) Cards for Patrons Qualified to Travel with an Attendant	12

3.2.7	<i>Tracking of Cards with Operator Employee Products</i>	<i>12</i>
3.2.8	<i>Card Registration at Ticket Offices</i>	<i>12</i>
3.3	Distribution.....	12
3.3.1	<i>Card Distribution by Operators</i>	<i>12</i>
3.3.2	<i>Collection of Cash from Distributors and Vending Machines</i>	<i>12</i>
3.3.3	<i>Initial Card Value</i>	<i>12</i>
3.3.4	<i>Distribution of Cards to Operator Employees.....</i>	<i>13</i>
3.4	FARES and Passes	13
3.4.1	<i>General Fare Policy</i>	<i>13</i>
3.4.2	<i>Passes.....</i>	<i>13</i>
3.4.3	<i>Stored Rides</i>	<i>13</i>
3.4.4	<i>Senior/Disabled (RTC Discount) Fare Category</i>	<i>13</i>
3.4.5	<i>Operator Employee Passes.....</i>	<i>13</i>
3.5	Clipper® Card Refunds	13
3.5.1	<i>Operator Products</i>	<i>13</i>
3.5.2	<i>Identification of Designated Operator Personnel Authorized to Approve Refunds 14</i>	
3.6	Cardholder Fees.....	14
3.6.1	<i>Cards Configured for the Senior/Disabled (RTC Discount) Fare Category 14</i>	
3.7	Distribution and Fare Payment Device Network Management.....	14
3.7.1	<i>Distribution Device Network Management.....</i>	<i>14</i>
3.7.2	<i>Reporting to the Clipper® Central System.....</i>	<i>14</i>
3.7.3	<i>Software Application and Configuration Data Downloads.....</i>	<i>14</i>
3.7.4	<i>Authorization for Software Application Downloads</i>	<i>14</i>
3.7.5	<i>Fare Table Updates.....</i>	<i>14</i>
3.7.6	<i>Changes to Clipper® Configuration Data to Enable Fare Changes.....</i>	<i>14</i>
3.7.7	<i>Field Testing</i>	<i>15</i>
3.7.8	<i>Notification of Issues Following Software/CD Deployment</i>	<i>15</i>
3.8	Clipper® Asset Management Services.....	15
3.8.1	<i>Software Management Services.....</i>	<i>15</i>
3.8.2	<i>Transit Operator Asset Management Responsibilities</i>	<i>15</i>
3.9	Technical Support and Maintenance Levels.....	15
3.9.1	<i>Responsibility for Failure Detection</i>	<i>15</i>
3.9.2	<i>Operation and Maintenance of Clipper® Equipment.....</i>	<i>15</i>
3.9.3	<i>Responsibilities Shared by the Contractor and the Operators</i>	<i>16</i>
3.10	Data Communications and Reporting.....	16
3.10.1	<i>Data Communications Links</i>	<i>16</i>
3.11	Clipper® Financial Settlement and Related Services	16
3.11.1	<i>Establishment of Settlement Accounts.....</i>	<i>16</i>
3.11.2	<i>Deposit of Cash</i>	<i>16</i>
3.11.3	<i>Collection of Cash from Distributors and Vending Machines</i>	<i>17</i>
3.12	Marketing.....	17
3.12.1	<i>General Responsibility.....</i>	<i>17</i>
3.12.2	<i>Responsibility for Maintaining Inventory of Cardholder Education Materials 17</i>	

3.12.3	Operator-Specific Card Graphics.....	17
3.13	Customer Services	17
3.13.1	Coordination Between CSB Customer Service Center And Transit Operator Customer Service Centers.....	17
3.14	Personally Identifiable Information	17
3.14.1	Security of Clipper® Customers' Personally Identifiable Information	17
4.	SYSTEM POLICIES.....	18
4.1	Acceptance and Conditions of Use.....	18
4.1.1	Conditions of Use	18
4.1.2	Transferability of the Card.....	18
4.1.3	Operator Fees, Charges, Discounts, Etc.	18
4.1.4	Rejection of Clipper® Card for Fare Payment	18
4.1.5	Card Reader Failure	18
4.2	Card Base Management	19
4.2.1	Expiration of Clipper® Cards	19
4.2.2	Adding Cards to the Hotlist	19
4.2.3	Unregistered Cards.....	19
4.2.4	Registered Cards.....	19
4.2.5	Converting an Unregistered Card to a Registered Card	22
4.2.6	Proof of Eligibility for Discount Fares	22
4.2.7	Personalized Cards	22
4.2.8	Balance Restoration	23
4.2.9	Card Replacement.....	24
4.2.10	Replacement of Non-Functioning Cards.....	24
4.2.11	Blocked Cards and Products	24
4.3	Distribution.....	25
4.3.1	Loading E-cash.....	25
4.3.2	Minimum Value Required When Acquiring Clipper® Card.....	25
4.3.3	Autoload.....	25
4.4	Fares and Passes.....	25
4.4.1	Application of Fare Discount When Fare Is Paid Using E-cash	25
4.4.2	Expiration of Senior/Disabled (RTC Discount) Cards	25
4.4.3	Operator Employee Passes.....	25
4.5	Clipper® Card Refunds	25
4.5.1	General Refund Policy.....	25
4.5.2	Exceptions to the General Refund Policy.....	26
4.5.3	Responsibility for Processing Refunds.....	26
4.5.4	Processing of a Refund.....	26
4.5.5	Refund of Value Loaded as Pre-Tax Employee Benefit.....	26
4.5.6	Method of Providing Refunds.....	26
4.6	Cardholder Fees.....	26
4.6.1	Schedule of Cardholder Fees	26
4.6.2	Balance Restoration Fee	27
4.6.3	Transit Benefit Program Administrative Fees.....	27
4.6.4	Payment of Cardholder Fees.....	27

4.6.5	<i>Waiving of the Card Acquisition Fee for Patrons Who Register for Autoload or Receive Value Through an Institutional Program.....</i>	27
4.6.6	<i>Waiving of the Cardholder Fees During Promotional Periods and/or for Marketing Purposes</i>	28
4.6.7	<i>Waiving of Fees at the Discretion of the CSB Customer Services Manager</i>	28
4.7	Cardholder Confidentiality	28
4.7.1	<i>Cardholder Data</i>	28
4.8	Distribution and Fare Payment Device Network Management.....	28
4.8.1	<i>Daily CD.....</i>	28
4.8.2	<i>Fare-Related CD.....</i>	28
4.8.3	<i>Administrative CD</i>	28
4.9	Data Collection and Reporting.....	29
4.9.1	<i>Data Communications Links</i>	29
4.10	Clipper® Financial Settlement and Related Services	29
4.10.1	<i>Add Value Transactions.....</i>	29
4.10.2	<i>Missing Transactions</i>	29
4.10.3	<i>Fare Payment Transactions and the Participant Claim Fund.....</i>	30
4.10.4	<i>Disbursement of the Participant Claim Fund.....</i>	30
4.10.5	<i>Claims.....</i>	32
4.10.6	<i>Operator-Based Claims Against the Participant Claim Fund</i>	32
4.10.7	<i>Adjustments</i>	32
4.10.8	<i>Disputes.....</i>	33
4.11	Marketing.....	33
4.11.1	<i>Card Design Features.....</i>	33
4.11.2	<i>Card Giveaway Promotions</i>	33
5.	GLOSSARY OF TERMS	35
6.	ATTACHMENT 1	40
6.1	Special Conditions Regarding Personally Identifiable Information:	40

1. INTRODUCTION

1.1 CLIPPER® OVERVIEW

Clipper® is an Automated Fare Collection (“AFC”) program cooperatively developed and implemented by the transit operators (“operators”) in the nine-county San Francisco Bay Area and the Metropolitan Transportation Commission (“MTC”). The program was previously known as TransLink® until June 2010. The Clipper® card is a fare instrument that can operate in all of the different transit modes in the Bay Area (“the Region”) and can be used to pay fares for both inter-operator and intra-operator services. MTC (also, “Contracting Agency”) has a contract with Cubic Transportation Systems, Inc. to design, build, operate, and maintain the Clipper® system (“Clipper® Contract”).

1.2 PURPOSE OF THIS DOCUMENT

These operating rules establish operating parameters and procedures for the operation and maintenance of the Clipper® system. This document identifies transit operators’ responsibilities related to implementation, operation, and maintenance of the system, MTC’s responsibilities related to implementation, operation and maintenance of the system, and system policies. The rules and policies contained in this document are not intended to describe procedures for every scenario that will arise related to the implementation, operation and maintenance of the Clipper® system. Where any rules and/or policies conflict either with the Clipper® Memorandum of Understanding (“MOU”) or the Clipper® Contract, the MOU or Contract, respectively, shall prevail.

2. MTC RESPONSIBILITIES

2.1 CARD ISSUANCE

2.1.1 Definition of Application Issuer

An application issuer is any single entity or a joint entity of multiple parties that owns and distributes any specific application on a smart card. MTC retains the right to issue cards with the Clipper® Application.

2.1.2 Clipper® Application Issuer

MTC shall be the Application Issuer of the Clipper® Application, and MTC shall retain ownership of the Clipper® Application and brand regardless of which party issues the Clipper® card. MTC reserves the right to utilize the Clipper® e-purse for payments for transit services and for non-transit applications such as parking facilities.

2.1.3 Definition of Card Issuer

A Clipper® Card Issuer is any single entity or a joint entity of multiple parties that MTC has formally approved to issue smart cards containing the Clipper® Application or a functioning subset of this application that enables them to be accepted as a form of payment. MTC is currently the sole Clipper® Card Issuer.

2.1.4 Card Issuer for Regionwide Implementation of Clipper®

MTC shall have the sole right to issue reloadable (“extended use”) or limited use cards with the Clipper® Application or a subset of this application on the card. A subset of the application may need to be issued in circumstances where the entire Clipper® Application is not required or will not fit on a card, i.e., limited use smart cards.

The MTC policy on card issuance in the Clipper® program is to encourage all qualified Card Issuers to issue cards with the Clipper® Application. No Card Issuer may issue a card with a Clipper® Application without the express written agreement of MTC. Such approval may be granted by MTC to entire classes of issuers under a single agreement.

2.2 CARD BASE MANAGEMENT

2.2.1 Clipper® Card Inventory

MTC shall be responsible for monitoring the Clipper® card inventory and maintaining a sufficient card inventory to meet regional demand.

2.2.2 Design of Personalized Cards

The design of personalized cards will be subject to approval by MTC regardless of whether the Clipper® Service Bureau (“CSB”) operated by the Clipper® Contractor distributes a personalized card.

2.3 DISTRIBUTION

2.3.1 Right to Determine Access to Distribution Devices

MTC retains the sole right to decide which cards shall have access to the distribution devices owned by MTC and/or the operators and which services are to be extended to them.

2.3.2 Minimum Value Required When Acquiring Clipper® Card

MTC may establish temporary or permanent policies whereby a cardholder shall be required to load a minimum amount of value when acquiring a Clipper® card.

2.4 CARDHOLDER FEES

2.4.1 Setting Cardholder Fees

As the Clipper® Card Issuer and Application Issuer, as defined in Sections 2.1.2 and 2.1.3 above, MTC shall have the right to set, modify and/or waive the cardholder fees identified in Section 4.6.

2.4.2 Waiving of Cardholder Fees

MTC shall monitor the waiving of fees by the CSB Customer Services Manager.

2.5 CARDHOLDER CONFIDENTIALITY

2.5.1 Confidentiality of Information

MTC shall ensure that the Clipper® Contractor maintains the confidentiality and privacy on the use of individual cards unless waived by a cardholder or under order of a court with jurisdiction over MTC. MTC shall define Special Conditions Regarding Personally Identifiable Information, as included in Attachment 1, with which the Operators shall comply.

2.6 SYSTEM FAILURE PLAN

2.6.1 Responsibility for Reviewing and Approving the Disaster Recovery Plan

MTC shall review the *Disaster Recovery Plan* and provide comments to the Contractor. MTC is responsible for either approving or rejecting the *Plan* and subsequent updates.

2.7 CLIPPER® FINANCIAL SETTLEMENT AND RELATED SERVICES

2.7.1 Treasury/Cash Management

The functions within treasury/cash management are the responsibility of the Application Issuer. The following processes will help account for funds held by the Application Issuer and protect the Application Issuer and operators from fraud, loss exposure, and expense.

For cards with the Clipper® Application, the following will be tracked and reported to the operators:

- The amount of funds collected from the initial distribution of Clipper® cards, i.e. card acquisition fees as described in Section 4.6.1 of this document, by operators or third party distributors;
- The amount of funds held as unrealized revenue; and
- The amount of funds generated from the investment of the funds pool.

2.7.1.1 Funds Pool Accounting

The Application Issuer shall be responsible for all Clipper® Funds Pool Accounting functions for those pool funds it holds.

2.7.2 Claims

MTC shall oversee all claim investigation and assessment although an operator may participate at its option.

2.8 MARKETING

2.8.1 Clipper® Marketing Materials/Advertisements

MTC shall be responsible for designing, developing, and publishing/printing Clipper®-related marketing materials/advertisements. Where applicable, MTC and the operators shall be responsible for purchasing advertising space, etc. MTC shall provide Clipper® information in multiple languages, primarily English, Spanish and Chinese.

2.8.2 Updates to Cardholder Education Materials

MTC shall update cardholder education materials including cardholder education materials in alternate formats and foreign languages to reflect changes in the availability of Clipper®, modifications to the fees described in Section 4.6, and changes to the Clipper® Cardholder Agreement.

2.8.3 Card Graphics

All Clipper® cards including limited use cards shall conform to a common design standard. MTC shall finalize the graphics standard(s).

2.8.4 Advertising and Promotion General Policy

MTC in coordination with the participating transit operators shall coordinate the development of advertising to support the operation of the Clipper® program.

2.8.5 Monitoring of Card Promotions

MTC shall monitor the number of cards distributed by operators in accordance with Section 4.11.2.

3. OPERATOR RESPONSIBILITIES

3.1 ACCEPTANCE AND CONDITIONS OF USE

3.1.1 Acceptance of Clipper® Branded Cards

All participating operators are obligated to accept all Clipper® branded cards, regardless of the issuer. Operators shall accept Clipper® cards as payment for all the fixed-route transit services they offer.

3.1.2 Fraud Detection and Control

Operators are responsible for ensuring that Clipper® cards and systems are used in a manner consistent with defined policies and procedures. Operators shall have the right to determine if customers are using cards fraudulently and confiscate the cards. The operator must mail confiscated cards to the CSB, which will block the card from further use. A fraud investigation may be initiated by an Operator, MTC or CSB. Operators are required to cooperate with any investigation of fraud undertaken by MTC and/or CSB.

3.2 CARD BASE MANAGEMENT

3.2.1 Order Acceptance and Shipment

Operators shall provide to MTC the names and contact information for representatives eligible to order cards in bulk quantities. Operators shall notify MTC of changes in authorized personnel. Operators shall submit requests for cards to the CSB using the approved form. CSB shall process orders signed by authorized operator representatives.

3.2.2 Operator Responsibility for Lost or Stolen Clipper® Cards

Operators shall store Clipper® cards in a secure manner and report any loss or theft of cards to MTC. An operator must notify CSB and MTC in the event the operator discovers cards are missing.

3.2.3 Proof of Eligibility for Discount Fares

When a patron requests a card configured for the Youth or Senior Citizen fare category, transit operator personnel shall require the patron to present a government-issued identification showing the patron's date of birth. Specific forms of identification that shall be accepted are the following:

- Birth certificate;
- Driver's license or state identification card issued by any state;
- Federal government-issued "Green Card" (Alien Registration card, Permanent Resident card);
- Matricula Consular card issued by the Mexican government (also referred to as a Consular Identification Card);
- Passport from any nation;
- San Francisco or other City Identification Card; and
- Other identification that transit operator personnel determine to be adequate for determining the patron's date of birth.

Operators may accept expired forms of photo identification (i.e. passport and driver's license) if the applicant is present and a visual match can be made.

3.2.4 Management of Personalized Cards Distributed to Institutional Program Participants

The Operator or third-party institutional program manager shall monitor the eligibility status of persons with personalized cards and either retrieve cards from ineligible persons or notify CSB that a patron's card and/or institutional pass should be blocked.

3.2.5 Senior/Disabled (RTC Discount) Card Eligibility Tracking

Operators shall manage the RTC Discount Card Central Processor. At the operator's direction, the RTC Discount Card Central Processor shall monitor the eligibility status of persons with cards configured for the Senior/Disabled (RTC Discount) fare category.

3.2.6 Availability of Additional Senior/Disabled (RTC Discount) Cards for Patrons Qualified to Travel with an Attendant

Upon request by a patron, Operators, through the Regional Transit Connection Discount Card Program, shall provide a second valid card to patrons who both qualify for cards configured for the Senior/Disabled (RTC Discount) fare category and who qualify to travel with an attendant. Operators participating in the RTC Discount Card Program shall establish consistent procedures for accepting requests for second cards from eligible patrons and blocking cards in the event that an operator determines a patron has fraudulently used a card.

3.2.7 Tracking of Cards with Operator Employee Products

The appropriate transit operator shall monitor the eligibility status of persons with cards with operator employee products and either retrieve cards with employee products from ineligible persons or notify CSB that a patron's card and/or employee pass should be blocked.

3.2.8 Card Registration at Ticket Offices

Operators shall register patrons' cards at ticket offices equipped with Ticket Office Terminals ("TOTs"). Operators shall immediately register the patrons' cards upon receipt of the patrons' information.

3.3 DISTRIBUTION

3.3.1 Card Distribution by Operators

Operators shall be responsible for distributing Youth, Senior and Adult Clipper® cards to their patrons. Operators shall distribute cards at ticket offices that have been equipped with TOTs; operators may also distribute cards at other locations approved by MTC.

3.3.2 Collection of Cash from Distributors and Vending Machines

CSB will debit operators for Clipper® cards, e-cash and other operators' products sold on their properties.

3.3.3 Initial Card Value

Where operators intend to distribute cards preloaded with value, operators shall be responsible for funding the addition of any value to the cards.

3.3.4 Distribution of Cards to Operator Employees

Operators shall be responsible for making cards available to their employees, the dependents of their employees, retirees, board members, consultants, and others, as determined by individual operator policies. If necessary, the participating operators will assist CSB in monitoring the distribution of Operator Employee passes by providing CSB with both the name of each individual to whom a card with an Operator Employee pass is distributed and the card serial number of the respective card.

3.4 FARES AND PASSES

3.4.1 General Fare Policy

Transit fare policy shall remain the exclusive right of the operators and their respective policy boards. Operators set their own fares, acting singly for services within that operator's property and in conjunction with contiguous operators for inter-operator fares.

3.4.2 Passes

Operators shall establish vending windows for their calendar passes.

3.4.3 Stored Rides

Operators shall establish rules regarding the expiration of their stored ride products.

3.4.4 Senior/Disabled (RTC Discount) Fare Category

Operators shall individually determine whether to limit the availability of certain senior citizen fares and/or fare products to senior citizens with personalized cards for the Senior/Disabled (RTC Discount) fare category.

3.4.5 Operator Employee Passes

Operators loading an Operator Employee pass to a card may require that the card be personalized with a photograph, the logo of the operator with which the cardholder is associated, and/or the cardholder's name. Where an operator requires personalization of a card loaded with an Operators Employee pass, operators shall be responsible for any incremental charges associated with the design, development, manufacture, and/or printing of the card as indicated in Section 3.12.3 of this document.

3.5 CLIPPER® CARD REFUNDS

3.5.1 Operator Products

The value of operator products may be refunded at the discretion of the operator(s) on which the product is valid. If an operator approves the refund of a product, CSB will block the product so that it is no longer valid.

Operators shall provide authorization to CSB's Customer Services Manager to grant or deny a refund of e-cash and/or an operator product at his/her discretion up to limits specified by the operator. Beyond these limits, the Customer Services Manager will grant or deny refunds after consultation with designated personnel from the affected transit operator.

3.5.2 Identification of Designated Operator Personnel Authorized to Approve Refunds

Each participating transit operator shall identify at least two representatives authorized to provide approval for the granting of refunds by the CSB Customer Service Manager where the refund affects the amount due to a respective transit operator.

3.6 CARDHOLDER FEES

3.6.1 Cards Configured for the Senior/Disabled (RTC Discount) Fare Category

Operators participating in the RTC Discount Card Program shall be responsible for setting cardholder fees associated with the acquisition, replacement and renewal of cards configured for the Senior/Disabled (RTC Discount) fare category. The Clipper[®] Operating Rules do not govern the RTC Discount Card Program fees.

3.7 DISTRIBUTION AND FARE PAYMENT DEVICE NETWORK MANAGEMENT

3.7.1 Distribution Device Network Management

Operators that have procured equipment outside of the Clipper[®] Contract shall be responsible for monitoring and managing their own devices and networks for those devices.

3.7.2 Reporting to the Clipper[®] Central System

All Clipper[®] transactions shall be reported to the Clipper[®] Central System (“CCS”). Where operators manage devices, operators shall ensure that those devices report all transactions to the CCS.

3.7.3 Software Application and Configuration Data Downloads

Operators shall ensure that devices are powered on to enable receipt of software and Configuration Data (“CD”) downloads. Operators shall cooperate with CSB and perform first-line maintenance if requested by CSB as part of the troubleshooting process.

3.7.4 Authorization for Software Application Downloads

Each operator shall designate an individual who will be responsible for authorizing software and CD downloads. After completing internal testing of a pending software application release, CSB shall issue detailed release notes and schedule time for MTC and/or the operators to witness testing of the release in the CSB test-bed. MTC or CSB shall propose a deployment date and request operators to authorize the software download. Operators shall not unreasonably withhold such authorization, particularly when the release is intended to implement a required fare change.

3.7.5 Fare Table Updates

The responsible operator will report to MTC the fare tables and transfer policies to be changed or added (e.g., a fare increase). MTC shall forward the operator data to the Clipper[®] Contractor for implementation.

3.7.6 Changes to Clipper[®] Configuration Data to Enable Fare Changes

Transit operators shall notify MTC at least 60 days prior to the effective date of the changes to the fare tables and transfer policies. More time is required for significant or structural changes.

The date of the download may be prior to the effective date of the change. A transit operator with mobile devices (i.e., installed on vehicles) may opt to select a download date one or two weeks prior to the effective date of the change in order to maximize the percentage of devices that have received the download when the effective date is reached.

3.7.7 Field Testing

At their option, operators may conduct field tests of software/CD releases to confirm that the software/CD functions as documented in the release notes and as demonstrated in the test-bed. Operators shall report any negative findings from such field testing to MTC and/or CSB.

3.7.8 Notification of Issues Following Software/CD Deployment

Operators shall immediately notify CSB of any problems arising from a software/CD download.

3.8 CLIPPER® ASSET MANAGEMENT SERVICES

3.8.1 Software Management Services

An operator may assume responsibility for software installation for the systems installed at its facilities or on its vehicles subject to MTC's approval of such transfer of responsibility. Otherwise, the Contractor shall be responsible for software installation at all levels of the system.

3.8.2 Transit Operator Asset Management Responsibilities

Operators are responsible for ensuring that access to Clipper® devices is controlled, protected, and limited to authorized personnel within their organizations.

3.9 TECHNICAL SUPPORT AND MAINTENANCE LEVELS

3.9.1 Responsibility for Failure Detection

Operators, as well as the Contractor and MTC, shall be responsible for reporting device failures and events that could indicate a failure affecting information processing systems at the CCS.

3.9.2 Operation and Maintenance of Clipper® Equipment

All participating operators are obligated to operate and maintain Clipper® equipment in accordance with these rules, and maintain equipment to ensure the highest level of availability for use by consumers. Operational and maintenance responsibilities include, but are not limited to:

- a. Managing the inventory of spare components stored on each Operator's property;
- b. Isolating failed Card Interface Devices ("CIDs") and components (e.g., Add Value Machine ("AVM") modules) and replace with spares;
- c. Returning failed CIDs and components to the CSB for replacement;
- d. Revenue servicing TOTs, AVMs and Ticket Vending Machines ("TVMs");
- e. Maintaining inventory of Clipper® cards and limited use Clipper® tickets in TVMs;
- f. Performing fingertip maintenance; and
- g. Operating Clipper® equipment (e.g., driver consoles, TOTs, Handheld Card Readers ("HCRs"), etc.) as required.

3.9.3 Responsibilities Shared by the Contractor and the Operators

Maintenance of equipment installed at operators' sites will be a shared responsibility between operator staff and the Contractor. Operator staff will be responsible for first-line maintenance, which includes preventive maintenance and depot maintenance item diagnosis, removal and installation. The Contractor shall be responsible for the overall depot maintenance program and on-call maintenance when escalated beyond the operator's handling of the situation.

3.9.3.1 Maintenance Responsibilities by Device

The following table provides an overview of the maintenance responsibilities of the operators that are further described in this section.

MAINTENANCE SERVICES	
EQUIPMENT	Operator Responsibility
On-Board CID (CID 1)	1 st Line Maintenance
Stand-Alone CID (CID 2)	1 st Line Maintenance
CID Faregates	1 st Line Maintenance
Wireless Data Transmission System ("WDTS")	1 st Line Maintenance
Handheld Card Reader	1 st Line Maintenance
Add Value Machine	1 st Line Maintenance
Ticket Office Terminal	1 st Line Maintenance
Clipper® Data Server ("CDS")	1 st Line Maintenance
Automatic Zone Determination System ("AZDS")	1 st Line Maintenance
Clipper® Ticket Vending Machines ("TVM")	1 st Line Maintenance

3.9.3.2 First Line Maintenance

Certified operator personnel will perform first line maintenance.

3.10 DATA COMMUNICATIONS AND REPORTING

3.10.1 Data Communications Links

Operators share responsibility with the Contractor for maintaining the data communications links between Clipper® devices on their properties. In addition, if operators purchase Clipper® equipment independently (i.e., not through MTC), they are responsible for extracting data from that equipment and transmitting it to the CCS in accordance with message and data format and security standards as defined by the Clipper® Contractor.

3.11 CLIPPER® FINANCIAL SETTLEMENT AND RELATED SERVICES

3.11.1 Establishment of Settlement Accounts

Each operator shall establish bank accounts and account agreements with CSB to enable their participation in the settlement process.

3.11.2 Deposit of Cash

Operators are responsible for depositing cash from Clipper® card and value distribution transactions into their accounts to cover funds due to the Clipper® funds pool. Net settlement will debit operators for card and value distribution transactions of value during the cycle in which the transactions take place regardless of whether operators have deposited the cash collected.

3.11.3 Collection of Cash from Distributors and Vending Machines

Distributors, including operators, will be debited for Clipper® e-cash, cards, and other operators' products sold on their properties and will be responsible for collecting cash from vending machines on their properties. Operators will be debited according to Clipper® records. For devices revenue serviced by the transit operators, cash shortfalls or overages shall be the responsibility of the operators.

3.12 MARKETING

3.12.1 General Responsibility

Operators shall promote the use of Clipper® cards to their respective customers. Operators shall provide Clipper® information in multiple languages, primarily English, Spanish and Chinese.

3.12.2 Responsibility for Maintaining Inventory of Cardholder Education Materials

Operators shall maintain a sufficient inventory of cardholder education materials at locations that they operate. When needed, operators shall request additional cardholder education materials from CSB or MTC.

3.12.3 Operator-Specific Card Graphics

Any operator that wishes to develop an operator-specific card graphic will fund incremental charges associated with the design, development, manufacture, and/or printing of that card.

3.13 CUSTOMER SERVICES

3.13.1 Coordination between CSB Customer Service Center And Transit Operator Customer Service Centers

Operators shall work cooperatively with the CSB to resolve customer service issues.

3.14 PERSONALLY IDENTIFIABLE INFORMATION

3.14.1 Security of Clipper® Customers' Personally Identifiable Information

Operators shall comply, and shall cause all contractors/consultants who have access to Personally-Identifiable Information ("PII"), as defined in Section 5, Glossary of Terms, to comply, with the special provisions related to the access and protection of PII set forth in Attachment 1 to these Operating Rules, Special Conditions Regarding Personally Identifiable Information.

4. SYSTEM POLICIES

4.1 ACCEPTANCE AND CONDITIONS OF USE

4.1.1 Conditions of Use

The cardholder, while using the services and facilities of the operators, shall be subject to and comply with the bylaws, rules, and regulations of the respective operators. Upon distribution, a card may be used in accordance with these conditions by a cardholder who is:

- The bearer of the card; and
- The person identified as being entitled to use of the card in the card data with respect to any registered card.

4.1.2 Transferability of the Card

The card (except for registered cards and unregistered personalized cards, such as cards configured for the Senior/Disabled [RTC Discount] fare category) is transferable, and it is valid for use by the bearer. Registered cards, as defined in Section 4.2.4, and personalized cards, as defined in Section 4.2.7, are not transferable and can only be used by the person identified in the card data as authorized to use the card.

4.1.3 Operator Fees, Charges, Discounts, Etc.

Payment by deduction of the encoded value in the card for transit services is subject to the fee, charge, discount and/or concession and other relevant conditions of the respective operators effective at the time when service is offered and used.

4.1.4 Rejection of Clipper® Card for Fare Payment

Operators may demand fare payment in a form other than the Clipper® card under the following conditions:

- a. E-cash balance on the card upon entry is insufficient to pay the fare;
- b. E-cash balance on the card upon entry has a negative value;
- c. The pass and/or stored rides on the Clipper® card have expired;
- d. The value stored in the BART High Value Discount E-purse is lower than the fare for the least expensive one way trip on BART;
- e. Clipper® card is expired;
- f. Upon request by transit operator personnel, the patron cannot verify eligibility for a discount fare enabled by his/her card;
- g. The patron is attempting to use a card fraudulently;
- h. Clipper® card has been added to the hotlist or blocked from the system; or
- i. Clipper® card is damaged or defective.

4.1.5 Card Reader Failure

In the event of a card reader failure, operators may at their option either demand an alternative form of payment or allow Clipper® cardholders a free ride. Neither MTC nor the Contractor shall reimburse operators for free rides granted due to malfunctioning readers and in accordance with individual operator policies.

4.2 CARD BASE MANAGEMENT

4.2.1 Expiration of Clipper® Cards

Clipper® cards configured for the Adult, Youth and Senior Citizen fare categories will expire 20 years after issuance, and patrons shall be able to transfer value from an expired card to a replacement card. Senior/Disabled (RTC Discount) Cards shall expire in accordance with the policies established by the RTC Discount Card Program.

4.2.2 Adding Cards to the Hotlist

Clipper® cards can be blocked from use in the system under the following circumstances:

- The card is reported as lost, stolen, or damaged;
- Fraudulent use of the card is suspected or has been established; and
- Funding for the Autoload feature is denied.

Clipper® products can be blocked from use in the system under the following circumstances:

- Funding for the Autoload feature is denied;
- An employee's tenure terminates with an employer that funds value and/or authorizes eligibility for a particular product on a particular employee's card; or
- An individual is no longer a participant in an institutional program.

4.2.3 Unregistered Cards

Unregistered cards are those where the Card Issuer does not know the identity of the cardholder. If distributed by the RTC Discount Card Program Central Processor, unregistered cards will be personalized with a cardholder's name and photograph, but the Central Processor may only provide the card serial number to the Card Issuer. CSB will not receive the cardholder's information from the Central Processor.

- All unregistered cards distributed by operators or third party distributors will be configured for the Adult fare category.
- All unregistered cards distributed by the RTC Discount Card Program Central Processor will be configured for the Senior/Disabled (RTC Discount) fare category.
- All unregistered cards distributed by the RTC Discount Card Program Central Processor will be personalized (see Section 4.2.7).
- Unregistered cards and any confirmed value remaining on unregistered cards cannot be replaced if lost, stolen, or non-functioning, unless the card is determined to be defective by CSB or the card is configured for the Senior/Disabled (RTC Discount) fare category.¹

4.2.4 Registered Cards

Registered cards are those where the Card Issuer knows the identity of the cardholder. Some registered cards may have distinguishing physical features such as the printed word "Senior" and/or a colored stripe in the case of registered cards used by senior citizens or the cardholder's printed name and/or photograph in the case of personalized cards.

¹ If a cardholder claims his/her card is defective and submits the card to CSB in exchange for a replacement card, the cardholder will need to provide his/her name and mailing address to CSB.

A cardholder must register his/her card to:

- Receive the card via mail from CSB;
- Utilize optional features such as Balance Restoration, Autoload, and automatic enabling of audio and/or alternate language functions when using AVMs;
- Receive value through employers, employer benefit programs (except where the cardholder redeems a voucher or a benefit program debit card) and/or institutional programs;
- Receive a refund of any confirmed remaining e-cash value on his/her card;
- Receive a card that is configured for either the Youth fare category or the Senior Citizen fare category; and
- Enable the retrieval of a lost or stolen card that is returned to CSB or an operator.

The process of registering a card and the processes of electing to utilize Clipper[®]'s optional features; arranging to receive loads through an institutional program; or seeking to qualify for discount fares and/or products may be distinct. This will be the case for patrons with cards configured for the Senior/Disabled (RTC Discount) fare category.

4.2.4.1 Information Required for Card Registration

To register a card, a patron must provide his/her name, a mailing address, a telephone number, and a security question and answer. Patrons may submit this information to CSB in writing, via telephone, or through the Clipper[®] website; at a transit operator ticket office or Clipper[®] in-person customer service center equipped with a TOT; or a location that accepts the Clipper[®] Youth and Senior Card Application. Where a patron registers a card through the Clipper[®] website, the patron must provide an e-mail address. An institutional program may also furnish the registration data to CSB.

4.2.4.2 Additional Information that May Be Captured When Registering a Card

Additional cardholder account information may include, but is not limited to, the cardholder's fax number, e-mail address, bank account number, credit card account number, and/or birth date.

The specific required additional cardholder information depends on whether a patron registers for optional features; receives value through an employer, employer benefit program, or institutional program; or seeks to qualify for discount fares and/or products.

4.2.4.3 Availability of Registered Cards

4.2.4.3.1 Availability of Registered Cards Configured for the Adult Fare Category

A cardholder may acquire a registered card configured for the Adult Fare Category directly from CSB, a transit operator ticket office or Clipper[®] in-person customer service center equipped with a TOT, or an institutional program.

4.2.4.3.2 Availability of Registered Cards Configured for the Senior Citizen Fare Category

To pay discount fares based on age, a senior citizen may acquire a Clipper[®] card configured for the Senior Citizen fare category. A senior citizen may apply for and receive a card upon submission of a qualifying application at: a transit operator ticket office; one of the Clipper[®] in-

person customer service centers overseen by MTC; an MTC or operator-sponsored outreach event; other locations approved by the operators that may or may not be equipped with TOTs, but which have agreed to the provisions in Attachment 1; or by mail or email using a MTC-approved card application form and accompanied by copies of documentation that indicates proof of eligibility in accordance with Section 3.2.3. Except for applications submitted by mail or email, all senior citizens applying for senior Clipper® cards must apply in person and present valid identification verifying they meet the minimum age requirement.

Transit operator ticket offices may select from two options that provide a senior Clipper® card to the patron immediately upon submission of a qualifying application: (1) The TOT option requires operator verification of the eligibility of the date of birth, entering the applicant information into the TOT directly, and providing a registered card to the patron. (2) The pre-initialized card issuance option requires the verification of the patron's application and the submission of the completed application to CSB for processing.

4.2.4.3.3 Availability of Registered Cards Configured for the Youth Fare Category

A youth, or his/her representative, may apply for a Clipper® card encoded with his/her birth date at transit operator ticket offices; at in-person customer service centers overseen by MTC and equipped with TOTs; by mail or email; or at a location operated by a third party operating under a written agreement with MTC or a transit operator where the written agreement includes the provisions of Attachment 1. Transit operators and in-person customer service centers will provide Clipper® youth cards on-site upon receipt of qualifying applications and verification of age eligibility. Operators that require personalized youth cards may require additional time to produce the card. These cards will be sent via mail within an acceptable time frame. A youth does not need to appear in-person when acquiring a card configured for the Youth fare category.

CSB may only fulfill requests for new youth cards if the request is made by:

- a. Approved transit operator personnel;
- b. An entity authorized by the operators to receive, review, and approve requests for youth cards (e.g., a school);
- c. In-person customer service center personnel; or
- d. Mail or email using a MTC-approved card application form and accompanied by copies of documentation that indicates proof of eligibility in accordance with Section 3.2.3.

Except for applications submitted by mail or email, an applicant for a card configured for the Youth fare category must appear in person to present approved identification indicating the applicant's age in order to acquire a Clipper® card encoded with the applicant's birth date.

4.2.4.4 Tracking of Registered Youth and Senior Citizen Clipper® Cards

In order to issue a card configured for either the Youth or Senior Citizen fare categories, the authorized Clipper® distributor will need to enter the following information for upload into the card database:

- a. Name of the cardholder for whom the card is being encoded;
- b. Date of birth being encoded on the card, where appropriate;

- c. The address of the cardholder for whom the card is being encoded; and
- d. The type and complete serial number of the document presented as proof of eligibility.

4.2.5 Converting an Unregistered Card to a Registered Card

A cardholder may convert an unregistered card to a registered card through the recording of the cardholder's personal information as described in Section 4.2.4.1.

4.2.6 Proof of Eligibility for Discount Fares

Transit operators may establish additional age verification procedures for determining eligibility for the Youth fare category, subject to the approval of MTC. These may include card personalization or the limitation of specific products to personalized cards.

Per the requirements of the RTC Discount Card Program, persons with disabilities and senior citizens seeking Senior/Disabled (RTC Discount) Cards must demonstrate their eligibility for discounts based on age or disability by submitting a complete RTC Discount Card Application to a participating transit operator, which forwards the applications to the RTC Discount Card Program Central Processor.

Patrons who obtain a Clipper[®] card configured for either the Youth fare category or the Senior Citizen fare category must be prepared to show proof of eligibility when using the card if requested by transit operator personnel.

4.2.7 Personalized Cards

All cards configured for the Senior/Disabled (RTC Discount) fare category will be personalized.

A cardholder may be required to personalize his/her card:

- To participate in certain employer benefit or institutional programs;
- To utilize an operator employee pass; and
- To use a discounted fare product on certain transit operators.

4.2.7.1 Information Required for Card Personalization

The information that a patron must provide in order to receive a personalized card depends on why the patron is receiving a personalized card. A patron requesting a card configured for the Senior/Disabled (RTC Discount) fare category must provide all information required by the policies of the RTC Discount Card Program. For other personalized cards, a patron may be required to provide his/her name, contact information, security question and answer, proof of eligibility for a discount, a photograph, and/or an employee identification number. A cardholder seeking to qualify for a card that enables payment of discount fare other than discounts available to a patron with a Senior/Disabled (RTC Discount) Card must prove the accuracy of his/her personal information according to the policies of the specific discount for which the cardholder is seeking to qualify.

4.2.7.2 Management of Personalized Cards Distributed to Institutional Program Participants

An institutional program may require a patron participating in that program to have a personalized card, subject to the approval of MTC.

4.2.7.3 Availability of Personalized Cards

The availability of personalized cards is limited to qualifying persons.

Personalized cards may be available through distributors that are qualified by the Operators. In some cases, an employer, transit operator, or institution may process requests for personalized cards, though the actual distribution of a personalized card may be through CSB.

4.2.7.3.1 Availability of Cards Configured for the Senior/Disabled (RTC Discount) Fare Category
In accordance with the policies of the RTC Discount Card Program, patrons will submit applications for cards configured for the Senior/Disabled (RTC Discount) fare category through transit operator ticket offices or through the mail for card renewals. The RTC Discount Card Program Central Processor will be responsible for processing applications and verifying the eligibility of applicants for the RTC Discount Card Program. Either the RTC Discount Card Program Central Processor or CSB will distribute the cards directly to patrons.

Patrons who qualify for the RTC Discount Card Program and who qualify to travel with an attendant may request a second card configured for the Senior/Disabled (RTC Discount) fare category for use by the attendant.

4.2.8 Balance Restoration

A patron who either registers his/her card in accordance with Section 4.2.4.1 or is the bearer of a card configured for the Senior/Disabled (RTC Discount) fare category may use the Balance Restoration feature to obtain a replacement of any confirmed remaining value on his/her card if s/he reports his/her card as lost, damaged, or stolen. A patron obtaining a replacement of value from a lost, stolen, or damaged card must acquire a new card and pay any fees, as indicated in Section 4.6.1 of this document. For a cardholder requesting replacement of a lost, stolen, or damaged card configured for the Senior/Disabled (RTC Discount) fare category, the RTC Discount Card Program Central Processor or CSB will restore the balance from the lost, stolen, or damaged card to a replacement card. Neither the RTC Discount Card Program Central Processor nor CSB will not provide a refund of value from a lost, stolen, or damaged card.

4.2.8.1 Requesting a Transfer of Value to a Replacement Card

To request the transfer of value from a lost, damaged, or stolen registered card configured for the Adult, Youth, or Senior Citizen fare categories to a replacement, the cardholder must contact CSB or visit a Clipper® in-person customer service centers overseen by MTC to report that his/her card is lost, damaged, or stolen. CSB or the Clipper® in-person customer service center will require that the cardholder verify his/her identity prior to adding the patron's card to the hotlist and transferring the remaining value on the card to a replacement.

A cardholder requesting replacement of a card configured for the Senior/Disabled (RTC Discount) fare category must request a replacement card in accordance with the rules established by the RTC Discount Card Program. A cardholder requesting replacements of a card configured for the Senior/Disabled (RTC Discount) fare category will receive a replacement card with any remaining value from the lost, stolen, or damaged card.

4.2.9 Card Replacement

The cardholder holds the card at his/her own risk. If the card malfunctions due to no fault of the cardholder within one year of the cardholder first using the card, the cardholder may obtain a replacement card and transfer any confirmed remaining value (e.g., e-cash, transit pass, stored rides, and/or value in the BART High Value Discount E-purse) to the replacement card at no cost to the cardholder.

If CSB or Clipper[®] in-person customer service center determines that a card has been in use for longer than a year, CSB will handle the card replacement as it would the replacement of a damaged card.

4.2.9.1 Requesting Replacement of a Card Suspected of Being Defective

To request a replacement for a card suspected of being defective, a cardholder must submit a completed replacement request form and provide his/her non-functioning Clipper[®] card to CSB or an third-party authorized by MTC to perform this function, e.g. the Clipper[®] in-person customer service centers, for testing. When requesting replacement of a non-functioning card via mail, a cardholder must provide CSB with a valid mailing address, even if the non-functioning card is unregistered.

4.2.10 Replacement of Non-Functioning Cards

4.2.10.1 Defective Cards

If CSB or an authorized third-party determines that a card is defective, CSB or the authorized third-party will issue, at no charge, a replacement card pre-loaded with any confirmed remaining value on the original card.

If CSB receives a card and determines that it is defective after the cardholder has already paid fees for the card replacement and balance restoration, CSB will refund the fees back to the credit/debit card that was used to pay the fees.

4.2.10.2 Other Non-Functioning Cards

If CSB or an authorized third-party determines that a card does not function for a reason other than a defect in the card's hardware or software, the cardholder will be responsible for the replacement of the card.

4.2.11 Blocked Cards and Products

4.2.11.1 Blocking Value Due to Change in Eligibility for Specific Product

For cardholders who receive operator products on the basis of employment with a particular employer or other similar qualifications where an employer or another entity controls eligibility for a particular product (Eco Pass, etc.), the employer or other entity may request that CSB block the product if the cardholder no longer qualifies for the product.

For cardholders who receive operator products on the basis of fare category eligibility (e.g., an agency's youth pass) but who have been determined to be ineligible according to the specific requirements set by the transit agency, the transit agency may request that CSB block the product.

4.3 DISTRIBUTION

4.3.1 Loading E-cash

A cardholder may add e-cash to his/her Clipper[®] card at any time up to the maximum allowable balance of \$300.00. E-cash value does not expire.

4.3.2 Minimum Value Required When Acquiring Clipper[®] Card

As indicated in Section 2.3.2, MTC may establish temporary or permanent policies whereby a cardholder shall be required to load a minimum amount of value when acquiring a Clipper[®] card.

4.3.3 Autoload

4.3.3.1 Value Thresholds for Autoload

When a cardholder subscribes to the Autoload Program, value reloads on the specified card whenever one of the following occurs: (1) the cardholder's e-cash balance falls below \$10.00; (2) the cardholder's transit pass expires; (3) the number of stored rides remaining on the card falls below three; or (4) the balance of the BART High Value Discount E-purse falls below \$10.00.

4.3.3.1.1 Minimum E-cash Value for Autoload

The minimum amount of e-cash that can be loaded via Autoload is \$20.00.

4.3.3.1.2 Maximum E-cash Value for Autoload

The maximum amount of e-cash that can be loaded via Autoload is \$290.00.

4.4 FARES AND PASSES

4.4.1 Application of Fare Discount When Fare Is Paid Using E-cash

When using Clipper[®] e-cash, discounts will be applied at point-of-use not at point of purchase. (Note that this rule does not apply to value loaded to the BART High Value Discount E-purse.)

4.4.2 Expiration of Senior/Disabled (RTC Discount) Cards

Eligibility for the Senior/Disabled (RTC Discount) Card must be renewed at least every three years. A patron's Senior/Disabled (RTC Discount) Card shall be encoded with an expiration date in accordance with the policies of the RTC Discount Card Program so that the bearer may only use the card until 11:59 p.m. on that date, unless the date is extended per the instructions of the RTC Discount Card Program Central Processor. A patron may transfer the e-cash value from an expired card to a valid replacement card.

4.4.3 Operator Employee Passes

When a cardholder presents a card with an Operator Employee pass anywhere other than at the operator where the Operator Employee pass is valid, the card shall be treated as an Adult, Youth, Senior Citizen or Senior/Disabled (RTC Discount) card, as applicable to the cardholder.

4.5 CLIPPER[®] CARD REFUNDS

4.5.1 General Refund Policy

A patron with a functioning unregistered card is not entitled to a refund of his/her confirmed remaining e-cash balance under any circumstances. A patron with a registered card may request a refund of e-cash under the condition that s/he also relinquishes his/her card to CSB.

4.5.2 Exceptions to the General Refund Policy

The following is an exception to the general refund policy described above in Section 4.5.1. The CSB Customer Service Manager will consider such exceptions on a case-by-case basis and consult with designated personnel from the affected transit operator and/or distributor.

A patron may receive a refund of e-cash via remote add value if the system overcharges the patron. For example, if a patron must tag his/her card when exiting a vehicle/station to receive an e-cash credit, and the system overcharges a patron because the CID is not available when the cardholder exits the vehicle/station.

In the cases outlined above, a patron may receive a refund of e-cash value via remote add value. The patron does not need to relinquish his/her card to receive a refund via remote add value.

4.5.3 Responsibility for Processing Refunds

Only CSB will have authorization to process a Clipper[®] card refund. In any case where a refund will affect the funds due to a transit operator, the CSB Customer Service Manager will request authorization to provide a refund from designated personnel from the affected transit operator. The CSB Customer Service Manager will not need to request authorization to provide a refund of e-cash, subject to the limitations in Sections 4.5.1 and 4.5.2 of this document.

4.5.4 Processing of a Refund

CSB will only provide a refund to the person to whom the card is registered.

4.5.4.1 Request for Refund of Products Offered to Participants in Operator-Managed Group/Employer Benefit Programs (Eco Pass, EasyPass, etc.)

A patron may not request a refund of a product offered to participants in operator-managed group/employer benefit programs such as VTA's Eco Pass or the AC Transit EasyPass. CSB may block these products on a patron's card at the request of the cardholder or the operator for which the product is valid, but the patron is entitled to no refund after CSB blocks the product.

4.5.5 Refund of Value Loaded as Pre-Tax Employee Benefit

CSB shall not provide refunds of the value remaining on a card if the bearer of the card previously added value to the card via a pre-tax employee benefit program.

4.5.6 Method of Providing Refunds

Subject to the restrictions described in Section 4.5.5, CSB will provide refunds by the method of payment used to load the value being refunded, where possible. If a patron loads value with cash and then requests a refund, the refund will be provided by check. If a patron requests a refund of value loaded using multiple methods of payment, the refund will be provided by check.

4.6 CARDHOLDER FEES

4.6.1 Schedule of Cardholder Fees

The following nonrefundable fees may be charged to Clipper[®] cardholders. MTC may waive these fees at its discretion with the exception of fees set by transit operators in accordance with Section 3.6.1 of this document.

The Clipper[®] program does not govern the fees for RTC Discount cards. The administrative fees associated with RTC Discount cards will be set by the Operators participating in the RTC Discount Card Program.

Description	Fee
Card Acquisition for Standard Adult Cards	\$3
Card Acquisition for Special/Limited Edition/Commemorative Adult Cards	TBD
Card Acquisition for Senior Citizen Card	\$0
Card Acquisition for Youth Card	\$0
Card Replacement and Balance Restoration*	\$5
Failed Autoload Authorization	\$5**
Administrative Fee for Card Refund Processing	\$5

* CSB will not assess this fee for a cardholder requesting balance restoration for the Senior/Disabled (RTC Discount) fare category.

** CSB will assess this fee on the second occasion that an Autoload funding source associated with a patron's card is declined and on every occasion thereafter.

4.6.2 Card Replacement and Balance Restoration Fee

Each time a patron reports a card as lost, stolen, or damaged and requests the transfer of value from the lost, stolen, or damaged card to a new card, CSB will charge a single fee covering both Card Replacement and Balance Restoration as indicated in Section 4.6.1 of this document.

Transit operators will not assess this fee for a cardholder requesting balance restoration for a card configured for the Senior/Disabled (RTC Discount) fare category.

4.6.3 Transit Benefit Program Administrative Fees

Third-party transit benefit programs that enable patrons to request Clipper[®] value through a website interface may charge patrons up to \$2 per month when a patron arranges to purchase Clipper[®] value on an ongoing basis through the benefit program's website. Neither MTC nor the transit operators are responsible for collecting this fee; revenue generated by this fee is not payable either to MTC or the transit operators.

4.6.4 Payment of Cardholder Fees

CSB shall not deduct value from the e-cash balance on a patron's card in order to pay a fee. Patrons acquiring cards at third party distributors and transit operator ticket offices may use any form of payment accepted by the distributor or transit operator.

4.6.5 Waiving of the Card Acquisition Fee for Patrons Who Register for Autoload or Receive Value through an Institutional Program

The card acquisition fee will be waived for patrons who acquire a card and simultaneously either submit a completed Autoload application or arrange to receive value on an ongoing basis through an Institutional Program.

4.6.6 Waiving of the Cardholder Fees during Promotional Periods and/or for Marketing Purposes

The card acquisition and balance restoration fees may be waived during promotional periods. The process for establishing promotions is described in Section 4.11.2.

4.6.7 Waiving of Fees at the Discretion of the CSB Customer Services Manager

The CSB Customer Services Manager may waive fees described above in Section 4.6.1 on a case-by-case basis at his/her discretion. As indicated in Section 2.4.1 of this document, MTC shall monitor the waiving of fees by the CSB Customer Services Manager.

4.7 CARDHOLDER CONFIDENTIALITY

4.7.1 Cardholder Data

All aggregate information and data relating to cardholders collected by the Fare Payment System shall be used by MTC and the operators for the purposes of the operation and management of the Fare Payment System (“FPS”) and shall serve as a source of information and data for transit and/or related services, in general, but information about individual cardholders shall be dealt with in a confidential manner unless:

- a. MTC obtains the express written consent of the cardholder;
- b. The patron indicates at the point of card registration that s/he would like to receive Clipper[®]/transit-related information from CSB, MTC and/or their partners; and/or
- c. There is legal requirement to the contrary.

4.8 DISTRIBUTION AND FARE PAYMENT DEVICE NETWORK MANAGEMENT

There are three classes of configuration data (CD) – daily (hotlists and action lists), fare-related (e.g., fare tables) and administrative (e.g., operator names, route names, location names, product names, and calendar).

4.8.1 Daily CD

CSB shall download daily CD automatically. No pre-authorization by operators is required.

4.8.2 Fare-Related CD

After completing internal testing of a pending fare-related CD release, CSB shall issue detailed release notes and schedule time for MTC and/or the operators to witness testing of the release in the CSB test-bed. MTC or CSB shall propose a deployment date and request operators to authorize the fare-related CD download. Operators shall not unreasonably withhold such authorization, particularly when the release is intended to implement a required fare change.

4.8.3 Administrative CD

After completing internal testing of a pending Administrative CD release, CSB shall issue detailed release notes and notify operators of the intended deployment date. No pre-authorization by operators is required.

4.9 DATA COLLECTION AND REPORTING

4.9.1 Data Communications Links

Operators will have full access to Clipper[®] usage data that is collected by Clipper[®] devices installed at their facilities or on their vehicles.

4.10 CLIPPER[®] FINANCIAL SETTLEMENT AND RELATED SERVICES

4.10.1 Add Value Transactions

Add value transactions can occur at distribution devices (AVMs, TOTs, TransLink[®] Retail Units, Ticket Vending Machines, and CIDs). The distribution devices provide for direct sales of Clipper[®] products and the CIDs provide for fulfillment of Autoload and remote add value transactions.

If a missing add value transaction does not appear within a 21-day window, the associated gap is resolved through identification of the amount of missing value, and the participants that collected funds and are due funds for the missing transaction. This information is identified using previous add value transaction history data that is stored on the card and is transmitted along with every subsequent transaction following an add value. The associated funds are automatically moved between the appropriate parties as a part of daily settlement and the gaps are closed, as follows:

- a. The party responsible for collecting cash for the sale of Clipper[®] value will be debited during settlement; and
- b. The party due reimbursement for the sale of Clipper[®] value will be credited during settlement.

Information regarding settlement of recovered add value transactions will be available on the next business day. CSB will notify transit operators of any anomalies in add value transaction gaps, should they occur.

If duplicate add value data for a gap is not available, and the original transaction cannot be recovered, e-cash gaps shall be resolved through standard gaps processing. The amount of the gap shall be determined through the examination of pre-gap and post-gap transactions, and moved from the Participant Claim Fund (“PCF”) account to the Float account when the gap is closed.

An operator may file a grievance for disputes related to settlement of missing add value transactions in accordance with the procedures set forth in Section 4.10.8.

4.10.2 Missing Transactions

CSB processes all transaction records for settlement at the end of each calendar day. While most transactions are settled on the day they occur there are instances that result in missing transactions:

- Transactions stored on mobile devices that do not connect to the Clipper[®] wireless network on the day transactions occur;
- Equipment failure or destruction of devices from external causes; or

- Any other situation resulting in transaction records not being received by the CCS, either temporarily or permanently.

4.10.3 Fare Payment Transactions and the Participant Claim Fund

The CCS creates transaction gaps for missing fare payment transactions. Fare payment transaction gaps then remain “at large” on the gap list for 21-days to allow sufficient time for most late transactions to appear. If missing transactions appear within the 21-day window, they will be a part of daily settlement on that date, and the associated transaction gaps will be closed automatically.

The only funds directly associated with fare payment transaction gaps will be e-cash funds initially accounted for in the Float Account. During the 21-day period that these gaps are on the gaps list, these funds would remain in the Float Account. If missing transactions appear within the 21-day window, they would be settled out of the Float Account as if they had appeared on the date the transaction occurred.

If a fare payment transaction gap is not closed by the appearance of missing transactions within the 21-day window, the transaction gap will be automatically “expired” by removal from the gaps list. Any e-cash value associated with the gap will then be moved automatically from the Float Account to a special Clipper® account known as the Participant Claim Fund (“PCF”), as described in Section 4.10.4 below.

If missing transactions appear after the 21-day window has passed, they will not be included with daily settlement. The associated transaction gaps will have expired and the corresponding funds will be in the PCF. These funds will no longer be available for daily settlement, and the funds will be disbursed in accordance with Section 4.10.4.

Note that the fare payment transaction “gap” process is only applicable to e-cash fare payment transactions. There is no financial processing of monthly pass, stored ride or High Value Discount purse fare payment transaction, since these do not directly affect settlement.

4.10.4 Disbursement of the Participant Claim Fund

The PCF will hold all e-cash funds associated with fare payment transaction gaps that have been expired from the system. Allocation of PCF funds will be based on operator-based claims and system-based claims. Operators may file claims on the PCF at any time. While valid operator-based claims will be settled first, system-based claims are expected to be the primary method for fund disbursement.

- With the exception of disbursements for operator-based claims, no disbursement from the PCF shall be made until the PCF meets or exceeds \$20,000, and no system-based disbursements shall be made that would reduce the PCF below a minimum balance of \$10,000.
- Disbursements from the PCF for system-based claims or for any remaining PCF value shall be made monthly, when justified.

PCF disbursement is based on the following sequential process.

a. Settle all valid operator-based claims against the PCF

Operator-based claims provide a means to recover value if either a complete loss of Clipper® data has occurred or an operator experiences a significant single-day data discrepancy between transaction and audit register data. It is not anticipated that operator-based claims will be filed frequently. See Section 4.10.5 for a detailed description of operator-based claims.

b. Settle all system-based claims - balance discrepancies between audit register and transaction data

System-based claims will account for net discrepancies between the aggregate e-cash fare payment value recorded by device audit registers and the aggregate e-cash fare payment value settled through transaction data. CSB will calculate the net system-based claim to be credited or debited to each operator, as appropriate, according to the following formula:

$$(\$ \text{ Value of Audit Register}) - (\$ \text{ Value of Transaction Data}) = \text{Credit/Debit to Transit Operator}$$

c. Disbursement of remaining PCF value

After funds have been distributed from the PCF in accordance with Steps 1 and 2 above, any remaining value will be split among the operators based on the percentage of total e-cash business borne by each operator for that period, in accordance with the revenue allocation policies set forth in the *Clipper® Memorandum of Understanding*:

$$\text{Operator Disbursement} = \frac{\text{Value of Single Operator E-cash Business}}{\text{Value of Total E-cash Business}} \times \text{Remaining PCF Balance}$$

Calculation of the above distributions will occur sequentially and take into account the available funds in the PCF. Net PCF distribution will occur via one manual adjustment to each operator's settlement position. The table in Section (a) below summarizes the PCF disbursement process.

a. PCF Settlement Process

	Parties	Funding	Determination Basis
1. Settlement of Operator-Based Claims	Appropriate transit operators	a) Full funding, if available. Otherwise: b) Pro-rata based on all valid claims filed.	All validated claims filed since the previous distribution.
2. Settlement of System-Based Claims	Appropriate transit operators	a) Full funding, if available. Otherwise: b) Pro-rata based on total end-of-quarter discrepancies.	Discrepancies between audit register and transaction data
3. Remaining PCF Value	All transit operators	Any remaining PCF fund balance in excess of \$10,000.	Distribution based on the split of e-cash business among transit operators for the previous quarter.

Transit operators may file a grievance in accordance with the procedures set forth in Section 4.10.8 for any adjustments they believe have been made or omitted in error.

4.10.5 Claims

As indicated in Section 2.7.2 of this document, MTC shall oversee all claim investigation and assessment, although an operator may participate at its option. An operator may also be requested to assist under certain circumstances.

No claims will be entertained if transit operators fail to comply with the above procedures in furnishing supporting documentation.

4.10.6 Operator-Based Claims Against the Participant Claim Fund

Transit operators may only submit claims for reimbursement of transactions for:

- a. A total loss of both transaction and audit data records due to failure or damage of front-end devices;
- b. Other system failures resulting in such data loss (e.g., non-recoverable TDS failure); or
- c. A single business day discrepancy between transaction and audit records greater than 0.10% of the single business day overall totals received from all the devices of a transit operator (see below).

$$\text{Discrepancy level = (in \%)} = \frac{\text{One-Day Total Transaction Value from all Audit Registers} - \text{One-Day Total Transaction Value from Transaction Records}}{\text{Total Transaction Value from All Audit Registers}} \times 100$$

4.10.6.1 Claims Processing

Claims will be processed as follows:

- a. Operator files a claim with MTC.
- b. MTC reviews the claim and then forwards it to CSB.
- c. CSB investigates claim. If necessary, CSB may request additional documentation or assistance from the operator.
- d. If the claim is substantiated, CSB settles funds.
- e. If the claim is not substantiated, CSB advises operator.

Claims against the PCF will only be paid for missing fare payment transaction data. Clipper[®] data will be the only form of substantiating fare payment data considered in validation of claim amounts.

4.10.7 Adjustments

Transactions impacting a transit operator's financial position, and occurring outside the context of daily transaction processing and settlement, will be actioned by manual adjustments. Adjustments will be used to settle out-of-balance conditions and claims, correct for missing add value transactions, and rectify other miscellaneous financial discrepancies. Affected transit operators will be notified in advance of any adjustments.

4.10.8 Disputes

Transit operators may file grievances for missing add value and/or fare payment transactions if they are not satisfied with the settlement results. Grievances for missing transactions shall not be considered until the standard settlement processes outlined in Sections 4.10.1 and 4.10.5 have been completed. MTC and operators shall resolve all disputes in accordance with the *Clipper[®] Memorandum of Understanding*.

4.11 MARKETING

4.11.1 Card Design Features

All Clipper[®] cards, with the exception of limited use cards, shall contain the following basic elements:

- a. A unique serial number;
- b. The Clipper[®] logo;
- c. A reference to the Clipper[®] Cardholder Agreement;
- d. The address of the Clipper[®] website; and
- e. The Clipper[®] Customer Service Center telephone number(s).

Other elements that may be included are as follows:

- f. Cardholder photo, cardholder name, and/or company name for some personalized cards;
- g. The RTC Discount Card program logo for some personalized cards;
- h. Advertisements, if either MTC or an operator (applies to limited use cards only) has entered into business arrangements for advertising on the card;
- i. “Special Services” account numbers, if MTC enters into special business relationships with commercial entities that require the ability to place additional information on the card; and
- j. “Special graphics,” if MTC chooses to issue collector cards.

4.11.1.1 Limited Use Tickets

Clipper[®] limited use tickets shall contain the following basic elements:

- a. A unique serial number; and
- b. The Clipper[®] logo.

4.11.2 Card Giveaway Promotions

To promote the availability of Clipper[®] and encourage use of the Clipper[®] card, MTC shall set aside up to 80,623 Clipper[®] cards for use as part of marketing promotions. The promotions may include waiving of the cardholder fees described in Section 4.6.1. The 80,623 cards shall be divided among the Operators as shown below with the expectation that each agency will use its allotment of Clipper[®] cards to encourage use of Clipper[®] in its service area. The number of cards available for use as part of marketing promotions does not include cards distributed to patrons at no charge in accordance with Section 4.6.5.

Agency	Number of Clipper [®] Cards Available for Marketing Promotions ²	
	Previous Allocation	Updated 2011 Allocation
AC Transit	25,250	0
BART	40,361	39,361
Caltrain	2,900	0
Golden Gate Transit	100	0
SamTrans	6,990	0
San Francisco MTA	49,500	0
VTA	19,429	18,859
Other Operators	9,632	9,632
Additional Cards for Future Needs	12,771	12,771
Total	176,933	80,623

Operators shall notify MTC about all planned promotions. MTC shall monitor the timing of any promotion approved under this section to ensure maintenance of a sufficient inventory of Clipper[®] cards.

² The TransLink[®] Phase II Operating Rules allowed for a total of 225,000 cards to be available for use as part of marketing promotions. Prior to June 1, 2011, operators distributed cards as part of marketing promotions that reduced the total number of cards available to 80,623.

5. GLOSSARY OF TERMS

ACH

See Automated Clearinghouse.

ADD VALUE MACHINE

A distribution device that enables cardholders to both load value to a Clipper[®] card and check the balance of a Clipper[®] card.

ADJUSTMENT

The process of modifying the settlement amount for any given settlement period for a specific transit operator due to an out-of-balance condition or claim.

APPLICATION ISSUER

Any single entity or a joint entity of multiple parties that own and distribute any specific application that may be resident solely or jointly with other applications, on a smart card. MTC is the Clipper[®] Application Issuer in the Region.

AUTOLOAD

By registering for the Autoload Program, a cardholder enables an automatic reload of value to his/her card. Clipper[®] cards can automatically be loaded with the fare type of a cardholder's choosing whenever the e-cash balance becomes low or a transit pass or stored ride book is due for renewal. The cardholder designates a bank account or credit card as the funding source.

AUTOMATED CLEARINGHOUSE

The process by which funds are moved between participants in the Clipper[®] Program (see Funds Movement).

AVM

See Add Value Machine.

BALANCE RESTORATION

This optional feature enables a cardholder with a registered card to obtain a replacement of any confirmed remaining value on his/her card if his/her card is lost, stolen, or damaged.

BLOCKED CARD

A card that is rendered inactive by the Clipper[®] Service Bureau. To block a card, the Clipper[®] Service Bureau will add the card to the Hotlist.

CARD

The card is the Clipper[®] smart card licensed to cardholders to pay transit fares on select transit systems. The card is the property of MTC, the Card Issuer. Each card is uniquely identified by a serial number printed on the back of the card.

CARD DISTRIBUTION

The process of moving Clipper[®] cards from Issuers to card distributors and from card distributors to cardholders.

CARD DISTRIBUTOR

A transit operator or third-party that vends Clipper[®] cards.

CARDHOLDER

A patron who has a Clipper[®] card. A card that has been registered to an individual or personalized is not transferable and can only be used by the person identified in the Clipper[®] fare payment system and/or on the card itself.

CARD ISSUER

The Card Issuer is responsible for the operation and maintenance of the Clipper[®] fare payment system in which the value stored on the Card can be used as payment for certain services and/or goods provided or supplied by the transit agencies participating in the Clipper[®] fare payment system.

CARD INTERFACE DEVICE (CID)

The device that allows Clipper[®] cards to be read and encoded via the contactless interface that is used for fare payments.

CCS

See Clipper[®] Central System.

CD

See Configuration Data.

CERTIFIED OPERATOR PERSONNEL

Those who have successfully completed the Clipper[®] Contractor training program delivered by the Clipper[®] Contractor and/or operator trainers.

CID

See Card Interface Device.

CLAIM

A formal, written statement filed by an operator with the Clipper[®] Contract Manager to dispute the accuracy of the settlement process (e.g., when an operator believes that the amount due to the agency is greater than the Clipper[®] settlement process has determined).

CLIPPER[®] CENTRAL SYSTEM (CCS)

The back-end computer system that performs functions related to the management of third party distributors, card based management, network management, settlement, reporting, customer service, and asset management of the Clipper[®] System.

CLIPPER® CONTRACTOR

The party selected as a result of the TransLink® (Clipper®) Request for Best and Final Offer (“BAFO”) that has entered into the Contract to design, build, operate and maintain the Clipper® system (i.e., Cubic Transportation Systems).

CLIPPER® SERVICE BUREAU (CSB)

The Clipper® Service Bureau is operated by the Clipper® Contractor, an agent of the Card Issuer. CSB’s responsibilities include, but are not limited to: providing information, fulfilling card requests, handling requests to add value to cards, processing orders for optional features, and managing reports of lost or stolen cards.

CONFIGURATION DATA (CD)

Data that is sent to a device to configure its functionality (e.g., system settings).

DAMAGED CARD

A card that, while in the possession of a cardholder, has been rendered physically inoperable due to causes outside of the Clipper® Contractor’s control.

DATA COLLECTION

The process of moving the data captured at the point-of-use to the Clipper® Central System.

DATA RECONCILIATION

The process of checking Clipper® records for accuracy.

DEFECTIVE CARDS

A card that fails to operate properly because of a manufacturing or design problem within one year of the card’s being first used by a patron.

DISTRIBUTION DEVICE

The general term for terminals and devices for both vending of Clipper® cards and the loading of Clipper® cards. Distribution devices include attended and unattended terminals.

DISTRIBUTOR

A general term that refers to any party that either vends Clipper® cards or provides value loads.

ELECTRONIC CASH (E-CASH)

An electronic record maintained on a Clipper® card that represents a cash value that may be used as payment for transit at any participating transit operator.

EMPLOYER PROGRAMS

A method of distributing cards and value to cardholder through a financial subsidy by employers for travel on one or more operators’ fixed route services. A cardholder must register his/her card to participate in an employer program.

FIRST LINE MAINTENANCE

This level of maintenance includes:

- Routine equipment checks;
- Resolution of minor operational problems such as dollar bill jams and card dispensing jams;
- External equipment cleaning;
- Internal component cleaning and lubrication (distribution devices only);
- Running diagnostics tests;
- Removal and replacement of depot maintenance devices and modules; and
- Labor for scheduled replacement of devices and modules.

FUNDS MOVEMENT

The transfer of funds between participants in the Clipper[®] program. Funds movement must be accomplished by a settlement bank designated for that purpose. This is a separate process from financial settlement.

FUNDS POOL

The central account into which Clipper[®] revenues are deposited. Payments to transit operators for Clipper[®] services they provide are made from this account.

INSTITUTIONAL PROGRAMS

Institutional Programs include government agencies, schools/universities, or employers that provide funding for value on one or more cards by establishing an account with the Clipper[®] Service Bureau.

LOAD

The function of adding e-cash, a period pass, or a number of stored rides to a Clipper[®] card.

METROPOLITAN TRANSPORTATION COMMISSION (MTC)

The transportation planning, financing and coordinating agency for the nine-county San Francisco Bay Area. Under SB 1474, MTC is charged with coordinating and consolidating transit services in the Bay Area; Clipper[®] is one aspect of MTC's regional transit coordination program.

OPERATOR

Transit agency participating in Clipper[®].

PERSONALIZED CARD

A card with distinguishing physical features, such as a printed name and/or photograph of the cardholder. A personalized card may be registered or unregistered.

PERSONALLY IDENTIFIABLE INFORMATION

Personally identifiable information ("PII") is any information that is collected or maintained by a transit operator that identifies or describes a person or can be directly linked to a specific individual, including that individual's account. Examples of PII include name, address, phone or

fax number, signature, date of birth, Clipper[®] account number, and travel pattern data (i.e. a registered user's travel routes and times traveled).

REGISTERED CARD

A card where the Issuer knows the identity of the cardholder, but the card does not necessarily have physically distinguishing characteristics.

SETTLEMENT

The process of determining the funds between participants in the Clipper[®] program.

STORED RIDE

An electronic record maintained on a Clipper[®] card that permits one ride on a specific transit operator. Multiple active stored rides may be present on a single Clipper[®] card for different transit operators.

THIRD PARTY DISTRIBUTOR

Any party other than a transit operator and the Contractor that acts as a Clipper[®] distributor.

TICKET OFFICE TERMINAL (TOT)

A device located on the premises of a participating operator or authorized third party where a person may acquire a Clipper[®] card, load value to a card, register a card, and customize the language and audio features.-

UD

See usage data.

UNREGISTERED CARD

Cards where the identity of the cardholder is not known to the Card Issuer.

USAGE DATA (UD)

Generic term for data generated within the system, which includes data captured by the devices in the Clipper[®] system when patrons use a Clipper[®] card.

6. ATTACHMENT 1

6.1.1 Special Conditions Regarding Personally Identifiable Information:

Operator will have access to personally identifiable information (“PII”) in connection with the performance of its Clipper[®] Program responsibilities and activities. PII is any information that is collected or maintained by Operator that identifies or describes a person or can be directly linked to a specific individual, including that individual’s account. Examples of PII include name, address, phone or fax number, signature, date of birth, Clipper[®] card serial number, or travel pattern data (i.e., a registered user’s travel routes and times travelled). The following special conditions relate to the confidentiality and use of Clipper[®]-related PII by Operator

1. Right to Audit

Operator shall permit MTC and its authorized representatives to audit and inspect: (i) Operator’s facilities where PII is stored or maintained; (ii) any computerized systems used to share, disseminate or otherwise exchange PII; and (iii) Operator’s security practices and procedures, data protection, business continuity and recovery facilities, resources, plans and procedures.

2. General Confidentiality of PII

All PII made available to or independently obtained by an operator in connection with the Clipper[®] Program shall be protected by Operator from unauthorized use and disclosure through the observance of the same or more effective procedural requirements as are applicable to MTC in its privacy policy (Executive Director’s Management Memorandum No. 323). This includes, but is not limited to, the secure transport, transmission and storage of data used or acquired in the performance of Operator’s responsibilities and activities for the Clipper[®] Program.

Operator agrees to properly secure and maintain any computer systems (hardware and software applications) that it will use in the performance of its Clipper[®] Program responsibilities and activities. This includes ensuring all security patches, upgrades, and anti-virus updates are applied as Operator deems appropriate to secure PII that may be used, transmitted, or stored on such systems in the performance of Operator’s Clipper[®] Program responsibilities and activities.

Operator agrees to retain the PII of a Clipper[®] customer for no longer than four years and six months after the customer’s account is closed or terminated. At the conclusion of this retention period, Operator agrees to use Department of Defense (“DoD”) approved software to wipe any disks containing PII. Hard drives and computers shall be reformatted and reimaged in an equivalently secure fashion. Operator agrees to destroy hard-copy documents containing PII by means of a cross-cut shredding machine.

4. Compliance with Statutes and Regulations

Operator agrees to comply with the information handling and confidentiality requirements outlined in the California Information Practices Act (Civil Code sections 1798 *et.seq.*). In

addition, Operator warrants and certifies that in the performance of its responsibilities and activities for the Clipper® Program, it will comply with all applicable statutes, rules, regulations and orders of the United States, the State of California, and MTC relating to the handling and confidentiality of PII and agrees to indemnify MTC against any loss, cost, damage or liability by reason of Operator's violation of this provision.

4. Consultants/Contractors

MTC approval in writing is required prior to any disclosure by Operator of PII to a consultant/contractor or prior to any work to be done by consultant/contractor that entails receipt of PII. Once approved, Operator agrees to require such consultant/contractor to sign an agreement in substantially identical terms as this attachment, binding the consultant/contractor to comply with its provisions.

5. Operator Guarantees

Operator shall not, except as authorized or required by its duties by law, reveal or divulge to any person or entity any PII which becomes known to it in connection with the Clipper® Program.

Operator shall keep all PII entrusted to it completely secret and shall not use or attempt to use any such information in any manner inconsistent with or not contemplated by these Operating Rules.

Operator shall comply, and shall cause its employees, representatives, agents and contractors/consultants to comply, with such directions as MTC may make to ensure the safeguarding or confidentiality of all its resources.

If requested by MTC, Operator shall sign an information security and confidentiality agreement provided by MTC and attest that its employees, representatives, agents, and contractors involved in the performance of its responsibilities and activities in connection with the Clipper® Program shall be bound by terms of a confidentiality agreement with Operator substantially the same in its terms.

6. Notice of Security Breach

Operator shall immediately notify MTC when it discovers that there may have been a breach in security which has or may have resulted in compromise to PII. For purposes of this section, immediately is defined as within two hours of discovery. The MTC contact for such notification is as follows:

Privacy Officer
privacyofficer@mtc.ca.gov
(510) 817-5700