

Metropolitan Transportation Commission

April 26, 2023

Agenda Item 11b - 23-0473

Metropolitan Transportation Commission (MTC) Resolution No. 4516, Revised FY 2022-23 Overall Work Program (OWP) Amendment No. 2

Subject:

Staff requests approval of Metropolitan Transportation Commission (MTC) Resolution No. 4516, Revised, for the MTC FY 2022-23 Overall Work Program (OWP), Amendment No. 2. This amendment programs the final allocations of the Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) transportation planning funds and revises revenue and expense line items.

Background:

The Overall Work Program (OWP) is an annual or biennial statement of work identifying the planning priorities and activities to be carried out within a metropolitan planning area. At a minimum, an OWP includes a description of the planning work and resulting products, who will perform the work, time frames for completing the work, the cost of the work, and the source(s) of funds. Metropolitan Planning Organizations (MPOs) are required to develop an OWP to govern work programs for the expenditure of Federal Highway Administration (FHWA), Federal Transit Administration (FTA), and State planning funds pursuant to Title 23 Code of Federal Regulations (CFR) 450.308(b). The Metropolitan Transportation Commission (MTC), as the federally designated MPO for the nine-county San Francisco Bay Area region, annually develops and maintains the OWP, which is the principal document governing the budget, allocation, and use of federal and state transportation planning funds.

Financial Impact:

The OWP is subject to periodic adjustments resulting from changes in activities, scope of work, transportation planning tasks and deliverables as well as revisions to revenues and expenses during the fiscal year. The proposed FY 2022-23 OWP Amendment No. 2 includes apportionment adjustments of Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) transportation planning funds.

The initial FY 2022-23 FHWA Planning (PL) grant award was \$9,713,542 and the revised amount is \$9,604,012, resulting in an overall (\$109,530) decrease. The initial FY 2022-23 FTA 5303 grant award was \$3,628,612 and the revised amount is \$4,641,057, resulting in an overall increase of \$1,012,445. The final revised funding allocations are programmed under work element 1122 (Analyze Regional Data Using Geographic Information System (GIS) and Planning Models) and work element 1125 for Bipartisan Infrastructure Law (BIL) "Complete Streets" for related consultant and staff costs, respectively.

An electronic version of the FY 2022-23 OWP, Amendment No. 2, can be reviewed at the following link: <https://mtc.ca.gov/about-mtc/administrative-requirements/overall-work-program-owp>

Recommendation:

Staff recommends that the Commission approve MTC Resolution No. 4516, Revised, MTC FY 2022-23 Overall Work Program (OWP) Amendment No. 2.

Attachments:

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

A handwritten signature in black ink, reading "Andrew B. Fremier". The signature is written in a cursive style with a large initial "A".

Andrew B. Fremier

Date: April 27, 2022
W.I.: 1121
Revised: 10/26/22-C
04/26/23-C

ABSTRACT

Resolution No. 4516, Revised

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

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

Amendment No. 2 to the FY 2022-23 OWP is revised to include apportionment adjustments of Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) transportation planning funds.

The initial FY 2022-23 FHWA Planning (PL) grant award was \$9,713,542 and the revised amount is \$9,604,012, resulting in an overall (\$109,530) decrease. The initial FY 2022-23 FTA 5303 grant award was \$3,628,612 and the revised amount is \$4,641,057, resulting in an overall increase of \$1,012,445. The final revised funding allocations are programmed under work element 1122 (Analyze Regional Data Using Geographic Information System (GIS) and

Planning Models) and work element 1125 for Bipartisan Infrastructure Law (BIL) "Complete Streets" for related consultant and staff costs, respectively.

Further discussion of the OWP is contained in the MTC Administration Committee Summary Sheet dated April 13, 2022 and the Commission Summary Sheets dated October 26, 2022 and April 26, 2023.

Date: April 27, 2022
W.I.: 1121
Revised: 10/26/22-C
04/26/23-C

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

METROPOLITAN TRANSPORTATION COMMISSION
RESOLUTION NO. 4516

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

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

WHEREAS, the MTC has articulated goals and objectives for the region's transportation system through its current Regional Transportation Plan (RTP)/Sustainable Communities Strategy (SCS) entitled Plan Bay Area 2050, which was adopted in October 2021; and

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

WHEREAS, an Overall Work Program (OWP) for planning activities in the Bay Area for FY 2022-23 has been prepared by the MTC, the Association of Bay Area Governments, the California Department of Transportation (Caltrans), the Federal

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

WHEREAS, the OWP for Fiscal Year 2022-23 includes Caltrans' Overall Work Program for the fiscal year to achieve the goals and objectives in the MTC's Regional Transportation Plan (RTP); and

WHEREAS, the MTC's Administration Committee has reviewed and referred approval of the OWP for FY 2022-23; and

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

WHEREAS, the MTC desires to apply for and execute one or more agreements with the California Department of Transportation (DOT) for a grant(s) to aid in the financing of the MTC's Overall Work Program for fiscal year 2022-23; now, therefore, be it

RESOLVED, that the MTC does hereby adopt the FY 2022-23 OWP, which authorizes the programming for approximately \$22 million in transportation funds and , attached hereto as Attachment A to this Resolution and incorporated herein as though set forth at length; and be it further

RESOLVED, that the Metropolitan Transportation Commission (MTC) shall monitor, direct, and update the OWP as necessary during Fiscal Year 2022-23 and shall incorporate any amendments into appropriate supplements to the OWP; and be it further

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

RESOLVED, that the Executive Director or designee is authorized to execute and file with such application assurances or other documentation requested by DOT of the MTC's compliance with applicable federal statutory and regulatory requirements; and be it further

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

METROPOLITAN TRANSPORTATION COMMISSION

Alfredo Pedroza, Chair

The above resolution revising and superseding the Resolution approved on April 27, 2022 was entered into by the Metropolitan Transportation Commission at a regular meeting of the Commission held in San Francisco, California and at other remote locations on April 26, 2023.

Date: April 27, 2022
W.I.: 1121
Revised: 10/26/22-C
Revised: 04/26/23-C

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

Attachment B
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In accordance with 23 CFR part 450, the California Department of Transportation and the Metropolitan Transportation Commission (MTC), the designated Metropolitan Planning Organization for the San Francisco Bay Area urbanized area(s), hereby certify that the transportation planning process is being carried out in accordance with all applicable requirements including:

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

Date: April 27, 2022
W.I.: 1121
Referred by: Administration Committee
Revised: 10/26/22-C
Revised: 04/26/23-C

Attachment C
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Attachment C includes all amendments and supplements to the FY 2022-23 Overall Work Program for Planning Activities in the San Francisco Bay Area. Copies are on file at the MTC offices.

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

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