



METROPOLITAN
TRANSPORTATION
COMMISSION

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Memorandum

TO: Administration Committee

DATE: November 2, 2016

FR: Deputy, Executive Director Policy

RE: Amendment #1 to the FY2016-17 ABAG Funding Agreement to Extend through March 31, 2017 (\$950,000)

Following the May action by the Commission and the Association of Bay Area Governments (ABAG) Executive Board to support full functional consolidation of ABAG and MTC staff and the consideration of new governance options, staff began conducting due diligence in accordance with the approved Implementation Action Plan. The due diligence – financial, legal and human resource analyses – will inform the development of the contract for services, which will provide for adequate staffing and support for all of ABAG’s statutory duties and responsibilities as the Bay Area’s Council of Governments. The current schedule calls for consideration of the contract by MTC and the ABAG Executive Board in January 2017 with the staff consolidation to occur soon thereafter.

Funding Agreement Amendment to Support ABAG Planning through Staff Consolidation

Since the current MTC-ABAG funding agreement expires on December 31, 2016, staff is proposing a short-term extension of that agreement through March 31, 2017 so that we have sufficient time to complete the contract for services and transition the ABAG employees to MTC service. The original agreement amount of \$1.9 million and the proposed \$950,000 for the three-month extension is detailed below:

Funding Sources	Current Agreement	Amount of Amendment	Total Agreement Amount
General Fund/TDA Planning	\$650,000	\$325,000	\$975,000
FTA 5303 (Toll Credit)	\$128,565	\$64,282	\$192,847
FHWA PL (Toll Credit)	\$557,793	\$278,897	\$836,690
STP	\$563,642	\$281,821	\$845,463
Total	\$1,900,000	\$950,000	\$2,850,000

Staff is not proposing any revision to general scope of work for FY 2016-17 as approved in June 2016 and outlined in Attachment A.

In addition, we propose to include a “standstill” provision in the funding extension under which ABAG would covenant and agree to: 1) seek input and concurrence from MTC before amending or participating in the amendment of any of the governance documents pertaining to any of the ABAG enterprises and; 2) seek input and concurrence from MTC before filling any vacant staff positions. The standstill provision would commence immediately upon signature and continue in effect until the contract for services is executed.

Staff requests that the Administration Committee refer the funding agreement amendment with ABAG to the full Commission as detailed in Attachment A.



Alix A. Bockelman

AAB:ab

Attachments

REQUEST FOR COMMISSION APPROVAL

Summary of Proposed Funding Agreement Amendment

Work Item No.: 1611

Agency: Association of Bay Area Governments
San Francisco, CA

Work Project Title: FY 2016-17 ABAG/MTC Funding Agreement

Purpose of Project: To provide planning, research and administrative/facility services.

Brief Scope of Work: To coordinate with MTC to conduct certain comprehensive planning and technical activities and products that support the planning functions of both agencies, with special emphasis on the completion of Plan Bay Area 2040 and the implementation of Plan Bay Area, and to prepare and implement an integrated work plan for the agencies' joint research, planning and administrative functions. Add Standstill language to assist with completion of due diligence and completion of the contract for services.

Project Cost Not to Exceed: \$2,850,000 (\$1.9 million before this amendment)

Funding Source:

Funding Sources	Current Agreement	Amount of Amendment
General Fund/TDA Planning	\$650,000	\$325,000
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Total	\$1,900,000	\$950,000

Fiscal Impact: Funds are included in the proposed MTC Agency Budget for FY2016-17.

Motion by Committee: That the Executive Director or his designee is authorized to negotiate and enter into an amendment to the funding agreement with the Association of Bay Area Governments to perform comprehensive planning, research and administrative/ facility services activities in FY 2016-16 from January 1 through March 31, 2017, and the Chief Financial Officer is authorized to set aside funds from the FY 2016-17 Agency Budget for this amendment in the amount of \$950,000.

Commission: [Not to be signed until Commission Approval]

Dave Cortese, Chair

Approved: Date: November 16, 2016