

**Metropolitan Transportation Commission
Administration Committee**

November 13, 2019

Agenda Item 2f

**Funding Agreement Supplement with BART– FTA 5304 Strategic Partnerships Grant for
BART Metro 2030 and Beyond (\$466,559)**

Subject: This item requests Committee approval to enter into a funding agreement supplement with the San Francisco Bay Area Rapid Transit District (BART). Supplement 2 would amend the existing Master Funding Agreement with BART, in an amount not to exceed \$466,559 over the period from November 2019 to June 2022.

Background: In May 2019, MTC (with BART as a sub-recipient) was awarded an FTA 5304 Strategic Partnerships grant of amount \$466,559 for the project “BART Metro 2030 and Beyond”. Additional information on the specific planning study can be found in **Attachment A**.

To advance work funded by this grant, MTC submitted an Overall Work Program (OWP) amendment to Caltrans, which was approved by the MTC Commission on September 25, 2019. A new Work Element number 1520 was established for this purpose. The signed resolution can be found in **Attachment B**. MTC is currently awaiting a Notice to Proceed from Caltrans.

The grant will be passed through to BART as a supplement (Supplement 2) to the existing Master Funding Agreement with BART. Pursuant to this supplement, MTC agrees to provide four hundred sixty-six thousand, five hundred and fifty-nine dollars (\$466,559) in FTA 5304 Strategic Partnerships Transit funds to BART to fund the “BART Metro 2030 and Beyond” project. This supplement includes the project scope of work and estimated budget and payment provisions.

Issues: None

Recommendation: Staff recommends that this Committee authorize the Executive Director or designee to approve Supplement 2 to the Master Funding Agreement with BART in an amount not to exceed \$466,559 to fund the “BART Metro 2030 and Beyond” project.

Attachments: Attachment A: Grant Letter from Caltrans to MTC and BART
Attachment B: MTC Resolution No. 4370, Revised

Therese W. McMillan

REQUEST FOR COMMITTEE APPROVAL

Summary of Proposed Funding Agreement Supplement

Work Item No.:	1520
Recipient:	San Francisco Bay Area Rapid Transit District (BART)
Work Project Title:	BART Metro 2030 and Beyond
Purpose of Project:	The proposed project will produce future BART service plans, focusing on 2030, and an associated prioritized capital project list (such as new storage facilities and bypass tracks) that would fully leverage planned system investments while improving operational efficiency and maximizing ridership.
Brief Scope of Work:	Analyze emerging population and job trends, prepare updated BART service plan scenarios and identify prioritized capital improvements; develop strategies; advance public engagement; scenario analysis and simulation/evaluation; identify implementation approach.
Project Cost Not to Exceed:	\$466,559
Funding Source:	FTA 5304 Strategic Partnerships Grant
Fiscal Impact:	None, pass-through grant
Motion by Committee:	That the Executive Director or designee is authorized to approve the Supplement 2 to the Master Funding Agreement, pursuant to which MTC agrees to provide \$466,559 in FTA 5304 Strategic Partnerships Grant funds to fund the BART Metro 2030 project, as described above and in the Administration Committee Summary Sheet dated November 13, 2019.
Administration Committee:	<hr/> Federal D. Glover, Chair
Approved:	Date: November 13, 2019

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Attachment B: MTC Resolution No. 4370, Revised



Therese W. McMillan

Administration Committee

Agenda Item 2f - Attachment A

STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY

Gavin Newsom, Governor

DEPARTMENT OF TRANSPORTATION

DIVISION OF TRANSPORTATION PLANNING

P.O. BOX 942874, MS-32
SACRAMENTO, CA 94274-0001
PHONE (916) 654-2596
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*Making Conservation
a California Way of Life.*

May 17, 2019

Ms. Therese McMillan
Executive Director
Bay Area Metropolitan Transportation Commission
375 Beale Street, Suite 800
San Francisco, CA 94105

Dear Ms. McMillan:

On behalf of the California Department of Transportation (Caltrans), Division of Transportation Planning, I am pleased to offer my congratulations to the Bay Area Metropolitan Transportation Commission for the recent award of the following transportation planning grant:

Federal Transit Administration, Section 5304 - Strategic Partnerships	
Grant Fiscal Year (FY)	2019-20
Grant Title	BART Metro 2030 and Beyond
Grantee	Bay Area Metropolitan Transportation Commission
Sub-Recipient	Bay Area Rapid Transit District
Grant Award	\$466,559
Local Match	\$63,000
Total Project Amount	\$529,559
Grant Expiration	June 30, 2022 - time extensions are not allowed
Final Invoice Due	August 30, 2022

Conditions of Grant Acceptance

Grant work cannot begin until all Conditions of Grant Acceptance have been satisfied. To assist with this process, Caltrans District staff will schedule a teleconference with your agency to discuss the conditions below, as well as other project revisions that may be necessary to accept grant funding. Please submit the below items to Caltrans District 4 no later than November 1, 2019. Failure to satisfy these conditions will result in the forfeiture of grant funds.

1. Coordinate with Caltrans District Planning staff to make necessary revisions to the Grant Application Cover Sheet, Scope of Work, and Project Timeline. Initial review of these documents require the following revisions:

"Provide a safe, sustainable, integrated and efficient transportation system to enhance California's economy and livability"

- The grant requested amount of \$485,000 was reduced to \$466,000 to remain within the Grant Program budget. Revise the Scope of Work, Project Timeline, and Grant Application Coversheet, to reflect the reduced grant award.
 - Revise the Grant Application Cover Sheet to identify staff time from BART in the Local Match - In-Kind field.
 - Revise the Scope of Work Task 4.2, Public Engagement, to include a thorough discussion and details including the types of strategies that will be employed, how the public will be notified of meetings, as well as how many and where they will be located.
 - Revise the Project Timeline to ensure the required 11.47 percent local match will be satisfied with every Request for Reimbursement/invoice.
2. If requesting reimbursement for indirect costs, these costs must be included in the grant Scope of Work and Project Timeline. An Indirect Cost Allocation Plan (ICAP) must be submitted to Caltrans Audits and Investigations. Instructions for submitting an ICAP are available at the following webpage: <http://dot.ca.gov/audits/>
3. If utilizing third-party in-kind contributions to satisfy the minimum local match requirement, a Third-Party In-kind Valuation Plan must be completed. These contributions consist of goods and services donated from outside the grantee's agency (examples: donated printing, facilities, interpreters, equipment, advertising, staff time, and other goods or services). A Third-Party In-kind Valuation Plan Checklist and sample can be found at the following webpage: <http://www.dot.ca.gov/hq/tpp/offices/orip/Grants/grants.html>
4. Submit a formal Amendment for the current Fiscal Year (FY) Overall Work Program (OWP) and OWP Agreement (OWPA). The OWP/OWPA formal amendment must include the OWPA, OWP Budget Summary and a standalone Work Element. These three items must show consistent funding information for the grant project and include the full grant and local match amounts. The Work Element name and number must remain the same until the project is completed.

Next Steps

Once the District has approved all items required to fulfill the Conditions of Grant Acceptance, the following steps will need to occur:

- Once the OWP/OWPA formal amendment is processed, Caltrans District staff will send a Notice to Proceed letter. Grant work cannot begin until this letter is received by the grantee.
- Caltrans District staff will schedule a grant kick-off meeting with Caltrans staff and the grantee.
- Grant administrative requirements:
 - Quarterly Progress Reports (a brief narrative of completed project activities)

Ms. Therese McMillan

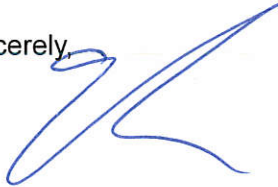
May 17, 2019

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- Request for Reimbursements/invoices (RFRs) at least quarterly, but no more than monthly.
- Local match commitments in the amount shown above, including any local match amount above the minimum amount that is required with every RFR/invoice.
- Caltrans Headquarters staff will contact you to submit the required Disadvantaged Business Enterprise (DBE) forms and semi-annual report. Information on DBE requirements can be found at the following webpage:
<http://www.dot.ca.gov/hq/tpp/offices/orip/DBE/DBE.html>
- All work must be completed by June 30, 2022. However, we encourage all work to be completed by February 28, 2022, to allow Caltrans enough time to comply with the State Controller's Office payment requirements that need to occur before the FY ends.
- Final RFR/invoice and final product due no later than August 30, 2022. Again, we encourage final RFRs to be submitted by April 28, 2022, to allow Caltrans enough time to comply with the State Controller's Office payment requirements that need to occur before the FY ends. The final RFR/invoice will not be processed by Caltrans until the final product is submitted.
- For your convenience, a toolbox to aid you during this process is located at the following webpage: <http://www.dot.ca.gov/hq/tpp/offices/orip/Grants/grants.html>

If you have questions concerning the Grant Program requirements or these funds, please contact, Becky Frank, Caltrans District 4 at (510) 286-5536 or Jelani Young, Caltrans Headquarters Liaison at (916) 651-6889.

Sincerely,



ERIN THOMPSON

Chief, Office of Regional Planning

c: Alix Bockelman, Deputy Executive Director, Policy, Bay Area Metropolitan Transportation Commission

William Velasco, Acting, Senior Transportation Planner, Caltrans District 4

Becky Frank, Senior Transportation Planner, Caltrans District 4

Jelani Young, Associate Transportation Planner, Caltrans Headquarters

Ed Philpot, Senior Environmental Planner, Caltrans Headquarters

Administration Committee
Agenda Item 2f - Attachment B

Date: May 22, 2019

W.I.: 1152

Referred by: Administration Committee

Revised: 09/25/19-C

ABSTRACT

MTC Resolution No. 4370, Revised

This resolution approves MTC's Overall Work Program (OWP) for transportation planning activities in the nine-county San Francisco Bay Area for FY 2019-20, certifies that the planning process of the Metropolitan Transportation Commission (MTC) is in conformance with the applicable joint metropolitan transportation planning and programming regulations of the U.S. Department of Transportation (DOT), and authorizes MTC's Executive Director to apply for and execute agreements with the DOT for grants to aid in the financing of the OWP.

Attachment C to the resolution was revised on September 25, 2019 to add two new grants and a final SB1 allocation of \$64,013. The two new grants are: a new SB1 Adaptation Planning grant for State Route 37 Resilient Corridor Program for Marin and Sonoma Counties for \$500,000 and an FTA 5304 Strategic Partnerships grant for BART Metro 2030 and Beyond for \$466,559.

Further discussion of the OWP is contained in the Cover Memorandum dated May 8, 2019 and the Administration Committee Summary Sheet dated September 4, 2019.

Re: Overall Work Program for Fiscal Year 2019-20, Certification of Compliance with Requirements of Federal Metropolitan Transportation Planning and Programming Regulations, and Authorization to Apply for and Execute Agreements for Federal Grants.

METROPOLITAN TRANSPORTATION COMMISSION

RESOLUTION NO. 4370

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

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

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

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

WHEREAS, an Overall Work Program (OWP) for planning activities in the Bay Area for FY 2019-20 has been prepared by MTC, the Association of Bay Area Governments, the California Department of Transportation (Caltrans), the Federal Highway Administration (FHWA), and the Federal Transit Administration (FTA); and

WHEREAS, the OWP for Fiscal Year 2019-20 includes Caltrans' Unified Work Program for the fiscal year to achieve the goals and objectives in MTC's Regional Transportation Plan (RTP); and

WHEREAS, MTC's Administration Committee has reviewed and recommended adoption of the OWP for FY 2019-20; and

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

WHEREAS, MTC desires to apply for and execute one or more agreements with the United States Department of Transportation (DOT) for a grant(s) to aid in the financing of MTC's Overall Work Program for fiscal year 2019-20; now, therefore, be it

RESOLVED, that MTC does hereby adopt the FY 2019-20 OWP and proposed budget therein, attached hereto as Attachment A to this Resolution and incorporated herein as though set forth at length; and be it further

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

RESOLVED, that MTC's Administration Committee shall monitor, direct, and update the OWP as necessary during Fiscal Year 2019-20 and shall incorporate any amendments into appropriate supplements to the OWP; and be it further

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

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

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

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

METROPOLITAN TRANSPORTATION COMMISSION



Scott Haggerty, Chair

The above resolution was entered into by
the Metropolitan Transportation Commission
at a regular meeting of the Commission
held in San Francisco, California on May 22, 2019

Date: May 22, 2019
W.I.: 1152
Referred by: Admin

Attachment A
Resolution No. 4370
Page 1 of 1

Attachment A is the FY 2019-20 Overall Work Program for Planning Activities in the San Francisco Bay Area. Copies are on file at the MTC library.

In accordance with 23 CFR 450.334 and 450.218, and the Fixing America's Surface Transportation Act (the "FAST Act"), Metropolitan Transportation Commission ("MTC"), the Metropolitan Planning Organization for the San Francisco Bay Area, hereby certifies that the transportation planning process is addressing the major issues in the metropolitan planning area, and is being conducted in accordance with all applicable requirements, including:

- (1) 23 U.S.C. 134 and 135, 49 U.S.C. 5303 and 5304, and Part 450 of Subchapter E of Chapter 1 of Title 23 of the Code of Federal Regulations;
- (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, or age 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: May 22, 2019
W.I.: 1152
Referred by: Admin
Revised: 09/25/19-C

Attachment C
Resolution No. 4370
Page 1 of 1

Attachment C includes all amendments and supplements to the FY 2019-20 Overall Work Program for Planning Activities in the San Francisco Bay Area. Copies are on file at the MTC offices.

Amendment No. one to the FY2019-20 OWP adds a new SB1 Adaptation Planning grant in the amount of \$500,000 for State Route 37 Resilient Corridor Program for Marin and Sonoma Counties and an FTA 5304, grant for BART Metro 2030 and Beyond in the amount of \$466,559, as well as a final SB1 allocation of \$64,013.