

Metropolitan Transportation Commission Administration Committee

April 14, 2021

Agenda Item 3b - 21-0473

MTC Resolution No. 4458

FY 2021-22 Overall Work Program (OWP), Planning Certification, and Authorization for Execution of Agreements for Federal and State Planning Grants

Subject: A request that the Committee refer MTC Resolution No. 4458 to the Commission for approval.

Background: Resolution No. 4458 would approve MTC's Overall Work Program (OWP) for transportation planning activities in the nine-county San Francisco Bay Area for FY 2021-22, certify 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 authorize MTC's Executive Director to apply for and execute agreements with the DOT for grants to aid in the financing of the OWP.

The Fixing America's Surface Transportation Act (FAST Act) calls for the development of the OWP by the federally designated Metropolitan Planning Organization (MPO). MTC, as the federally designated MPO for the nine-county San Francisco Bay Area region, annually develops and maintains the OWP. The OWP is the principal document governing the budget, allocation, and use of federal and state transportation planning funds in the nine-county San Francisco Bay Area region.

The Draft FY 2021-22 OWP is developed in consultation and coordination with the region's transit operators, congestion mitigation agencies (CMAs), the Association of Bay Area Governments, Caltrans, the Federal Highway Administration (FHWA), and the Federal Transit Administration (FTA). The Draft FY 2021-22 OWP includes Caltrans' Unified Work Program and transportation and air quality related planning activities proposed for the nine-county San Francisco Bay Area region for the state fiscal year July 1, 2021 to June 30, 2022.

The Draft FY 2021-22 OWP incorporates the California Planning Emphasis Areas (PEAs) developed by Caltrans for California MPOs, as listed below:

- Core Planning Functions
- Performance Management
- State of Good Repair

On December 2, 2020 MTC held the annual OWP Planning meeting with FHWA, FTA and Caltrans. The meeting attendees discussed the FY 2021-22 OWP; highlights of the discussion included the following:

- FY 2020-21 activities carried over to FY 2021-22

- New activities in FY 2021-22
- New activities with FY 2021-22 Senate Bill 1 (SB1) Sustainable Communities formula grant funds
- FY 2021-22 milestones to be accomplished.
- Performance based planning and programming activities
- Planning impacts due to Coronavirus Disease (COVID-19)
- Currently, there are no FY 2021-22 Federal Planning Emphasis Areas (PEAs). When FHWA, FTA, and Caltrans provide the Federal PEAs, MTC will prepare a formal amendment for the OWP.

Assumptions that were included in the FY 2021-22 OWP include:

- SB1 funding amount is the same as the current year's resolution approved amount.

MTC staff provided the OWP for review to Caltrans, FHWA and FTA in March 2021. MTC staff incorporated the comments received from the state and federal agencies in this final Draft FY 2021-22 OWP, as appropriate.

Attached for your review and consideration for referral to the Commission is MTC Resolution No. 4458, which includes the following actions:

- Approves the final OWP for FY 2021-22
- Authorizes the programming of approximately \$20.1 million in FY 2021-22 transportation planning funds as follows:

FY 2021-22 FTA 5303	\$ 4,093,241
FY 2020-21 FTA 5303 Estimated Carry Over (C/O)	1,861,764
FY 2019-20 FTA 5304 - BART Metro C/O	466,559
FY 2020-21 FTA 5304 Rail Partnership Estimated C/O	400,000
FY 2021-22 FHWA Planning (PL)	8,271,690
FY 2020-21 FHWA PL Estimated C/O	775,700
FY 2020-21 FHWA State Planning and Research (SP&R)	500,000
FY 2020-21 SB1 Formula Funds C/O	40,000
FY 2019-20 SB1 Formula Funds C/O	177,060
FY 2020-21 SB1 State Highway Account (SHA) C/O	539,534
FY 2021-22 SB1 Formula Funds	2,106,140
FY 2021-22 SB1 Adaptation Planning	400,000
FY 2019-20 SB1 Adaptation Planning C/O	493,000
Total	\$ 20,124,688

- Ensures that MTC has enough Toll Credits for a match by programming estimated carryover, which will not be spent until completion of the audit and the reconciliation of the final expenditures are approved by Caltrans. (Toll Credits are used as a “soft match” substitute for the non-federal share of most highway

and public transportation projects, reducing the burden on states and freeing funding for other transportation projects).

- Certifies that MTC's planning process will be implemented in accordance with applicable statutes and regulations; and
- Authorizes the Executive Director or her designee to apply for grants and execute agreements to secure federal and other funds for transportation planning activities in FY 2021-22.

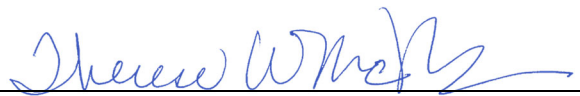
In addition to the transportation planning funds authorized in Resolution No. 4458, the MTC Budget Summary table included in the FY 2021-22 OWP contains operating and capital projects and funding.

Commission approval is the first step in authorizing the FY 2021-22 expenditure of federal and state funds. Following approval by the Commission, Caltrans will review and approve the OWP, which must then be included in the MTC Operating budget for FY 2021-22

An electronic version of the FY 2021-22 OWP can be reviewed at the following link: <https://mtc.ca.gov/overall-work-program-owp>

Recommendation: Staff recommends that the Committee refer MTC Resolution No. 4458 to the Commission for approval.

Attachments: MTC Resolution No.4458 – Overall Work Program


Therese W. McMillan

Date: April 28, 2021
W.I.: 1152
Referred by: Administration Committee

ABSTRACT

MTC Resolution No. 4458

This resolution approves MTC's Overall Work Program (OWP) for transportation planning activities in the nine-county San Francisco Bay Area for FY 2021-22, 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.

Re: Overall Work Program for Fiscal Year 2021-22, 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. 4458

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 2021-22 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 2021-22 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 2021-22; 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 2021-22; now, therefore, be it

RESOLVED, that MTC does hereby adopt the FY 2021-22 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 2021-22 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 designee is authorized to execute and file with such application assurances or other documentation requested by DOT of

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

RESOLVED, that the Executive Director or designee is authorized to make administrative changes to the grant application(s) 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 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 28, 2021.

Date: April 28, 2021
W.I.: 1152
Referred by: Administration Committee

Attachment A
Resolution No. 4458
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Attachment A is the FY 2021-22 Overall Work Program for Planning Activities in the San Francisco Bay Area. Copies are on file at the MTC library.

Attachment B
Resolution No. 4458
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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: April 28, 2021
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Attachment C
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Attachment C includes all amendments and supplements to the FY 2021-22 Overall Work Program for Planning Activities in the San Francisco Bay Area. Copies are on file at the MTC offices.