

1 [Grant of Federal Funds.]

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3 **Resolution authorizing the Municipal Transportation Agency to accept and expend**
4 **\$24,502,500 of Federal Section 5309 New Starts Capital Assistance for the Third Street-**
5 **Phase II - Central Subway project, excluding administrative overhead costs.**

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7 WHEREAS, The Secretary of Transportation is authorized to make monies available
8 for mass transportation projects under the Safe, Accountable, Flexible Efficient Transportation
9 Equity Act- A Legacy for Users (SAFETEA-LU); and

10 WHEREAS, The Municipal Transportation Agency (MTA) of the City and County of San
11 Francisco, is an eligible claimant for New Starts capital assistance under Section 5309 of
12 SAFETEA-LU; and

13 WHEREAS, The grant contract for financial assistance will impose certain obligations
14 on the applicant, including providing the local share of project costs; and

15 WHEREAS, The local share of project costs will be provided separately using a variety
16 of state, regional and local fund sources, which may include State transportation funds, bridge
17 toll funds, Transit Impact Development Fees, San Francisco Municipal Railway fare revenue,
18 San Francisco Municipal Railway Improvement Corporation funds and/or sales tax revenue
19 administered by the San Francisco County Transportation Authority; and

20 WHEREAS, The U.S. Department of Transportation (DOT) requires that in connection
21 with the filing of an application for federal assistance, the applicant give an assurance that it
22 will comply with Title VI of the Civil Rights Act of 1964 and the U.S. Department of
23 Transportation requirements implementing that Act; and

24 WHEREAS, It is the goal of the applicant that disadvantaged business enterprises
25 (DBEs) be utilized to the fullest extent possible in connection with this project, and that

1 definitive procedures shall be established and administered, consistent with federal law, to
2 ensure that DBEs be utilized to the fullest extent possible and shall have the maximum
3 possible opportunity to compete for contracts, supplies, equipment contracts, or consultant
4 and other services; and

5 WHEREAS, Congress has earmarked funding in SAFETEA-LU for a national program
6 of projects using Section 5309 New Starts capital assistance; and

7 WHEREAS, The Third Street Phase II-- Central Subway project, included in the
8 national program, is a high priority San Francisco project; and

9 WHEREAS, There is no allowance for indirect costs; and

10 WHEREAS, The Executive Director/CEO of the MTA (or his designee) must execute
11 agreements to complete transfer of the funds; now, therefore, be it

12 RESOLVED, That on behalf of the City and County of San Francisco, the MTA is
13 authorized to accept and expend \$24,502,500 of Section 5309 New Starts program funding
14 for design and construction of the Third Street Phase II - Central Subway project; and, be it

15 FURTHER RESOLVED, That the Board of Supervisors waives inclusion of indirect
16 costs in the grant budget; and, be it

17 FURTHER RESOLVED, That the MTA is authorized to furnish whatever additional
18 information or assurances that might be requested by the funding agencies in connection with
19 this request; and, be it

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1 FURTHER RESOLVED, That the MTA is authorized to execute any and all agreements
2 necessary to complete transfer of the funds

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4 **RECOMMENDED:**

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7 GAVIN NEWSOM
8 Mayor

EDWARD HARRINGTON
Controller

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10 NATHANIEL P. FORD, SR.
11 Executive Director/CEO

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