

1 [Accept and Expend Grant - OneBayArea Grant Program - \$17,026,221]

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3 **Resolution retroactively authorizing the filing of an application for funding assigned to**
4 **the Metropolitan Transportation Commission (MTC); committing any necessary**
5 **matching funds; stating assurance to complete the projects; and authorizing the**
6 **Department of Public Works to accept and expend \$17,026,221 in OneBayArea Grant**
7 **Program funds awarded through the MTC for the period of December 1, 2013, through**
8 **December 30, 2016.**

9 WHEREAS, The Department of Public Works (DPW) is submitting an application to the
10 Metropolitan Transportation Commission (MTC) for \$17,026,221 in funding assigned to MTC
11 for programming discretion, including but not limited to federal funding administered by the
12 Federal Highway Administration (FHWA) such as Surface Transportation Program (STP)
13 funding, Congestion Mitigation and Air Quality Improvement (CMAQ) funding and/or
14 Transportation Alternatives (TA) funding (herein collectively referred to as REGIONAL
15 DISCRETIONARY FUNDING) for the

- 16 1. Longfellow Safe Routes to School Project;
- 17 2. ER Taylor Safe Routes to School Project;
- 18 3. Chinatown Broadway Phase IV Street Design Project;
- 19 4. Second Street Streetscape Improvement Project;

20 (herein referred to as PROJECTS) for the OneBayArea Grant Program (herein referred
21 to as PROGRAM); and

22 WHEREAS, The Moving Ahead for Progress in the 21st Century Act (Public Law 112-
23 141, July 6, 2012) and any extensions or successor legislation for continued funding
24 (collectively, MAP 21) authorize various federal funding programs including, but not limited to
25 the Surface Transportation Program (STP) (23 U.S.C. § 133), the Congestion Mitigation and

1 Air Quality Improvement Program (CMAQ) (23 U.S.C. § 149) and the Transportation
2 Alternatives Program (TA) (23 U.S.C. § 213); and

3 WHEREAS, State statutes, including California Streets and Highways Code 182.6 and
4 182.7 provide various funding programs for the programming discretion of the Metropolitan
5 Planning Organization (MPO) and the Regional Transportation Planning Agency (RTPA); and

6 WHEREAS, Pursuant to MAP-21, and any regulations promulgated thereunder, eligible
7 project sponsors wishing to receive federal funds for a project shall submit an application first
8 with the appropriate MPO for review and inclusion in the MPO's Transportation Improvement
9 Program (TIP); and

10 WHEREAS, MTC is the MPO and RTPA for the nine counties of the San Francisco Bay
11 region; and

12 WHEREAS, MTC has adopted a Regional Project Funding Delivery Policy (MTC
13 Resolution No. 3606, revised) that sets out procedures governing the application and use of
14 federal funds; and

15 WHEREAS, MTC Resolution No. 4035 established the OneBayArea Grant (OBAG)
16 Program as the MTC's framework for programming federal surface transportation funds,
17 which delegated program management and project selection to the county congestion
18 management agencies (CMAs) for OBAG program projects for Bicycle and Pedestrian
19 Improvements, Local Streets and Roads Preservation, Safe Routes to Schools, and
20 Transportation of Livable Communities; and

21 WHEREAS, DPW is an eligible sponsor for REGIONAL DISCRETIONARY FUNDING;
22 and

23 WHEREAS, The San Francisco County Transportation Agency (SFCTA), which is the
24 CMA for San Francisco County, solicited applications for \$35,016,000 in federal funds under
25 the OBAG program; and

1 WHEREAS, The Department of Public Works (DPW) has applied to the SFCTA and
2 received approval for four projects to receive \$17,026,221 in federal funds under the OBAG
3 program:

- 4 1. Longfellow Safe Routes to School Project (\$670,307);
- 5 2. ER Taylor Safe Routes to School Project (\$519,631);
- 6 3. Chinatown Broadway Phase IV Street Design Project (\$5,320,537);
- 7 4. Second Street Streetscape Improvement Project (\$10,515,746); and

8 WHEREAS, Each of the projects requires a local match, which DPW plans to program
9 as follows:

- 10 1. Longfellow Safe Routes to School Project (\$86,846 in Prop K sales tax funds);
- 11 2. ER Taylor Safe Routes to School Project (\$67,324 in Prop K sales tax funds);
- 12 3. Chinatown Broadway Phase IV Street Design Project (\$701,886 in Prop K sales
13 tax funds and \$650,000 in Prop AA funds);
- 14 4. Second Street Streetscape Improvement Project (\$758,427 in Prop K sales tax
15 funds and \$604,000 in Prop K/Regional Bicycle and Pedestrian Program Swap
16 funds); and

17 WHEREAS, As part of the application for REGIONAL DISCRETIONARY FUNDING,
18 MTC requires a resolution adopted by the responsible implementing agency stating the
19 following:

- 20 1. the commitment of any required matching funds; and
- 21 2. that the sponsor understands that the REGIONAL DISCRETIONARY FUNDING
22 is fixed at the programmed amount, and therefore any cost increase cannot be
23 expected to be funded with additional REGIONAL DISCRETIONARY FUNDING;
24 and

- 1 3. that the project will comply with the procedures, delivery milestones and funding
2 deadlines specified in the Regional Project Funding Delivery Policy (MTC
3 Resolution No. 3606, revised); and
- 4 4. the assurance of the sponsor to complete the project as described in the
5 application, subject to environmental clearance, and if approved, as included in
6 MTC's federal Transportation Improvement Program (TIP); and
- 7 5. that the project will comply with all project-specific requirements as set forth in
8 the PROGRAM; and

9 WHEREAS, The grants do not require an ASO amendment; and

10 WHEREAS, The grant budgets include provision for indirect costs totaling \$3,186,781;

11 now, therefore, be it

12 RESOLVED, That DPW is authorized to execute and file an application for funding for
13 the PROJECTS for REGIONAL DISCRETIONARY FUNDING under MAP-21 for continued
14 funding; and, be it

15 FURTHER RESOLVED, That DPW by adopting this resolution does hereby state that:

- 16 1. DPW will provide \$2,868,482 in non-federal matching funds; and
- 17 2. DPW understands that the REGIONAL DISCRETIONARY FUNDING for these
18 projects is fixed at the MTC-approved amount, and that any cost increases must
19 be funded by DPW from other funds, and that DPW does not expect any cost
20 increases to be funded with additional REGIONAL DISCRETIONARY
21 FUNDING;
- 22 3. DPW understands the funding deadlines associated with these funds and will
23 comply with the provisions and requirements of the Regional Project Funding
24 Delivery Policy (MTC Resolution No. 3606, as revised) and DPW has, and will
25 retain the expertise, knowledge, and resources necessary to deliver federally-

1 funded transportation projects, and has assigned, and will maintain a single
2 point of contact for all FHWA-funded transportation projects to coordinate within
3 the agency and with the respective Congestion Management Agency (CMA),
4 MTC, Caltrans, and FHWA on all communications, inquiries, or issues that may
5 arise during the federal programming and delivery process for all FHWA-funded
6 transportation projects implemented by DPW;

7 4. PROJECTS will be implemented as described in the complete application and in
8 this resolution, subject to environmental clearance, and, if approved, for the
9 amount approved by MTC and programmed in the federal TIP;

10 5. DPW and the PROJECTS will comply with the requirements set forth in MTC
11 programming guidelines and project selection procedures for the PROGRAM;
12 and, be it

13 FURTHER RESOLVED, That DPW is an eligible sponsor of REGIONAL
14 DISCRETIONARY FUNDING-funded projects; and, be it

15 FURTHER RESOLVED, That DPW is authorized to submit an application for
16 REGIONAL DISCRETIONARY FUNDING for the PROJECTS; and, be it

17 FURTHER RESOLVED, That there is no legal impediment to DPW making applications
18 for the funds; and, be it

19 FURTHER RESOLVED, That there is no pending or threatened litigation that might in
20 any way adversely affect the proposed PROJECTS, or the ability of DPW to deliver such
21 PROJECTS; and, be it

22 FURTHER RESOLVED, That DPW authorizes its Director or his or her designee to
23 execute and file an application REGIONAL DISCRETIONARY FUNDING for the PROJECTS
24 as referenced in this resolution; and, be it

1 FURTHER RESOLVED, That a copy of this resolution will be transmitted to the MTC in
2 conjunction with the filing of the application; and, be it

3 FURTHER RESOLVED, That MTC is requested to support the PROJECTS described
4 herein and to include the PROJECTS, if approved, in MTC's federal TIP; and, be it

5 FURTHER RESOLVED, That DPW is authorized to accept and expend \$17,026,221
6 through the MTC's OneBayArea Grant (OBAG) Program; and, be it

7 FURTHER RESOLVED, That the Director of Public Works or his or her designee is
8 authorized to execute all documents pertaining to the project with Caltrans.

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Recommended:

Approved: _____

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Mayor

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Mohammed Nuru

Approved: _____

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Director of Public Works

Controller

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