

1 [Grants Federal Funds.]

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3 **Resolution authorizing the Municipal Transportation Agency Board to retroactively**  
4 **accept retroactively and expend \$1,093,110 of Federal Earmarked Capital Assistance**  
5 **for Construction of the Metro East Light Rail Maintenance facility, excluding**  
6 **Administrative Overhead Costs.**

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8 WHEREAS, The Secretary of Transportation is authorized to make monies available  
9 pursuant to the Transportation Equity Act for the 21st Century (TEA 21) for mass  
10 transportation projects; and

11 WHEREAS, The Municipal Transportation Agency Board, City and County of San  
12 Francisco, is an eligible claimant for FTA capital assistance projects pursuant to Section 5309  
13 of the Transportation Equity Act for the 21st Century; and

14 WHEREAS, The grant contract for financial assistance will impose certain obligations upon  
15 the applicant, including the provision by it of the local share of project costs; and

16 WHEREAS, The local share of project costs will be funded separately using a variety of  
17 sources which may include State of California Proposition 116 Bond Funds, Regional Bridge  
18 Toll Net Revenues, San Francisco Municipal Railway Improvement Corporation Funds and/or  
19 San Francisco County Transportation Sales Taxes; and

20 WHEREAS, It is required by the U.S. Department of Transportation in accordance with  
21 the provisions of Title VI of the Civil Rights Act of 1964, that in connection with the filing of an  
22 application for federal assistance, the applicant give an assurance that it will comply with Title  
23 VI of the Civil Rights Act of 1964 and the U.S. Department of Transportation requirements  
24 thereunder; and

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1           WHEREAS, It is the goal of the applicant that disadvantaged business enterprises be  
2 utilized to the fullest extent possible in connection with this project, and that definitive  
3 procedures shall be established and administered to ensure that disadvantaged businesses  
4 shall have the maximum possible opportunity to compete for contracts, supplies, equipment  
5 contracts, or consultant and other services; and

6           WHEREAS, Congress has earmarked funding in the Transportation Equity Act for the  
7 21st Century for a national program of projects using Section 5309 capital assistance; and

8           WHEREAS, This Municipal Railway project, included in the national program, is a high  
9 priority San Francisco project; and

10          WHEREAS, The MTA Director of Transportation (or his designee) must execute  
11 agreements to complete transfer of the funds; and

12          WHEREAS, The project costs are estimated as follows:

13           - Construction/Purchase/Consultant Contracts	\$1,093,110
14           - In-House Design/Project Management/Rehabilitation	0
15           - Indirect Costs	<u>0</u>
16 <b>Total Project Cost</b>	<b>\$1,093,110</b>

17 now, therefore, be it

18          RESOLVED, That the Municipal Transportation Agency Board is authorized to execute  
19 and file an application on behalf of the City and County of San Francisco with the United  
20 States Department of Transportation to aid in this capital assistance project pursuant Section  
21 5309 program funding; and, be it

22          FURTHER RESOLVED, That the Municipal Transportation Agency Board is authorized  
23 to execute and file with such application an assurance or any other document required by the  
24 United States Department of Transportation effectuating the purpose of Title VI of the Civil  
25 Rights Act of 1964; and, be it

1 FURTHER RESOLVED, That the Municipal Transportation Agency Board is authorized  
2 to retroactively accept and expend \$1,093,110 in federal FTA Section 5309 capital assistance  
3 for the Metro East Light Rail Maintenance Facility; and, be it

4 FURTHER RESOLVED, That the Municipal Transportation Agency Board is authorized  
5 to furnish whatever additional information might be requested by the funding agencies in  
6 connection with this request; and, be it

7 FURTHER RESOLVED, That the MTA Director of Transportation (or his designee) is  
8 authorized to execute any and all agreements necessary to complete transfer of the funds;  
9 and, be it

10 FURTHER RESOLVED, That the Municipal Transportation Agency Board is authorized  
11 to set forth and execute affirmative disadvantaged business policies in connection with the  
12 project's procurement needs.

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14 **RECOMMENDED:**

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WILLIE L. BROWN, JR.  
Mayor

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EDWARD HARRINGTON  
Controller

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