

1 [Accept and Expend Grant - Department of Public Works - \$417,339]

2 **Resolution authorizing the Department of Public Works (DPW) to apply for, accept and**
3 **expend \$417,339 in federal American Recovery and Reinvestment Act of 2009 (ARRA)**
4 **Transportation Enhancement funds for the Corbin Place Stair Replacement Project.**

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6 WHEREAS, Metropolitan Transportation Commission (MTC), the Metropolitan Planning
7 Organization (MPO) for the nine counties of the San Francisco Bay region, has made
8 \$417,339 in cost savings from the federal American Recovery and Reinvestment Act of 2009
9 (ARRA) available for reprogramming; and

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11 WHEREAS, These funds are designated for Transportation Enhancement projects
12 such as pedestrian and bicycle facilities; and

13 WHEREAS, The ARRA funds will cover 100 percent of eligible costs as defined by the
14 Federal Highway Administration and administered by Caltrans; and,

15 WHEREAS, The Department of Public Works (DPW) has designed a pedestrian facility
16 project, the Corbin Place Stair Replacement, that is estimated to cost \$450,000, and that is
17 ready to meet the deadlines for timely use of ARRA funds; and

18 WHEREAS, DPW plans to use proceeds from Certificates of Participation to fund the
19 remaining \$32,661 cost of the Corbin Place Stair Replacement project; and

20 WHEREAS, Pursuant to ARRA, and any regulations and/or guidance promulgated
21 thereunder, eligible project sponsors wishing to receive ARRA funds for a project shall submit
22 an application first with the appropriate MPO, for review and inclusion in the MPO's
23 Transportation Improvement Program (TIP); and

24 WHEREAS, DPW is an eligible project sponsor for ARRA funds; and
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1 WHEREAS, MTC requires a resolution adopted by the responsible implementing
2 agency stating that:

- 3 1. DPW understands that the ARRA funding is fixed at the programmed amount, and
4 therefore any cost increase cannot be expected to be funded with additional ARRA
5 or other MTC-programmed funds; and
- 6 2. The Corbin Place Stair Replacement project will comply with the procedures
7 specified in MTC's Regional Project Funding Delivery Policy (MTC Resolution
8 No. 3606, revised) and with all project-specific requirements as set forth in MTC's
9 Regional ARRA Program (MTC Resolutions Nos. 3885 and 3896); and the Corbin
10 Place Stair Replacement project will be implemented as described in the
11 application, and, if approved, as included in MTC's TIP; and
- 12 3. The Corbin Place Stair Replacement project will comply with all the project-specific
13 requirements as set forth in the federal ARRA and appropriate applicable
14 regulations or guidance;

15 now, therefore be it

16 RESOLVED, That DPW is authorized to execute and file an application for funding
17 under the American Recovery and Reinvestment Act of 2009 for Transportation Enhancement
18 funds for the Corbin Place Stair Replacement project; and be it

19 FURTHER RESOLVED, That DPW understands that the ARRA funding for the project
20 is fixed at the MTC approved programmed amount, and that any cost increases must be
21 funded by DPW from other funds, and that DPW does not expect any cost increases to be
22 funded with additional ARRA or MTC-programmed funds; and be it

23 FURTHER RESOLVED, That DPW understands the funding deadlines associated with
24 these funds and will comply with the applicable provisions and requirements of the Regional
25 ARRA Program (MTC Resolution Nos. 3885 and 3896) and Regional Project Funding Delivery

1 Policy (MTC Resolution No. 3606, as revised); and be it

2 FURTHER RESOLVED, That the Corbin Place Stair Replacement project will be
3 implemented as described in the complete application and in this resolution and, if approved,
4 for the amount programmed in the MTC federal TIP; and be it

5 FURTHER RESOLVED, That the Corbin Place Stair Replacement project will comply
6 with all the project-specific requirements as set forth in the ARRA and appropriate applicable
7 regulations or guidance; and be it

8 FURTHER RESOLVED, That there is no legal impediment to DPW applying for the
9 funds; and be it

10 FURTHER RESOLVED, That there is no pending or threatened litigation that might in
11 any way adversely affect the proposed project, or the ability of DPW to deliver such project;
12 and be it

13 FURTHER RESOLVED, That this Board of Supervisors does hereby authorize the
14 Director of Public Works to apply for, accept and expend \$417,339 in Transportation
15 Enhancement funding from the federal American Recovery and Reinvestment Act of 2009
16 (ARRA); and be it

17 FURTHER RESOLVED, That the Director of Public Works or his or her designee is
18 authorized to execute all documents pertaining to the project with Caltrans; and be it

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

21 FURTHER RESOLVED, That the MTC is requested to support the application for the
22 Corbin Place Stair Replacement project and to include the project in MTC's TIP.

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1 Recommended: Approved _____

2 Mayor

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6 Edward Reiskin Approved _____

7 Director of Public Works Controller

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