

1 [Apply for, Accept and Expend Grant - Metropolitan Transportation Commission - State  
2 Transportation Improvement Program - \$1,910,000]

3 **Resolution authorizing the filing of an application for funding assigned to the**  
4 **Metropolitan Transportation Commission (MTC); stating assurance to complete the**  
5 **projects; and authorizing Public Works to accept and expend \$1,910,000 in State**  
6 **Transportation Improvement Program grant funds awarded through MTC.**

7  
8 WHEREAS, The State Transportation Improvement Program (herein referred to as  
9 “program”) is a five-year program of projects for state and federal transportation fund sources;  
10 and

11 WHEREAS, The program includes federal funding administered by the Federal  
12 Highway Administration (FHWA) and federal or state funding administered by the California  
13 Transportation Commission (CTC) such as Surface Transportation Program (STP) funding,  
14 Congestion Mitigation and Air Quality Improvement (CMAQ) funding, Transportation  
15 Alternatives (TA)/Active Transportation Program (ATP) funding, and Regional Transportation  
16 Improvement Program (RTIP) funding; and

17 WHEREAS, The Moving Ahead for Progress in the 21<sup>st</sup> Century Act (Public Law 112-  
18 141, July 6, 2012) and any extensions or successor legislation for continued funding  
19 (collectively, MAP-21) authorize various federal funding programs including, but not limited to  
20 the Surface Transportation Program (STP) (23 U.S.C., Section 133), the Congestion  
21 Mitigation and Air Quality Improvement Program (CMAQ) (23 U.S.C., Section 149) and the  
22 Transportation Alternatives Program (TA) (23 U.S.C., Section 213); and

23  
24  
25

1           WHEREAS, Every two years the California Transportation Commission (CTC) adopts  
2 the PROGRAM based on priorities set by regional transportation planning agencies (RTPAs);  
3 and

4           WHEREAS, The Metropolitan Transportation Commission (MTC) is the RTPA for the  
5 Bay Area region; and

6           WHEREAS, MTC is responsible for programming \$3,231,000 in state and federal funds  
7 (herein referred to as “regional discretionary funding”) through the Regional Competitive  
8 program; and

9           WHEREAS, The San Francisco County Transportation Authority (SFCTA) is  
10 responsible for establishing San Francisco project priorities for programming in the Regional  
11 Transportation Improvement Program (RTIP), subject to approval by MTC; and

12           WHEREAS, On October 27, 2015 the SFCTA Board approved San Francisco Public  
13 Works (herein referred to as DPW) and San Francisco Municipal Transportation Agency  
14 (SFMTA)’s reprogramming of \$1,910,000 in regional discretionary funding to the Lombard  
15 Street Vision Zero Project (herein referred to as “project”); and

16           WHEREAS, On November 4, 2015 the SFCTA and DPW submitted the project  
17 application to MTC for regional discretionary funding under the 2016 program; and

18           WHEREAS, State statutes, including California Streets and Highways Code,  
19 Sections 182.6, 182.7, and 2381(a)(1), and California Government Code, Section 14527,  
20 provide various funding programs for the programming discretion of the Metropolitan Planning  
21 Organization (MPO) and the Regional Transportation Planning Agency (RTPA); and

22           WHEREAS, Pursuant to MAP-21 and any regulations promulgated thereunder, eligible  
23 project sponsors wishing to receive federal or state funds for a regionally-significant project  
24 shall submit an application first with the appropriate MPO, or RTPA, as applicable, for review  
25 and inclusion in the federal Transportation Improvement Program (TIP); and

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

3           WHEREAS, MTC has adopted a Regional Project Funding Delivery Policy (MTC  
4 Resolution No. 3606, revised) that sets out procedures governing the application and use of  
5 regional discretionary funding; and

6           WHEREAS, DPW is an eligible sponsor for regional discretionary funding; and

7           WHEREAS, As part of the application for regional discretionary funding, MTC requires  
8 a resolution adopted by the responsible implementing agency stating the following:

- 9           1. The commitment of any required matching funds;
- 10           2. That the sponsor understands that the regional discretionary funding is fixed at the  
11           programmed amount, and therefore any cost increase cannot be expected to be  
12           funded with additional regional discretionary funding;
- 13           3. That the project will comply with the procedures, delivery milestones and funding  
14           deadlines specified in the Regional Project Funding Delivery Policy (MTC  
15           Resolution No. 3606, revised);
- 16           4. The assurance of the sponsor to complete the project as described in the  
17           application, subject to environmental clearance, and if approved, as included in  
18           MTC's federal Transportation Improvement Program (TIP);
- 19           5. That the project will have adequate staffing resources to deliver and complete the  
20           project within the schedule submitted with the project application; and
- 21           6. That the project will comply with all project-specific requirements as set forth in the  
22           program;

23  
24  
25

- 1           7. That DPW has assigned, and will maintain a single point of contact for all FHWA  
2           and CTC-funded transportation projects to coordinate within the agency and with  
3           the respective Congestion Management Agency (CMA), MTC, Caltrans, FHWA,  
4           and CTC on all communications, inquires or issues that may arise during the federal  
5           programming and delivery process for all FHWA- and CTC-funded transportation  
6           and transit projects implemented by DPW;
- 7           8. In the case of an RTIP project, state law requires project be included in a local  
8           congestion management plan, or be consistent with the capital improvement  
9           program adopted pursuant to MTC's funding agreement with the countywide  
10          transportation agency; and

11          WHEREAS, That DPW is authorized to submit an application for regional discretionary  
12 funding for the project; and

13          WHEREAS, There is no legal impediment to DPW making applications for the funds;  
14 and

15          WHEREAS, There is no pending or threatened litigation that might in any way  
16 adversely affect the proposed project, or that might impair the ability of DPW to implement the  
17 project; and

18          WHEREAS, The Director of DPW or his or her designee is authorized to execute and  
19 file an application with MTC for regional discretionary funding for the project as referenced in  
20 this resolution; and

21          WHEREAS, MTC requires that a copy of this resolution be transmitted to the MTC in  
22 conjunction with the filing of the application; and

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

24

25

1           WHEREAS, The grant budgets include indirect costs in the amount of \$97,645; now,  
2 therefore, be it

3           RESOLVED, That DPW is authorized to execute and file an application for funding for  
4 the project for regional discretionary funding under MAP-21 or continued funding; and, be it

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

- 6           1. DPW will commit any required matching funds;
- 7           2. DPW understands that the regional discretionary funding for the projects is fixed  
8           at the MTC-approved programmed amount, and that any cost increases must be  
9           funded by DPW from other funds, and that DPW does not expect any cost  
10          increases to be funded with additional regional discretionary funding;
- 11          3. DPW understands the funding deadlines associated with these funds and will  
12          comply with the provisions and requirements of the Regional Project Funding  
13          Delivery Policy (MTC Resolution No. 3606, revised) and DPW has, and will  
14          retain the expertise, knowledge and resources necessary to deliver federally-  
15          funded transportation projects, and has assigned, and will maintain a single  
16          point of contact for all FHWA- and CTC-funded transportation projects to  
17          coordinate within the agency and with the respective Congestion Management  
18          Agency (CMA), MTC, Caltrans, FHWA, and CTC on all communications,  
19          inquires or issues that may arise during the federal programming and delivery  
20          process for all FHWA- and CTC-funded transportation projects implemented by  
21          DPW;
- 22          4. PROJECT will be implemented as described in the complete applications and in  
23          this resolution, subject to environmental clearance, and, if approved, for the  
24          amount approved by MTC and programmed in the federal TIP;

25

- 1           5. DPW has reviewed the project and has adequate staffing resources to deliver  
2           and complete the project within the schedule submitted with the project  
3           application;
- 4           6. That the project will comply with the requirements as set forth in MTC  
5           programming guidelines and project selection procedures for the program;
- 6           7. In the case of an RTIP project, state law requires project is included in a local  
7           congestion management plan, or is consistent with the capital improvement  
8           program adopted pursuant to MTC's funding agreement with the countywide  
9           transportation agency; and, be it

10           FURTHER RESOLVED, That DPW is an eligible sponsor of regional discretionary  
11 funding funded projects; and, be it

12           FURTHER RESOLVED, That DPW is authorized to submit an application for regional  
13 discretionary funding for the project; and, be it

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

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

19           FURTHER RESOLVED, That the Director of DPW or his or her designee is authorized  
20 to execute and file an application with MTC for regional discretionary funding for the project as  
21 referenced in this resolution; and, be it

22  
23           // // //

24           // // //

25           // // //

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 application for the  
4 project described in the resolution, and if approved, to include the project in MTC's federal TIP  
5 upon submittal by the project sponsor for TIP programming; and, be it

6 FURTHER RESOLVED, That DPW is authorized to accept and expend \$1,910,000  
7 awarded by MTC through the State Transportation Improvement Program (STIP); and, be it

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

10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

Recommended:

Approved: \_\_\_\_\_

Mayor

\_\_\_\_\_

Mohammed Nuru

Director of Public Works

Approved: \_\_\_\_\_

Controller