

1 [Grant of Federal Funds.]

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3 **Resolution authorizing the Municipal Transportation Agency to accept retroactively**
4 **and expend \$326,512 of federal Section 5309 capital assistance toward the purchase of**
5 **LRVs for San Francisco’s Municipal Railway, excluding Administrative Overhead**
6 **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 (MTA), City and County of San
12 Francisco, is an eligible claimant for FTA capital assistance projects pursuant to Section 5309
13 of TEA 21; and

14 WHEREAS, The grant contract for financial assistance will impose certain obligations
15 upon 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, the U.S. Department of Transportation (DOT) requires that in connection
21 with the provisions of Title VI of the Civil Rights Act of 1964, that in connection with the filing
22 of an application for federal assistance, the applicant give an assurance that it will comply with
23 Title VI of the Civil Rights Act of 1964 and the U.S. Department of Transportation
24 requirements thereunder; and

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

7 WHEREAS, Congress has dedicated funding in TEA 21 for a national program of
8 projects using Section 5309 capital assistance; and

9 WHEREAS, The LRV Procurement project, included in the national program, is a high
10 priority project, and

11 WHEREAS, The Director of Transportation of the MTA (or his designee) must execute
12 agreements to complete transfer of the funds now, therefore, be it

13 RESOLVED, That, on behalf of the City and County of San Francisco, the MTA is
14 authorized to execute and file an application for Section 5309 program funding with DOT to
15 aid in this capital assistance project; and, be it

16 FURTHER RESOLVED, That the MTA is authorized to execute and file with such
17 application an assurance or any other document required by the United States Department of
18 Transportation effectuating the purpose of Title VI of the Civil Rights Act of 1964; and, be it

19 FURTHER RESOLVED, That the MTA is authorized to accept retroactively and expend
20 \$326,512 in federal FTA Section 5309 capital assistance for the LRV Procurement project;
21 and, be it

22 FURTHER RESOLVED, That the MTA is authorized to furnish whatever additional
23 information might be requested by the funding agencies in connection with this request; and,
24 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; and, be it

3 FURTHER RESOLVED, That the Municipal Transportation Agency is authorized to set
4 forth and execute DBE policies in connection with the project's procurement needs.

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6 **RECOMMENDED:**

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WILLIE L. BROWN, JR.
Mayor

EDWARD HARRINGTON
Controller

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