

1 [Grant of Federal Funds.]

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3 **Resolution authorizing the Municipal Transportation Agency to accept and expend**
4 **\$29,453,769 of Section 5309 fixed guideway capital assistance for various Municipal**
5 **Railway capital projects and activities, excluding administrative overhead costs.**

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7 WHEREAS, The Secretary of Transportation is authorized to make monies available
8 under the Federal Safe, Accountable, Flexible, Efficient, Transportation Equity Act-A Legacy
9 for Users (SAFETEA-LU) for mass transportation projects; and

10 WHEREAS, The Municipal Transportation Agency (MTA), City and County of San
11 Francisco, is an eligible claimant for flexible capital or operating assistance projects under
12 Section 5309 of SATETEA-LU; and

13 WHEREAS, Section 5309 fixed guideway funds are apportioned according to a
14 statutory formula and may be used to build new fixed guideway systems or modernize and
15 enhance existing fixed guideway systems, including repairing and purchasing rolling stock to
16 operate as part of the fixed guideway system; and

17 WHEREAS, The grant contract for financial assistance will impose certain obligations
18 on the applicant, including providing the local share of project costs; and

19 WHEREAS, The local share of project costs will be funded through a variety of
20 sources, which may include San Francisco Municipal Railway fare revenue, San Francisco
21 Municipal Railway Improvement Corporation funds, Regional Bridge Toll net revenues, and/or
22 sales taxes from the San Francisco County Transportation Authority; and

23 WHEREAS, The U.S. Department of Transportation (DOT) requires that in connection
24 with the filing of an application for federal assistance, the applicant give an assurance that it

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1 will comply with Title VI of the Civil Rights Act of 1964 and the DOT requirements
2 implementing that Act; and

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

9 WHEREAS, The Metropolitan Transportation Commission has prepared a regional
10 program of projects that are funded through Section 5309; and

11 WHEREAS, The Municipal Railway's projects that are included in the regional program
12 are high priority Municipal Railway capital improvements listed in MTA's current Short Range
13 Transit Plan and in the Regional Transportation Plan; and

14 WHEREAS, There is no allowance for indirect costs; and

15 WHEREAS, The Executive Director/CEO of the MTA (or his designee) must execute
16 agreements to complete transfer of the funds now, therefore, be it

17 RESOLVED, That on behalf of the City and County of San Francisco, the MTA is
18 authorized to accept and expend \$29,453,769 in federal Section 5309 fixed guideway capital
19 assistance for the following projects:

- 20 • Cable Car Infrastructure Rehabilitation
- 21 • Cable Car Vehicle Rehabilitation
- 22 • Overhead Lines Reconstruction
- 23 • Wayside Fare Collection Equipment Procurement
- 24 • Metro East Maintenance facility Construction
- 25 • Wayside Signal/Communications Equipment Rehabilitation; and, be it

1 FURTHER RESOLVED, That the Board of Supervisors waives inclusion of indirect
2 costs in the grant budget; and, be it

3 FURTHER RESOLVED, That the MTA is authorized to furnish whatever additional
4 information or assurances that might be requested by the funding agencies in connection with
5 this request; and, be it

6 FURTHER RESOLVED, That the MTA is authorized to execute any and all agreements
7 necessary to complete transfer of the funds.

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9 **RECOMMENDED:**

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11 _____
12 GAVIN NEWSOM
13 Mayor

EDWARD HARRINGTON
Controller

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16 NATHANIEL P. FORD, SR.
17 Executive Director/CEO

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