

1 [Grant of Federal Funds.]

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3 **Resolution authorizing the Municipal Transportation Agency to accept and expend**
4 **\$9,920,000 of Federal New Starts Capital Assistance for the Third Street-Phase II - New**
5 **Central Subway project, excluding administrative overhead costs.**

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

10 WHEREAS, The Municipal Transportation Agency (MTA) of the City and County of San
11 Francisco, is an eligible claimant for New Starts capital assistance under Section 5309 of TEA
12 21; and

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

15 WHEREAS, The local share of project costs will be provided using Traffic Congestion
16 Relief Plan and/or sales taxes from the San Francisco County Transportation Authority; and

17 WHEREAS, The U.S. Department of Transportation (DOT) requires that in connection
18 with the filing of an application for federal assistance, the applicant give an assurance that it
19 will comply with Title VI of the Civil Rights Act of 1964 and the U.S. Department of
20 Transportation requirements implementing that Act; and

21 WHEREAS, It is the goal of the applicant that disadvantaged business enterprises
22 (DBEs) be utilized to the fullest extent possible in connection with this project, and that
23 definitive procedures shall be established and administered, consistent with federal law, to
24 ensure that DBEs be utilized to the fullest extent possible and shall have the maximum
25

1 possible opportunity to compete for contracts, supplies, equipment contracts, or consultant
2 and other services; and

3 WHEREAS, Congress has dedicated funding in TEA 21 for a national program of
4 projects using Section 5309 New Starts capital assistance; and

5 WHEREAS, The Third Street Phase II-- New Central Subway project, included in the
6 national program, is a high priority San Francisco project; and

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

9 RESOLVED, That on behalf of the City and County of San Francisco, the MTA is
10 authorized to accept and expend \$9,920,000 of Section 5309 New Starts program funding for
11 the Third Street Phase II - New Central Subway project; and, be it

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

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

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19 **RECOMMENDED:**

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21 _____
22 GAVIN NEWSOM
23 Mayor

24 _____
25 EDWARD HARRINGTON
Controller