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[Grant of Federal Funds.]

Resolution authorizing the Municipal Transportation Agency to accept retroactively and expend \$326,512 of federal Section 5309 capital assistance toward the purchase of LRVs for San Francisco's Municipal Railway, excluding Administrative Overhead Costs.

WHEREAS. The Secretary of Transportation is authorized to make monies available pursuant to the Transportation Equity Act for the 21st Century (TEA 21) for mass transportation projects; and

WHEREAS, The Municipal Transportation Agency (MTA), City and County of San Francisco, is an eligible claimant for FTA capital assistance projects pursuant to Section 5309 of TEA 21; and

WHEREAS. The grant contract for financial assistance will impose certain obligations upon the applicant, including the provision by it of the local share of project costs; and

WHEREAS. The local share of project costs will be funded separately using a variety of sources which may include State of California Proposition 116 Bond Funds, Regional Bridge Toll Net Revenues, San Francisco Municipal Railway Improvement Corporation Funds, and/or San Francisco County Transportation Sales Taxes; and

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

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

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

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

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

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

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

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

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

FURTHER RESOLVED, That the MTA is authorized to execute any and all agreements necessary to complete transfer of the funds; and, be it

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

## **RECOMMENDED:**

WILLIE L. BROWN, JR. Mayor

EDWARD HARRINGTON Controller



## City and County of San Francisco Tails

City Hall 1 Dr. Carlton B. Goodlett Place San Francisco, CA 94102-4689

## Resolution

File Number:	031830	Date Passed:
\$326,512 of feder	al Section 5309 capita	ransportation Agency to accept retroactively and expend al assistance toward the purchase of LRVs for San Francisco's ative Overhead Costs.
December 9, 2003	3 Board of Supervisor Ayes: 10 - Ammian Peskin, Sandoval Excused: 1 - News	no, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick,
	File No. 031830	I hereby certify that the foregoing Resolution was ADOPTED on December 9, 2003 by the Board of Supervisors of the City and County of San Francisco.
	DEC 12 2003	Gloria L. Young Clerk of the Board

Date Approved

Mayor Willie L. Brown Jr.