Resolution authorizing the Municipal Transportation Agency to accept and expend $46,547,421 of Federal Transit Administration Section 5309 fixed guideway capital assistance for various Municipal Railway capital projects and activities, excluding citywide indirect costs.

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

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

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

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

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

WHEREAS, The U.S. Department of Transportation (DOT) requires 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 DOT requirements implementing that Act; 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 and shall have the maximum possible opportunity to compete for contracts, supplies, equipment contracts, or consultant and other services; and

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

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

WHEREAS, The grant does not require an ASO amendment; and
WHEREAS, There is no allowance for citywide indirect costs; and
WHEREAS, The Executive Director/CEO of the MTA (or his 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 accept and expend $45,547,421 in federal Section 5309 fixed guideway capital assistance for the following projects:

- Cable Car Infrastructure Rehabilitation
- Muni Rail Replacement
- Wayside Central Train Control
- Cable Car Vehicle Rehabilitation
- Historic Rail Car Rehabilitation
• LRV Rehabilitation
• Overhead Lines Reconstruction
• Metro East Maintenance facility Construction; and, be it

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

FURTHER RESOLVED, That the MTA is authorized to furnish whatever additional information or assurances that 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.

RECOMMENDED:

GAVIN NEWSOM
Mayor

NATHANIEL P. FORD, SR.
Executive Director/CEO

EDWARD HARRINGTON
Controller
Resolution authorizing the Municipal Transportation Agency to accept and expend $46,547,421 of Federal Transit Administration Section 5309 fixed guideway capital assistance for various Municipal Railway capital projects and activities, excluding citywide indirect costs.

October 23, 2007 Board of Supervisors — ADOPTED
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Chu, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

I hereby certify that the foregoing Resolution was ADOPTED on October 23, 2007 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor Gavin Newsom