



Agenda Item No. 3.a.

To: Finance-Auditing Committee/Committee of the Whole
Meeting of March 27, 2009

From: Gayle S. Prior, Capital and Grant Programs Director
Joseph M. Wire, Auditor-Controller
Celia G. Kupersmith, General Manager

Subject: **AUTHORIZE ACTIONS RELATIVE TO THE APPLICATION AND
AWARD OF AMERICAN RECOVERY AND REINVESTMENT ACT OF
2009 TRANSIT FUNDS**

Recommendation

The Finance-Auditing Committee recommends that the Board of Directors approve the following actions relative to the American Recovery and Reinvestment Act of 2009 (ARRA) Transit Funding:

1. Adopt a Resolution of Local Support for American Recovery and Reinvestment Act of 2009 Funding, and authorize the General Manager or her designee to execute and file grant applications, certifications and assurances and other documents as may be required to access AARA funding;
2. Authorize the President of the Board of Directors or his designee to execute grant and cooperative agreements for AARA funding with the Federal Transit Administration; and,
3. Authorize the General Manager or her designee to enter into and execute an ARRA Funds Pass-Through Agreement between the District and Marin County Transit District (Marin Transit).

Summary

On February 17, 2009, the ARRA was signed into law by President Obama. The Metropolitan Transportation Commission (MTC) programmed FY 2009 ARRA grant funds for the District in the amount \$11,873,748 (\$9,426,469 for Tier 1 and \$2,447,279 for Tier 2). ARRA funding is available at 100% and requires no local match. These funds will be used to support the following transit capital projects:

District Projects

- Refurbishment of One Used Ferry Boat, \$8,566,469 (Tier 1)
- Replacement of Bus Wash Racks and Water Reclamation System, \$2,447,279 (Tier 2)

Marin Projects

- Mobile Data Terminals for Paratransit Fleet, \$360,000 (Tier 1)
- Automated Vehicle Location System, \$250,000 (Tier 1)
- Data Management System, \$250,000 (Tier 1)

Based on project eligibility criteria, the Refurbishment of One Used Ferry Boat project for the District and the Information Technology projects for Marin Transit were selected to be included in the FY 2009 ARRA grant application under Tier 1. A call for Tier 2 projects has not yet been issued by MTC.

The District is the eligible recipient for the ARRA funds and it will be necessary for the District to act as a conduit to disburse and administer these funds to Marin Transit via a Pass Through Agreement.

As part of the application for ARRA funding, MTC requires that the Board adopt a Resolution of Local Support stating in relevant part:

1. APPLICANT understands that the ARRA funding for the project is fixed at the MTC approved programmed amount, and that any cost increases must be funded by the APPLICANT from other funds, and that APPLICANT does not expect any cost increases to be funded with additional ARRA or MTC-programmed funds; and
2. APPLICANT understands the funding deadlines associated with these funds and will comply with the applicable provisions and requirements of the Regional ARRA Program (MTC Resolution No. 3885); and
3. PROJECTS will be implemented as described in the complete application and in this resolution and, if approved, for the amount programmed in the MTC federal TIP; and
4. PROJECTS will comply with all the project-specific requirements as set forth in the ARRA and appropriate applicable regulations or guidance.

Fiscal Impact

This item authorizes actions relative to the filing and execution of applications for FY 2009 ARRA grant funds in the amount of \$11,873,748 (\$9,426,469 for Tier 1 and \$2,447,279 for Tier 2) to support transit capital projects described herein.