



WEDNESDAY, OCTOBER 7, 2009, 10:00 A.M. – 12:00 P.M.
METROCENTER, 3RD FLOOR, FISHBOWL CONFERENCE ROOM
101 EIGHTH STREET, OAKLAND, CA 94607

Estimated Time

Discussion Items

- | | |
|---|--------|
| 1. Introductions | 3 min |
| 2. Approval of the September 2, 2009 Minutes* | 2 min |
| 3. Selection of PTAC Vice Chair (<i>Kenneth Folan</i>) | 5 min |
| 4. Bus Emission Filter Upgrades* (<i>Glen Tepke</i>) | 10 min |
| 5. Legislative Update (<i>Rebecca Long</i>) | 5 min |
| a) CTA State Transit Funding Lawsuit* | 5 min |
| 6) ARRA Discretionary Programs Update* (<i>Amy Burch</i>) | 5 min |
| 7) Regional Transit Capital Inventory** (<i>Glen Tepke</i>) | 10 min |
| 8) BART Car Replacement Phase 1 Funding Plan/TCP Vehicle Procurement Reserve Program* (<i>Glen Tepke</i>) | 10 min |
| 9) SRTP Policy Proposal Update* (<i>Laramie Bowron</i>) | 10 min |
| 10) SRTP Projections** (<i>Mathew Adamo</i>) | 10 min |
| 11) New Freedom Cycle 3 Proposed Program of Projects** (<i>Kristen Mazur</i>) | 10 min |

Information Items / Other Items of Business:

- | | |
|--|-------|
| 12) 2009 TIP Updates* (<i>Sri Srinivasan</i>) | 2 min |
| 13) Prop 1B Update: Transit (PTMISEA) and Transit Security (CTSGP)* (<i>Amy Burch</i>) | 5 min |
| 14) State-Local Partnership Program Update* (<i>Amy Burch</i>) | 5 min |
| 15) Proposed Revisions to Guidance for FTA Section 5307 Program* (<i>Glen Tepke</i>) | 5 min |
| 16) 1512 Reporting* (<i>Glen Tepke</i>) | 3 min |
| 17) Recommended Future Agenda Items (<i>All</i>) | 2 min |

Next Transit Finance Working Group Meeting:

Wednesday, November 4, 2009
1:00 p.m. – 3:00 p.m.
Claremont Conference Room, MTC MetroCenter

* = Attachment in Packet ** = Handouts Available at Meeting

Contact Glen Tepke of MTC at 510-817-5781 or gtepke@mtc.ca.gov if you have questions about this session.

1 Introductions

Todd Morgan (BART) requested introductions from the attendees.

2 Approval of the June 2009 Minutes

Todd Morgan (BART) asked for approval of the July 1, 2009 meeting minutes.

3 Legislative Update

Rebecca Long (MTC) reported that the next bond sales are rumored to begin in the middle of September for \$10.5 billion. In addition, last year's SLPPs money will become available after the bond sale in September and will then go to CTC for programming. Ms. Long also provided an update on other legislative items such as:

- AB 672 – Letter of no prejudice: Proposition 1B is on the Governor's desk waiting for a signature;
- SB 744 – Bay Area High Occupancy Transportation Network is a two year bill and could use more support, there is low representation by the Transit operators.
- AB 1175 – Toll Bridge Seismic Retrofit Program: Antioch & Dumbarton Bridges bill proposes increasing the bridge tolls to help fund the bridge. The legislature did not like the proposal and wants staff to be clear that the stated \$1 billion would be locally-generated (i.e. from tolls only).

4 Update on American Recovery and Reinvestment Act

Anne Richman (MTC) reported that six transit operators opted to dedicate up to 10% of their ARRA formula funds to transit operations. Staff will revise the ARRA Tier 1 program in September to reflect these changes as well as take a date extension request to the Commission in October.

A working group member reported that the DOT sent out a notice for a \$20 million funding program for reimbursement of certified DBE that worked on stimulus projects.

5 2010 RTIP

Kenneth Kao (MTC) reported on proposed changes to the 2010 RTIP Policies and Procedures such as: delay and reprogramming of currently programmed projects; complete streets checklist; ARRA TE and RTIP backfill programming; prioritization of TE projects utilizing the Conservation Corps, frontloading of TE funds, Transportation Enhancement reserves; planning, programming, and monitoring; prohibition of multiple phases in the same year, and; project size minimums.

6 Regional Transit Capital Inventory

Glen Tepke (MTC) proposed three major elements for Phase 2 of the RTCI Project: refine inventory and cost data; develop process for updating inventory, and; develop improved measures and modeling of State of Good Repair. Staff proposes to issue an RFP for consultant services to perform the tasks. The RFP for consultant services would go to the Commission this Fall or Winter.

A working group member inquired about the timing of Phase 2 and the FY 2011 program of projects development and associated TIP amendment. Staff suggested looking at the project schedule to avoid the FY 2011 TIP overlap.

Another group member suggested slowing the data gathering process in order to be consistent with other reporting, such as NTD, for identifying State of Good Repair. It was also suggested that staff use the consultant to help advocate at the federal level as the new transportation bill develops, to assist the operators.

7 ZEB Program Update

Glen Tepke (MTC) reported that AC Transit, Golden Gate Transit, SamTrans, and VTA are collaborating on the required advanced demonstration project. The affected operators, MTC, CARB and BAAQMD, have formed a Zero Emission Bus Working Group to oversee implementation of the project. The CARB Board

adopted a resolution recently directing staff to develop proposed revisions to the ZEB regulation that will: delay the purchase requirement; establish metrics of commercial readiness; and implement the purchase requirement when commercial readiness has been achieved. Staff also plans to work with CARB staff on the proposed transit greenhouse gas regulation and will return to the Partnership with more information.

The working group inquired about CARB staff developing a broader regulation of greenhouse gases from transit and how it will apply to all transit vehicles. Since the topic is still in the beginning stages there was no further information to discuss. Staff assured the group that they would return if any new information on the subject is released.

8 SRTP Policy Proposal

Laramie Bowron (MTC) proposed a temporary suspension for FY 2010 of the current SRTP policy and process to address the inconsistent level of transit agency participation. The temporary suspension would direct the majority of the FTA Section 5303 planning funds in the current year to a more comprehensive study of Bay Area transit operations. The new round of SRTPs would therefore allow agencies to “opt in” or out of the project. Operators opting in will have to notify staff and commit to making the deliverable deadlines or the funds will be disencumbered. The deadlines listed for the existing agreements are December 2009 for the draft plan and March 2010 for the final plan.

The working group mentioned that the SRTP was never a requirement by the FTA, but that the TCP policy states that a project needs to be in the SRTP in order to move forward. In addition, the TIP requires that operators refer to their SRTP when adding or amending projects. The working group concluded that if an operator were to opt out, some approved form of planning documentation would still be necessary. As a result, staff will return to the October meeting for further discussion and follow up.

9 2009 TIP Updates

Sri Srinivasan (MTC) provided the working group with an update to current TIP amendments.

10 Archiving Old Projects in the TIP

Sri Srinivasan (MTC) provided the working group with instructions on how to archive old projects listed in the TIP.

11 FY10 Fund Estimate Revision

Theresa Romell (MTC) provided the working group with a detailed distribution of the State Transit Assistance (STA) augmentation funds to the various apportionment jurisdictions.

12 Lifeline Cycle II Funding Update

Jennifer Yeamans (MTC) reported on the proposed to augment the STA Consolidated Policy Program with a one-time addition of \$13.3 million in population-based STA funds, of which \$3.9 million would be available to the Lifeline Program. Staff suggests that county LPAs work with their local transit agencies and partners to incorporate these additional funds in to their Tier 2 programs. Staff also proposed amending the Lifeline Program Guidelines to reflect the new funding levels and allow project solicitations that have already occurred to satisfy the competitive selection process.

A working group member suggested that staff should prioritize the projects that lost transit assistance funds. Ms. Yeamans stated that it was considered, but there was too much of a variance between how each county administers the program.

13 New Federal Transportation Act: Proposal and Schedule for Flexible Programming STP-CMAQ

Craig Goldblatt (MTC) reported that the Local Streets and Roads Working Group hosted a special meeting in which they proposed that staff’s proposal reduce the Freeway Performance Initiative by \$45 million in order to increase the Transit Capital Rehab by \$9 million and the Regional Street and Roads Rehab by \$36 million.

TRANSIT FINANCE WORKING GROUP (TFWG)

MEETING MINUTES – SEPTEMBER 2, 2009

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In addition, the Climate Initiative has started a letter writing campaign stating that T2035 programs should be receiving a lot more than proposed. As a result, staff has drafted a new proposal based on the received comments and plans to present it to the Programming and Allocations Committee at the September meeting.

14 Proposition 1B Update: Transit (PTMISEA) and Transit Security

Amy Burch (MTC) reported that staff expects allocation requests for the next funding round in November 2009 and will notify the working group once a date is confirmed. Approved allocations totaling \$9.7 million for FY 2008-09 Round 2 submitted projects will not be paid until additional bond funds are available.

The working group asked if a SLPP update could be included in future announcements for this item.

15 Recommended Future Agenda Items

The working group asked if CTC reports could be included as an informational item.

Next Transit Finance Working Group Meetings:

Wednesday, October 7, 2009

10:00 a.m. – 12:00 p.m.

MTC MetroCenter, 2nd Floor, Fishbowl Room



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Memorandum

TO: Transit Finance Working Group

DATE: October 7, 2009

FR: Glen Tepke

RE: Bus Emission Filter Upgrades

Background

MTC funded the procurement of approximately 1,600 Cleaire Longview bus emission reduction devices with \$14 million in CMAQ funds in FY04 and FY05. The devices have a life of five years and are now coming due for replacement. It is our understanding that these devices need to be operable in order to meet CARB requirements. In addition, new, redesigned devices would help operators meet new CARB NOX standards. The estimated replacement cost is \$14,330 per bus. This issue was brought to the attention of MTC staff by a couple of the region's transit operators, as well as the equipment vendor.

Cost of Replacing Current Inventory

The devices were installed on approximately 1,600 buses with engine model years ranging from 1994 to 2003. Buses with newer engines do not require the filters. Some of the buses with installed devices have since been retired. Based on bus data in the Regional Transit Capital Inventory and reports from some of the participating transit operators, MTC staff estimates that about 1,300 of these buses are still in service.

Replacing the emission devices on all 1,300 buses would cost approximately \$19 million, as detailed in the accompanying table. The total is equal to approximately 2% of the combined operating budgets of the affected operators, though the percentage is significantly higher for a few operators.

Estimated Cleaire Device Replacement Costs

Operator	No. of Buses	Est. Device Repl. Cost
AC Transit	328	\$4,700,240
CCCTA	131	1,877,230
Fairfield Transit	19	272,270
Golden Gate Transit	46	659,180
LAVTA	25	358,250
SFMTA	375	5,373,750
SamTrans	127	1,819,910
Santa Clara VTA	129	1,848,570
Santa Rosa City Bus	18	257,940
Tri-Delta	55	788,150
Vallejo Transit	38	544,540
WestCat	25	358,250
Total	1,316	\$18,858,280

Next Steps

MTC staff requests the following information from the affected operators:

- The quantity of buses with installed Cleaire Longview devices still in service, by model (standard transit bus vs. over-the-road coach) and model year; and
- How each operator intends to address the replacement of the devices.

Please provide this information to Glen Tepke at gtepke@mtc.ca.gov by Friday, October 16. MTC staff will bring this issue back to the TFWG in November with a summary of the responses and potential funding approaches.



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FOR IMMEDIATE RELEASE

October 1, 2009

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Case Closed: A Resounding Victory for Transit Riders
***California Supreme Court Rejects State's Appeal of Lower Court Ruling:
 Raids on Public Transportation Funding Are Illegal***

SACRAMENTO – In a resounding victory for those who provide and those who depend on public transit in California, the State Supreme Court late yesterday rejected the Schwarzenegger Administration's appeal of a lower court ruling that annual raids on transit funding are illegal.

By declining to accept the Petition for Review filed by state officials, the high court upheld the ruling of the Third District Court of Appeal that recent funding diversions violated a series of statutory and constitutional amendments enacted by voters via four statewide initiatives dating back to 1990.

“By denying the state's appeal, the Supreme Court has affirmed once and for all what we always maintained was true: that it's illegal to shift dedicated state transit funds away from transit agencies and their riders,” said Joshua Shaw, Executive Director of the California Transit Association and lead plaintiff in the case. “This decision validates our position that this practice has been illegal since even before 2007, and that the definition of mass transportation adopted by lawmakers since then to mask these diversions is illegal.”

Public transit officials now hope to work with the Administration and Legislature to restore those funds taken since the Association filed the initial lawsuit in October, 2007, on the heels of the 2007-08 state budget package that raided \$1.19 billion from the Public Transportation Account (PTA). Since that agreement, more than \$3 billion in transit funding has been re-routed to fill holes in the General Fund.

“This is a clear victory for the millions of Californians who depend every day on public transit to get to work, go to school and access vital health care facilities,” said Michael Burns, General Manager of the Santa Clara Valley Transportation Authority and Chair of the Association's Executive Committee. “Public transit has certainly borne more than its fair share of the budget burden in recent years, and we see the effects of that throughout the state in the form of fare increases, transit service reductions, job layoffs and more. We're very hopeful that the high court's decision will now enable us to work with lawmakers to restore these funds and help us to meet the ever-increasing demands for transit services in California.”

--- MORE ---

In its original lawsuit, the Association maintained that several successful ballot measures -- from 1990's Proposition 116 through Proposition 1A of 2006 -- established the PTA as a trust fund and require that PTA revenues must be spent on "mass transportation purposes."

The initial Superior Court decision, issued in January of 2008, ruled that the 2007-08 budget violated the law by diverting \$409 million from the PTA to reimburse the General Fund for past debt service payments on Proposition 108 bonds. The ruling declared that the shift "does not serve any transportation planning or mass transportation purpose." At the same time, however, the Court permitted an additional \$779 million transfer from the PTA to cover home-to-school busing and other programs that public transit advocates argued did not meet the definition of "mass transportation" as expressed in Proposition 116, which voters approved with the intent of establishing the PTA as a trust fund to support true public transportation service.

Just two weeks after the Superior Court ruling, the Legislature re-instated the \$409 million worth of cuts by reconfiguring the law on which the court's decision was based, meaning that the entire \$1.19 billion rightfully intended for public transportation funding had been raided. The Association filed its appeal of the Superior Court decision last September.

On June 30 of this year, the appellate court dismissed the State's claims that it is legal to divert PTA revenues before they are deposited in the PTA, and also that it is within the purview of the Legislature to transfer "spillover" funds from the PTA to the Mass Transportation Fund (MTF). "The MTF was created in 2007 by budget writers as a mechanism to perpetrate the diversion of transit funding to non-transit purposes," Shaw explained. "By shifting PTA money into the 'Mass Transportation Fund,' they sought to create a veneer of legitimacy for these diversions. The appellate court rejected this legerdemain."

Another key component of the appellate court's decision was its definition of "mass transportation purposes" specified by the initiatives. The court denied the state's contention that the definition permitted the transfer of funds for home-to-school bus service, transport of disabled persons to regional centers funded by the Department of Developmental Services, repayment of Proposition 42 loans, payment of Proposition 116 bond debt service, and payment of the General Fund's obligation to fund bond debt service for non-transit general obligation bonds. These are all programs historically supported only by General Fund revenues; thus, when the budget writers diverted transit dollars to these programs, they hoped to achieve General Fund "savings."

"While we agree that these are all worthy programs, they simply don't fit the public's definition of mass transportation," said Shaw. "We feel the voters intended 'mass transportation' to mean 'public transportation' or 'public transit,' and the appellate court agreed."

By skirting the intention of the initiatives, budget crafters diverted more than \$5 billion of transit funding this decade – nearly \$3.5 billion in the last three budget cycles alone. Transit funding took an additional critical blow when the budget agreement enacted in February of this year eliminated the State Transit Assistance program.

But proponents of the legal action saw the suit as being about more than just money to keep transit moving.

“Four times since 1990 – and with overwhelming approval – voters have clearly and repeatedly expressed their demands for dedicated transit funding,” Shaw noted, “and their will has been repeatedly circumvented by those responsible for crafting the state budget.”

“Furthermore, our original lawsuit strikes at the heart of the gimmicks that have been employed year after year in putting together the state budget,” he added. “We recognize the horrendous crunch that the budget crafters face, but the fact that the California Supreme Court would not even hear the state’s request for an appeal of the appellate court decision is one more obvious sign that the whole budget process needs serious reform.”

#

STATE TRANSIT ASSISTANCE	2007-08 Amount Diverted (A-B=C)	2008-09 Amount Diverted (D-E=F)	2009-10 Amount Eliminated (G) ²	Total Amount Lost (07-08,08-09,09-10) (C)+(F)+ (G)=H
STATEWIDE REVENUE	\$ (455,179,774)	\$ (821,883,397)	\$ (696,999,994)	\$ (1,974,063,165)
REVENUE-BASED APPORTIONMENT JURISDICTION				
AC Transit	\$ (10,712,684)	\$ (26,851,279)	\$ (22,771,285)	\$ (60,335,247)
ACE	\$ (551,268)	\$ (859,413)	\$ (728,827)	\$ (2,139,508)
BART	\$ (29,261,434)	\$ (53,894,901)	\$ (45,705,688)	\$ (128,862,023)
Benicia	\$ (22,929)	\$ (37,507)	\$ (31,808)	\$ (92,245)
Caltrain	\$ (5,569,503)	\$ (10,548,364)	\$ (8,945,563)	\$ (25,063,431)
Central Contra Costa Transit Authority (County Connection)	\$ (723,438)	\$ (1,206,200)	\$ (1,022,920)	\$ (2,952,558)
Dixon	\$ (6,086)	\$ (10,811)	\$ (9,168)	\$ (26,065)
Eastern Contra Costa Transit Authority (TriDelta)	\$ (320,063)	\$ (538,195)	\$ (456,418)	\$ (1,314,676)
Fairfield	\$ (121,320)	\$ (227,326)	\$ (192,784)	\$ (541,431)
Golden Gate Bridge, Highway and Transit District	\$ (4,448,748)	\$ (8,661,014)	\$ (7,344,991)	\$ (20,454,753)
Healdsburg	\$ (1,428)	\$ (7,835)	\$ (6,645)	\$ (15,908)
Livermore-Amador Transit (LAVTA)	\$ (257,194)	\$ (413,257)	\$ (350,463)	\$ (1,020,914)
Napa Transit Services	\$ (53,945)	\$ (84,574)	\$ (71,723)	\$ (210,243)
SamTrans	\$ (6,428,118)	\$ (10,736,035)	\$ (9,104,718)	\$ (26,268,871)
San Francisco MTA	\$ (42,536,021)	\$ (73,919,608)	\$ (62,687,684)	\$ (179,143,313)
Santa Rosa	\$ (175,843)	\$ (283,936)	\$ (240,793)	\$ (700,572)
Sonoma County Transit	\$ (197,606)	\$ (329,333)	\$ (279,291)	\$ (806,230)
Union City	\$ (55,780)	\$ (72,829)	\$ (61,763)	\$ (190,372)
Vallejo	\$ (825,523)	\$ (1,352,700)	\$ (1,147,160)	\$ (3,325,384)
Valley Transportation Authority	\$ (18,113,376)	\$ (31,875,357)	\$ (27,031,966)	\$ (77,020,699)
Western Contra Costa Transit Authority (WestCAT)	\$ (348,716)	\$ (588,022)	\$ (498,674)	\$ (1,435,412)
REVENUE BASED AMOUNT	\$ (120,731,024)	\$ (222,498,496)	\$ (188,690,332)	\$ (531,919,852)
POPULATION BASED AMOUNT	\$ (43,613,991)	\$ (78,750,456)	\$ (66,784,495)	\$ (189,148,942)
BAY AREA STA TOTAL	\$ (164,345,015)	\$ (301,248,953)	\$ (255,474,827)	\$ (721,068,794)

1) Statewide amount is based on an analysis performed by the California Transit Association (CTA)

2) Statewide estimate provided by CTA

STATE TRANSIT ASSISTANCE				
	2007-08 Amount Diverted ² (A-B=C)	2008-09 Amount Diverted (D-E=F)	2009-10 Amount Eliminated ⁴ (G)	Total Amount Lost (07-08,08-09,09-10) (C)+(F)+ (G)=H
Statewide STA Funding	\$ (455,179,774)	\$ (821,883,397)	\$ (696,999,994)	\$ (1,974,063,165)
POPULATION-BASED FUNDING				
Apportionment Jurisdictions				
Northern Counties/Small Operators				
Marin	\$ (1,552,334)	\$ (1,138,877)	\$ (1,227,921)	\$ (3,919,132)
Napa	\$ (823,799)	\$ (604,802)	\$ (652,129)	\$ (2,080,729)
Solano ⁵	\$ (1,848,952)	\$ (1,887,423)	\$ (2,035,789)	\$ (5,772,164)
Sonoma	\$ (2,940,741)	\$ (2,118,836)	\$ (2,289,439)	\$ (7,349,015)
CCCTA	\$ (2,989,181)	\$ (2,192,240)	\$ (2,363,513)	\$ (7,544,934)
ECCTA	\$ (1,666,180)	\$ (1,287,556)	\$ (1,382,371)	\$ (4,336,107)
LAVTA	\$ (1,178,172)	\$ (895,468)	\$ (958,803)	\$ (3,032,444)
Union City	\$ (436,030)	\$ (326,005)	\$ (350,194)	\$ (1,112,230)
WestCAT	\$ (413,590)	\$ (309,837)	\$ (333,180)	\$ (1,056,607)
Vallejo ⁵	\$ (742,028)	\$ -	\$ -	\$ (742,028)
SUBTOTAL	\$ (14,591,008)	\$ (10,761,045)	\$ (11,593,338)	\$ (36,945,390)
Regional Paratransit				
Alameda	\$ -	\$ (1,072,301)	\$ (1,290,029)	\$ (2,362,330)
Contra Costa	\$ -	\$ (554,140)	\$ (666,657)	\$ (1,220,797)
Marin	\$ -	\$ (123,800)	\$ (148,938)	\$ (272,738)
Napa	\$ -	\$ (80,847)	\$ (97,263)	\$ (178,109)
San Francisco	\$ -	\$ (846,610)	\$ (1,018,512)	\$ (1,865,122)
San Mateo	\$ -	\$ (468,770)	\$ (563,953)	\$ (1,032,724)
Santa Clara	\$ -	\$ (971,242)	\$ (1,168,450)	\$ (2,139,692)
Solano	\$ -	\$ (230,624)	\$ (277,452)	\$ (508,076)
Sonoma	\$ -	\$ (256,411)	\$ (308,475)	\$ (564,887)
SUBTOTAL	\$ -	\$ (4,604,745)	\$ (5,539,729)	\$ (10,144,474)
Lifeline				
Alameda	\$ -	\$ (4,538,242)	\$ (4,224,244)	\$ (8,762,486)
Contra Costa	\$ -	\$ (2,070,366)	\$ (1,927,119)	\$ (3,997,485)
Marin	\$ -	\$ (447,199)	\$ (416,258)	\$ (863,457)
Napa	\$ -	\$ (281,570)	\$ (262,088)	\$ (543,658)
San Francisco	\$ -	\$ (2,501,002)	\$ (2,327,959)	\$ (4,828,961)
San Mateo	\$ -	\$ (1,175,968)	\$ (1,094,603)	\$ (2,270,571)
Santa Clara	\$ -	\$ (3,594,155)	\$ (3,345,478)	\$ (6,939,633)
Solano	\$ -	\$ (910,961)	\$ (847,932)	\$ (1,758,893)
Sonoma	\$ -	\$ (1,043,464)	\$ (971,268)	\$ (2,014,732)
SUBTOTAL	\$ -	\$ (16,562,927)	\$ (15,416,950)	\$ (31,979,876)
BART to Warm Springs	\$ -	\$ (2,380,745)	\$ (1,511,437)	\$ (3,892,182)
eBART	\$ -	\$ (2,380,745)	\$ (1,511,437)	\$ (3,892,182)
SamTrans	\$ -	\$ (34,124,012)	\$ (21,663,930)	\$ (55,787,942)
MTC Regional Coordination Program	\$ (29,022,984)	\$ (7,936,238)	\$ (9,547,674)	\$ (46,506,896)
POPULATION BASED GRAND TOTAL	\$ (43,613,991)	\$ (78,750,456)	\$ (66,784,495)	\$ (189,148,942)

1) Statewide amount is based on an analysis performed by the California Transit Association (CTA)

2) Assumes FY 2007-08 spillover is distributed by regular formula

3) Does not include \$1,480,000 in regional augmentation funds distributed in this year

4) Statewide estimate provided by CTA

5) Vallejo is included in the Solano County apportionment jurisdiction beginning in FY 2008-09



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Memorandum

TO: Transit Finance Working Group

DATE: October 7, 2009

FR: Amy Burch

RE: ARRA Discretionary Programs Update

Summary

To date, funding awards total approximately \$37 million to Bay Area agencies from ARRA Discretionary Programs. Many programs are expected to announce project selection and awards in the coming months. The Bay Area has received an estimated \$924 million in transportation-related ARRA funding across all categories. The current status of ARRA Discretionary Programs follows.

TIGER Program Update

The U.S. Department of Transportation recently announced that nearly 1,400 grants totaling \$57 billion were submitted for the TIGER Program. Attachment A provides an overview of the applications received. Below is a summary of the DOT announcement.

- Grants Submitted: 1,381
- Requests: \$57 Billion
- Available Funding: \$1.5 Billion
- Maximum Award per State: \$300 Million
- Award Announcements: January 2010

Governor Schwarzenegger, in conjunction with Caltrans and the Business, Transportation and Housing Agency, is expected to submit an advocacy letter for California projects, including up to seven of the following Bay Area projects.

Table 1: Bay Area TIGER Projects Included in Caltrans' State-Wide List

Project	TIGER Requests (\$ millions)
BART Oakland Airport Connector (TIFIA)	5.0
Doyle Drive Replacement Project	50.0
BART SVRT Extension: Revenue Vehicle Storage at Hayward Yard	50.0
Ports of Oakland, Stockton, West Sacramento Container Barge Project	56.0
Highway 101 HOV Lanes in Sonoma County - Central Phase B	27.0
State Route 4 East Transportation Corridor	23.5
NUMMI Container Transfer	20.0
Total	231.5

High Speed and Intercity Passenger Rail (HSIPR) Program

In September, the California High Speed Rail Authority approved an application for over \$4.5 billion in ARRA funds for the engineering, design and construction of the state's high-speed rail system. This Track 2 application includes \$1.28 billion in Bay Area projects, listed below in Table 2.

Table 2: Bay Area HSIPR Projects Included in California's Track 2 Grant Application

Project	HSIPR Request (YOES\$ in millions)	Total Cost (YOES\$ in millions)
Transbay Terminal Rail Platform Extensions	102.5	205
4 th and King Station Improvements (Phase I)	50.0	100
San Bruno Grade Separations	150.0	300
High-Priority Grade Separations	344.5	689
Corridor Electrification	442.5	885
Positive Train Control	115.5	231
Diridon Station Phase I	75.0	150
Total	1,280.0	2,560

HSIPR Application and Awards Schedule

The Track 2 application is due to the Federal Railroad Administration (FRA) by October 2, 2009. The Governor submitted Track 1, 3, and 4 grant applications to the FRA in August. Awards decisions are expected as soon as October 2009 for Tracks 1, 3, and 4 and in December 2009 for Track 2.

EECBG Draft Guidelines Available for Small Cities and Counties

The Energy Efficiency and Conservation Block Grant (EECBG) Program provides direct, formula grants to reduce energy use and fossil fuel emissions, and to improve energy efficiency. Small cities and counties that are not listed for direct, formula grants are eligible for nearly \$30 million (60 percent) of the \$49 million allocated to the California Energy Commission. The CEC may distribute the remaining \$19 million at its discretion.

Revised guidelines for the formula grant program are now available at:

<http://www.energy.ca.gov/recovery/blockgrant.html>. The revised guidelines will be considered for adoption on October 7, 2009 at the Energy Commission Business Meeting. The final application process for small cities and counties has yet to be determined.

Key elements of the draft EECBG guidelines include:

- Funding – \$25,000 minimum funding awards for small cities; \$50,000 minimum funding awards for small counties
- Population-based Formula – the allocation formula calculates \$5 per capita plus an unemployment component
- Eligible Applicants – small cities and counties within California that did not receive direct EECBG funding from DOE
- Eligible Projects – examples of projects include, but are not limited to:
 - Lighting retrofits and controls
 - Street lighting and traffic signal retrofits

- Heating, ventilation and air conditioning (HVAC) modifications and controls
- Automated energy management systems, motors, and variable speed drives

As the first step to receiving EECBG funds, small cities and counties must file a **Statement of Intent**, which is available for download at <http://www.energy.ca.gov/recovery/blockgrant.html>. (Scroll down the page to “BE READY TO RECEIVE ARRA FUNDS” to download the file.)

Program Selections Expected This Fall

Several of the ARRA discretionary program managers expect to announce project selection in the next few months. ARRA discretionary programs’ status is summarized in Attachment B, and programs with upcoming selection announcements are listed in Table 3.

Table 3: ARRA Discretionary Programs with Upcoming Awards Announcements

	Agency	Program	Program Status
1	DOT	TIGER	Awards expected Jan. 2010
2	DOT	High Speed and Intercity Passenger Rail	Project selections expected by Dec. 2009 for Track 2; early fall for all other tracks
10	EPA	Diesel Emission Reduction - Clean Diesel Emerging Technologies Program	EPA announces selected projects early fall 2009
14	DOE	Energy Efficiency and Conservation Competitive Grants	FOA expected in early Oct. 2009
15	FEMA	Port Security Grant Program (PSGP)	FEMA announces awards between Oct. and Dec. 2009
16	FEMA	Transportation Security Grant Program (TSGP) - Public Transportation and Railroad Security	FEMA announces awards between Oct. and Dec. 2009
17	DOT	Public Transportation on Indian Reservations Program (Tribal Transit Program, TTP)	Awards TBA

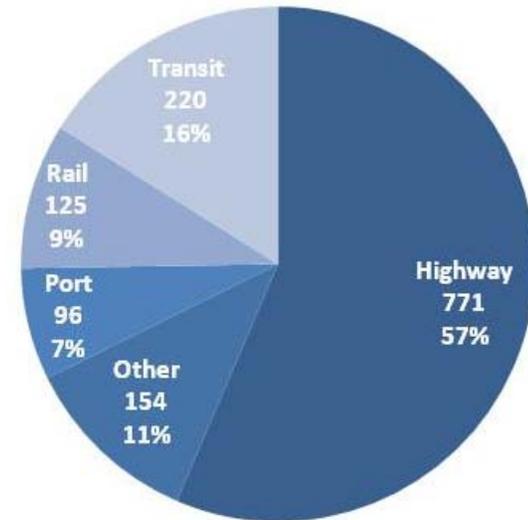
Feel free to contact me at 510-817-5735 and aburch@mtc.ca.gov with questions.

TIGER Discretionary Grants (TDG)

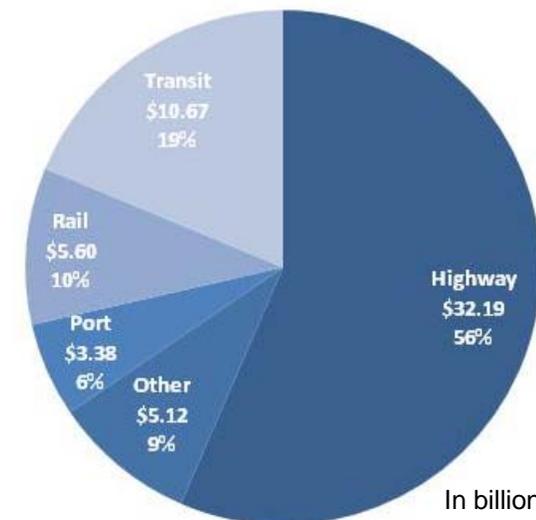
Applications Overview

1381	• Number Received
\$56.9 b	• Amount of Funds Requested
50 (+DC & 3 terr.)	• States Represented
512	• Number under \$20 m *
\$5.5 b	• Amount under \$20 m
781	• Number \$20 m - \$100 m
\$35.1 b	• Amount \$20 m - \$100 m
83	• Number over \$100 m
\$16.4 B	• Amount over \$100 m

Volume of Applications by Type



Amount Requested by Type



In billions

Data presented is preliminary, based on initial review. It is subject to change after further review and analysis. The total number above represents all applications received. Analysis may exclude a small number of applications where information was not complete.

**ARRA Transportation-Related Discretionary Programs
Bay Area Awards Summary**

Attachment B
Updated 9/25/09

	Agency	Program	Program Status	Amount Available (millions)	Amount Awarded to Bay Area (millions)	Recipient(s)	Project	Notes
1	DOT	U.S. DOT Secretary's Discretionary Grant Program - "Transportation Investment Generating Economic Recovery" (TIGER)	Awards expected Jan. 2010	1,500	TBD			
2	DOT	High Speed and Intercity Passenger Rail	Project selections expected by Dec. 2009 for Track 2, early fall for all other tracks	8,000	TBD			
3	DOT	New Starts/Capital Investment Grants	Awards announced	750	0.0	FTA selected projects already under construction		No Bay Area projects selected
4	DOT	Transit Energy Efficiency "Recovery Act-Transit Investments for Greenhouse Gas and Energy Reduction" (TIGGER)	Awards announced Selectees submit formal grant applications directly following selection	100	6.4	AC Transit	Install photovoltaic modules at Central Maintenance Facility in Hayward	
5	DOT	Ferry Boat Discretionary (FBD) Program	Awards announced	60	3.2	GGBHTD	Sausalito Ferry Landing Improvements	
6	DOT	Park Roads and Parkways (PRP)	Internal selection process	170	0.0	Selected projects in/near National Parks		No Bay Area projects selected
7	NPS	National Park Service (including roads)	Internal selection process	589	0.0	Selected projects in/near National Parks		No Bay Area projects selected
8	EPA	Diesel Emission Reduction "Recovery Act Funding for Clean Diesel: National Clean Diesel Funding Assistance Program"	Awards announced	156	2.0	Bay Area Air Quality Management District (BAAQMD)	Install diesel particulate filters (DPF) on 103 delivery trucks	
9	EPA	Diesel Emission Reduction "Recovery Act Funding for Clean Diesel: SmartWay Clean Diesel Finance Program"	Awards announced	30	0.0	Three projects awarded in Kentucky, Oregon, and Texas.		No Bay Area projects selected
10	EPA	Diesel Emission Reduction "Recovery Act Funding for Clean Diesel: Clean Diesel Emerging Technologies Program"	EPA announces selected projects early fall 2009	20	TBD			
11	DOE	Transportation Electrification	Awards announced	400	0.5	City College of San Francisco	Educational programs	
12	DOE	Alternative Fuel Vehicles Pilot "Clean Cities FY09 Petroleum Reduction Technologies Projects for the Transportation Sector"	Awards announced Round 2 cancelled as of Aug. 31, 2009	300	0.0	25 projects awarded across U.S.; four in Southern California.		No Bay Area projects selected
13	DOE	Energy Efficiency and Conservation Block Grant (EECBG)	Awards announced on weekly basis	2,700	25.3	31 Bay Area jurisdictions have received awards to date.		DOE updates awards info weekly. For more info, go to: http://www.eecbg.energy.gov/grantees/default.html
14	DOE	Energy Efficiency and Conservation Competitive Grants	DOE to issue funding opportunity announcement (FOA) in early October 2009.	454	TBD			
15	FEMA	Port Security Grant Program (PSGP)	FEMA announces awards between Oct. and Dec. 2009	150	TBD			
16	FEMA	Transportation Security Grant Program (TSGP) - Public Transportation and Railroad Security	FEMA announces awards between Oct. and Dec. 2009	150	TBD			
17	DOT	Public Transportation on Indian Reservations Program (Tribal Transit Program, TTP)	Awards TBA	17	TBD			
Total				15,546	37			

**ARRA Formula Programs
SF Bay Area ARRA Project Status
as of September 16, 2009**

MTC Project Category	Amount Available (millions)
Strategic Investments	160
Local Road Maintenance	145
Transit Maintenance	286
Transit Train to Plane	70
State Funded Highway	225
Total	887

Go to <http://www.mtc.ca.gov/funding/ARRA/> for more information on ARRA Formula Programs.



TFWG Item 8

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Memorandum

TO: Transit Finance Working Group

DATE: October 7, 2009

FR: Glen Tepke

RE: BART Car Replacement Phase 1 Funding Plan/TCP Vehicle Procurement Reserve Program

This item provides an overview of the Phase 1 Funding Plan for BART's Railcar Replacement Program, and a proposed program for the \$150 million Vehicle Procurement Reserve included in the FY10 to FY12 Transit Capital Priorities (TCP) program.

Background

Since first briefing the Partnership Board in late 2004, BART and MTC staff have been working together over the last several years to develop a plan for funding the replacement of BART's 669 railcars. The project is currently projected to cost approximately \$3.2 billion in year-of-expenditure dollars, with expenditures extending from FY 2008 to FY 2028. BART plans to make an initial order for 200 cars, with options for the remaining 469 replacement cars, and up to 31 expansion cars. The funding plan focuses on the first 200 cars, which are projected to cost about \$1.0 billion (escalated \$), while BART and MTC develop a framework and funding alternatives for the remaining replacement cars. BART issued an RFP for the procurement on September 16, 2009, and plans to award a contract in September 2010. In order to issue a contract, BART needs a policy-level commitment of regional funding for the project beyond the \$90 million in STP Transit Capital Shortfall funds and \$12.6 million in FTA formula funds previously programmed to the project.

Transportation 2035, the region's long-term transportation plan, established replacement of revenue vehicles as the highest priority for regional funds, followed by fixed guideway and other Score 16 needs. As part of the development of the FY 2010 to FY 2012 TCP program, MTC staff, working with the members of the TFWG, developed a 10-year regional capital improvement program (CIP) to project high-priority transit capital replacement and rehabilitation needs over the FY10 to FY19 period. In addition to the BART car replacement project, major upcoming vehicle procurements include replacement of most of Caltrain's locomotives and railcars, and all of SFMTA's electric trolleys.

The CIP projections showed that if TCP programming for fixed guideway needs was capped at \$115 million per year, projected regional funds should be sufficient to cover projected vehicle replacement costs, including the first 200 BART cars. However, while FTA revenues are forecast to increase steadily at 4% per year, projected expenditures are very uneven, with a peak

between FY15 and FY18. Accordingly, the FY10 – FY12 TCP program includes a Vehicle Procurement Reserve (VPR) that sets aside \$150 million - \$55 million in FY11 and \$95 million in FY12 – when the demand for Score 16 projects is relatively low, to be programmed to help meet the peak expenditures for the major vehicle replacement projects later in the decade.

BART Car Replacement Phase 1 Funding Plan

The proposed Phase 1 Funding Plan for the BART Car Replacement Program is summarized in the attached table. The funding plan is intended to cover the costs of the first 200 cars. Consistent with the regional 10-year CIP, the region would program about \$717 million in FTA formula funds to the project between FY11 and FY19, including some programming from the VPR.

Any FTA funds not needed for direct project expenditures in the year of programming would be subject to the same funding exchange agreement developed for the previously programmed \$90 million in STP funds. Under this agreement, funding is programmed to BART’s preventive maintenance program, and BART deposits an equal amount of local funds into a special account that generates investment earnings, providing additional funding for the project. The BART funds and the earnings will be drawn down to cover future project expenditures.

The funding plan also calls for \$50 million to come from a combination of earnings on the funding exchange account and additional programming of STP funds or other discretionary funds designated for the T2035 transit capital shortfall. Under current projections, earnings would provide the majority of the \$50 million. Any additional STP funds would be subject to the exchange agreement.

BART would dedicate \$150 million of it’s share of state High Speed Rail (HSR) connectivity funds to the project, which would cover the local match requirements for the federal funds. BART funds spent to match federal funds programmed to preventive maintenance under the exchange agreement would be in addition to the HSR funds.

MTC and BART staff are currently developing a joint resolution that adopts the Phase 1 Funding Plan, as well as a more general framework and principles for the funding plan for the remainder of the project. The framework calls for the region to fund between 70% and 80% of the total project costs, while BART provides between 20% and 30%. The resolution would provide BART with the policy-level funding commitment needed to issue a contract for the cars.

The proposed resolution limits the regional commitment for Phase 1 to the amounts listed in the table; BART would be responsible for any cost increases beyond current projections. The regional funding would be subject to Congressional authorization and appropriation, availability of funds, and the ability to meet other critical regional transit capital needs. The resolution also allows the region to substitute other funding sources for the federal funds specified in the table.

BART staff currently plans to take the joint resolution to the BART Board on October 22. MTC staff tentatively plans to take the resolution, as well as related revisions to the funding exchange agreement, to the Programming and Allocations Committee and the full Commission in November.

Proposed Vehicle Procurement Reserve Program

In order to develop a proposed program for the \$150 million VPR, MTC has meet with staff from BART, Caltrain and SFMTA to review the plans, schedules and projected expenditures for their respective vehicle replacement projects.

BART. As noted above, the proposed Phase 1 Funding Plan for the BART project calls for \$717 million in FTA funds between FY11 and FY19. MTC is proposing to program the first \$80 million of this commitment from the VPR - \$40 million in FY11 and \$40 million in FY12.

Projected expenditures for the project do not exceed the \$40 million level until FY14, so the bulk of the VPR funds would be programmed to BART's preventive maintenance program, and, subject to the funding exchange agreement, BART would provide an equal amount of local funds to the exchange account for future expenditure on the car project.

Caltrain. Caltrain is currently developing a procurement to replace 20 diesel locomotives and 73 railcars with a fleet of 98 Electric Multiple Units (EMUs) at a projected cost of \$456 million in escalated dollars, with an 80% federal share of \$365 million. The total seating of the EMU fleet is comparable to that of the current railcars. Under the current procurement schedule, the bulk of the funds – approximately \$150 million per year – would be required in FY13, FY14 and FY15. However, the switch to EMUs is contingent on completion of Caltrain's electrification program, which could result in significant revisions to the schedule.

In order to begin to meet the peak funding need for the Caltrain project, MTC is proposing to program the remaining \$70 million of the VPR - \$15 million in FY11 and \$55 million in FY12. MTC staff will continue to work with Caltrain to determine if a funding exchange agreement similar to that established for BART would be advantageous, and to develop financing plans that address timing issues between future programming for the project and the peak project expenditures.

SFMTA. SFMTA is currently developing a procurement for 60 60-foot electric trolleys at an estimated cost of \$104 million, with an 80% federal share of \$83 million. The FY10 to FY12 TCP program (apart from the VPR) includes \$75 million for this project -- \$35 million in FY10, \$20 million in FY11 and \$20 million in FY12 – leaving just \$8 million remaining to be funded. The additional \$8 million could be accommodated within the regular FY13 FTA program, without any need to tap the VPR. The remainder of SFMTA's trolley procurements – another 33 60-foot trolleys and 240 40-foot trolleys – will not be eligible for funding until FY17 and FY18, which is too far in the future to make use of VPR funds, which have an FTA three-year timely use requirement. Accordingly, MTC is not proposing to program any of the VPR funds to SFMTA. SFMTA staff has indicated its agreement with this recommendation.

The proposed VPR program is summarized in the table below.

Proposed Vehicle Procurement Reserve Program
\$ millions

<u>Operator</u>	<u>FY11</u>	<u>FY12</u>	<u>Total</u>
BART	\$40	\$40	\$80
Caltrain	15	55	70
SFMTA	-	-	-
Total	\$55	\$95	\$150

MTC staff plans to take amendments to the FY10 – FY12 TCP policy (MTC Resolution 3908) and program (MTC Resolution 3916) to program the VPR to the Programming and Allocations Committee and the full Commission at the same time as the BART car policy Commitment, tentatively set for November. The VPR programming would not be added to the regional TIP until the rest of the FY11 and FY12 TCP program is added to the TIP in 2010, after review of updated revenue and cost projections, and potential revisions to the program. This timing will allow for potential revisions to the proposed VPR program if the schedules or projected expenditure plans for the vehicle procurement projects change. MTC staff will continue to work with the staff of BART, Caltrain and SFMTA to refine the funding plans for the vehicle replacement projects, including appropriate levels of local match.

MTC staff seeks the concurrence of the TFWG with the proposed BART Car Replacement Phase 1 Funding Plan, and the proposed TCP Vehicle Procurement Reserve Program.

DRAFT for Discussion**PHASE 1 FUNDING PLAN FOR
BART CAR REPLACEMENT PROGRAM**

\$000

<u>Funding Source</u>	<u>Prior to FY10</u>	<u>FY10 - FY19</u>	<u>Total</u>
MTC Funding			
FTA Formula Programs	12,565	717,435	730,000
FHWA Regional Discretionary Programs*	90,000	50,000	140,000
Subtotal MTC Funding	102,565	767,435	870,000
BART Funding			
BART High Speed Rail Funds		150,000	150,000
Other BART Funds	4,600		4,600
Subtotal BART Funding	4,600	150,000	154,600
Total Funding	107,165	917,435	1,024,600

* Funding from FHWA Regional Discretionary Programs includes BART funds deposited and earnings credited to the BART Car Replacement Funding Exchange Account.



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Memorandum

TO: Transit Finance Working Group
FR: Laramie Bowron
RE: Short Range Transit Plan Policy Proposal Update

DATE: October 7, 2009

Background

At the September TFWG meeting, MTC staff proposed a temporary suspension to the current Short Range Transit Plan (SRTP) policy, and also proposed to direct the remaining FTA Section 5303 planning funds to a more comprehensive study of Bay Area transit operations, in partnership with the transit agencies. Questions arose regarding the need for a project to be included in an SRTP to obtain MTC program funds and operating allocations.

Update

As a reminder, the proposal is a temporary suspension of the current SRTP policy. In future years, MTC staff expects to resume the policy that all operators submit a full-SRTP or restructure the comprehensive transit effort to capture equivalent data on capital needs and operating projections.

During this suspension, for planning purposes, MTC will rely on Transit Capital Priorities (TCP) information or operator's Capital Improvement Plan (CIP) documents for the Transportation Improvement Program (TIP) financial capacity assessment and financial constraint. In the event that new capital planning opportunities arise in the short-term, it is possible that MTC would require a resolution of local support for operator requests. MTC staff will work directly with operators if additional information is needed.

SRTP Funding

MTC staff will touch base with operators in Spring 2010 to discuss future SRTP policies and how those may relate to planning efforts. For FY 2009-2010, operators that wish to opt in will be required to meet the agreed upon deadlines and will receive the same amount of funding that was budgeted for the FY 2008-2009 mini-SRTP. Funding levels for the FY 2010-2011 mini-SRTPs may need to be revisited in anticipation of a full-SRTP being required from all operators in FY 2011-2012 in order to provide input for the next Regional Transportation Plan.



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Memorandum

TO: Transit Finance Working Group

DATE: October 7, 2009

FR: Sri Srinivasan

RE: TIP Update

2009 TIP Revisions

TIP Revision 09-30 – In-Process

Revision No. 09-30 is an amendment that revises 48 projects with a net increase in funding of approximately \$4.8 million. Among these changes, the amendment:

- Deletes thirty completed projects from the TIP (twenty local streets and roads projects & ten transit projects) and the Golden Gate Transit project to replace 34 - 1991 40' TMC buses (MRN050023) because all the funds (\$8,293,951 in FY 2009 Section 5307 funds and \$2,073,488 of corresponding local match) are being transferred to the Facilities Rehabilitation Project (MRN050025).
- Adds one new Caltrans managed SHOPP Grouped Listing for Highway Maintenance with four projects totaling \$19.1 million.
- Updates the back-up list and project costs of four Caltrans managed SHOPP Grouped Listings.
 - Mandates and Prop 1B decrease by \$52.9 million to remove a state cash funded project from the TIP, because it does not need federal reimbursement).
 - Emergency response increases by \$23.9 million due to increases in construction costs for various projects.
 - Collision Reduction increases by \$17.9 million.
 - Mobility decreases by \$6.3 million.

The changes made with this revision will not affect the air quality conformity or conflict with the financial constraint requirements.

Revision 09-30 is on schedule to be approved by the MTC Commission on October 28, 2009 and final federal approval is expected in November 2009.

TIP Revision 09-29 – In-process.

TIP Revision 09-28 – Approved

Revision No. 09-28 is an administrative modification that revises 25 projects with a net increase in funding of approximately \$1.7 million. Among other changes, the revision updates 11 Grouped Listings funded with American Recovery and Reinvestment Act (ARRA) funds. These changes allow project sponsors to reinvest some of their cost savings and use the recent FTA operations flexibility. The revision also updates the funding plans of various projects including changes in the US 101 Doyle Drive Replacement project (\$12.2M in CON phase funds being reprogrammed to ROW phase to address corresponding change in cost for the phases) and I-580 TriValley Corridor - EB HOV/HOT Lanes project (\$7.5M in CON phase funds being reprogrammed to PE phase). The changes made with this revision will not affect the air quality conformity or conflict with the financial constraint requirements.

Revision 09-28 was approved by the MTC Deputy Executive Director on September 16, 2009 and final Caltrans approval was received on September 17, 2009.

TIP Revision 09-27 - Pending

Revision No. 09-27 is an amendment that revises 15 projects with a net decrease in funding of approximately \$58.5 million. Among other changes, the amendment:

- Adds three new projects into the TIP (two planning projects and one local road rehabilitation project)
- Deletes two projects from the TIP: The Grand/MacArthur Blvd Corridor Improvements project because the funds are being used for the new Study Contra Flow Lanes on Bay Bridge project; and the Alameda-Oakland Ferry Main Street Barge project because the listing was a duplicate of an existing project.
- Updates the back-up list and project costs of four Caltrans managed SHOPP Grouped Listings.
 - Collision Reduction increases by \$62.9 million with the addition of several projects including safety projects on SR84 and SR152 totaling \$60 million.
 - Emergency Response increases by \$43.2 million with the addition of several projects including a \$16 million safety project on Route 580.
 - Bridge Preservation decreases by \$151.1 million to remove duplicate programming in the back-up listing of about \$140 million;
 - Roadway Preservation decreases by \$18.5 million.
- Updates the back-up list and project cost of the Grouped Listing funded with FTA 5307 ARRA funds for the Concord Urbanized Area to add operating assistance projects.

The changes made with this revision will not affect the air quality conformity or conflict with the financial constraint requirements.

Revision 09-27 was approved by the MTC Commission on September 23, 2009 and final federal approval is expected in October 2009.

TIP Revision 09-26 - Approved

Revision No. 09-26 is an administrative modification that revises 17 projects with a net decrease in funding of approximately \$3.6 million. Among other changes, the revision updates six Grouped Listings funded with American Recovery and Reinvestment Act (ARRA) funds. These changes allow project sponsors to reinvest some of their cost savings. The revision also updates six Caltrans managed Grouped Listings. Another significant change in this revision is the update to the funding plan of the Sonoma Marin Area Rail Corridor project by removing \$5 million in FTA section 5309 funds that were not allocated. The changes made with this revision will not affect the air quality conformity or conflict with the financial constraint requirements.

Revision 09-26 was approved by the MTC Deputy Executive Director on August 20, 2009 and final Caltrans approval was received on August 20, 2009.

TIP Revision 09-25 - Approved

Revision No. 09-25 is an administrative modification that makes revisions to 16 projects with a net increase in funding of approximately \$6.2 million. Among other changes, the revision updates the project costs of thirteen regional planning projects to include STP or CMAQ funds and updates the local matching funds. The funding plan of AC Transit's Preventive Maintenance program was updated to include \$1.8 million in FTA 5307 funds transferred in from the AC Transit Facilities Upgrade project. The changes made with this revision will not affect the air quality conformity or conflict with the financial constraint requirements.

Revision 09-25 was approved by the MTC Executive Director on August 6, 2009 and final Caltrans approval was received on August 10, 2009.

TIP Revision 09-24 - Approved

Revision No. 09-24 is an administrative modification that makes revisions to 10 projects with a net decrease in funding of approximately \$1.5 million. Among other changes, the revision updates the back-up list for the American Recovery and Reinvestment Act (ARRA) funded - San Mateo Local Streets and Roads Rehabilitation Projects Grouped Listing with a net decrease in funding of \$4.4 million. The revision updates the project cost of the Santa Rosa Bus: Operating Assistance project to include \$1.6 million in additional funds and updates the funding plan of the Doyle Drive project to reprogram \$17.5 million in SHOPP Funds from FY 2006-07 to FY 2008-09. The changes made with this revision will not affect the air quality conformity or conflict with the financial constraint requirements.

Revision 09-24 was approved by the MTC Executive Director on June 23, 2009 and final Caltrans approval was received on June 23, 2009.

TIP Revision 09-23 – Approved

Revision 09-23 is an all transit TIP amendment that makes revisions to 85 projects with a net increase in funding of approximately \$437.9 million. The amendment programs \$350 million in FTA Section 5307 and FTA Section 5309 Fixed Guideway (FG) funds for FY 2009-10, as adopted by the commission through the San Francisco Bay Area Regional Transit Capital Priorities program. The changes made with this revision will not affect the air quality conformity or conflict with the financial constraint requirements.

Revision 09-23 was approved by the MTC Commission on July 22, 2009 and final federal approval was received on August 14, 2009.

TIP Revision 09-22 - Approved

Revision 09-22 is an amendment that makes revisions 19 projects with a net increase in funding of approximately \$449.1 million. The amendment adds six new regional projects into the TIP funded with Other Local funds. The significant change in this amendment is the updated funding plan for the Transbay Terminal Project with an updated cost of \$1.2 billion, with the funds being added in FY13 and FY14. The amendment also programs \$70 million in American Recovery and Reinvestment Act (ARRA) funds to the Oakland Airport Connector project in FY09. The changes made with this revision will not affect the air quality conformity or conflict with the financial constraint requirements.

Revision 09-23 was approved by the MTC Commission on July 22, 2009 and final federal approval was received on August 21, 2009.

TIP Revision 09-21 - Approved

Revision No. 09-21 is an administrative modification that makes revisions to 13 projects with a net increase in funding of \$2.1 million. Among other changes, the revision updates the back-up lists and costs of four American Recovery and Reinvestment Act (ARRA) grouped listings. The significant change is the revision of the Caltrans managed grouped listing for Emergency Response projects. For six projects in this revision, the fund source is changed from CMAQ funds to STP funds due to the FY 2008-09 Rescission of CMAQ Apportionment. The changes made with this revision will not affect the air quality conformity or conflict with the financial constraint requirements.

Revision 09-21 was approved by the MTC Deputy Executive Director on July 13, 2009 and final Caltrans approval was received on July 13, 2009.

TIP Revision 09-20 - Approved

Revision 09-20 is an amendment that makes revisions to 18 projects with a net decrease in funding of approximately \$5 million. The amendment adds seven new projects into the TIP: three transit projects (scheduled to receive part of the \$15.3 million in American Recovery and Reinvestment Act (ARRA) funds), two new planning projects (funded with Other Local funds), one grade crossing design project (funded with TCSP earmarks funds) and one pavement overlay project (funded with SLPP funds and Other Local funds). The

amendment also updates funding plans of the ARRA funded SHOPP projects to reflect actual obligations, at the request of Caltrans and among other changes, the amendment also changes the funding plan for the Doyle Drive Replacement Project as follows: it moves approximately \$35 million from FY 2007-08 to FY 2008-09 for the Doyle Drive Replacement Project and changes the fund source for \$80 million from Other Local funds to AB1171 funds. The changes made with this revision will not affect the air quality conformity or conflict with the financial constraint requirements.

Revision 09-20 was approved by the MTC Commission on June 24, 2009. Caltrans approval was received on July 6, 2009 and final federal approval was received on July 21, 2009.

All prior revisions have been approved and projects in all the revisions can be viewed at: <http://www.mtc.ca.gov/funding/tip/revisions.htm> The FMS system has also been updated to reflect the approvals received. If you have any questions regarding any TIP project, please contact Sri Srinivasan at (510) 817-5793 or ssrini@mtc.ca.gov.



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Memorandum

TO: Transit Finance Working Group

DATE: October 7, 2009

FR: Amy Burch

RE: Prop 1B Update: Transit (PTMISEA) and Transit Security (CTSGP)

Background - PTMISEA

To date, Bay Area operators have received over \$287 million in PTMISEA payments (see Attachments A and B for operator-specific amounts). Allocation requests for the next funding round will likely be due to MTC and Caltrans in November 2009. The FY 2009-10 available funding is anticipated to be the same as FY 2008-09, based on a \$350 million statewide PTMISEA appropriation. Once firm FY 2009-10 program dates are established, we will notify the TFWG.

In July, the State Controller's Office (SCO) paid \$90.4 million to Bay Area agencies with Prop 1B projects (see Attachment C). However, the July state-wide bond sale did not provide funding for all Bay Area projects. Approved allocations totaling \$9.7 million for FY 2008-09 Round 2-submitted projects will not be paid until additional bond funds are available. These approved allocations include bus purchases for Vallejo, Petaluma and Sonoma County, as well as SFMTA's Central Control and Command.

PTMISEA Revised Guidelines and Forms

Attached are the most recent PTMISEA Guidelines and forms (Attachments D through L). Caltrans plans to distribute revised guidelines this month. Please download forms directly from the PTMISEA website, as information is updated frequently:

<http://www.dot.ca.gov/hq/MassTrans/Proposition-1B.html>.

FY 2009-10 Schedule

Below is a draft schedule for the PTMISEA FY 2009-10 Cycle:

Caltrans distributes revised guidelines	October 2009
SCO calculates allocations	October 2009
MTC Issues Call for Projects	October 2009
MTC Commission adopts program	November 2009
MTC submits program to Caltrans	November 2009
Caltrans releases adopted list to SCO	December 2009
TDA Audits due to Caltrans	December 31, 2009
SCO allocates funds for first cycle	January 2010

Semi-annual report due to Caltrans	February 15, 2010
Second Cycle	
MTC Issues Call for Projects	March 2010
MTC Commission adopts program	April 2010
MTC submits program to Caltrans	April 2010
Caltrans releases adopted list to SCO	May 2010
SCO allocates funds for second cycle	June 2010

**Schedule subject to change based on direction from Caltrans.*

Prop 1B Transit Security – CTSGP-CTAF

Bay Area operators have received conditional awards for Transit Security grants totaling \$21.2 million for FY 2008-09 (see Attachment M). MTC anticipates that these funds will be paid after the next bond sale, which may occur by the end of the calendar year. Transit Security projects did not receive any funds from the July bond sale.

FY 2009-10 Schedule

Below is a draft schedule for the CTSGP-CTAF FY 2009-10 Cycle:

OHS releases guidelines and applications	October 2009
Investment Justification submittal period begins	October 2009
MTC Issues Call for Projects	October 2009
MTC Commission adopts program	December 2009
MTC submits program to OHS	January 2010
Investment Justification submittal period ends	January 2010
Conditional Award Letters	February 2010

**Schedule subject to change based on direction from CalEMA.*

Feel free to contact me at 510-817-5735 and aburch@mtc.ca.gov or Kenneth Folan at 510-817-5804 and kfolan@mtc.ca.gov with questions regarding the Prop 1B Transit and Transit Security Programs.

Attachments:

- A. Draft Population-based Prop 1B Programming
- B. Draft Revenue-based Prop 1B Programming
- C. Recent Payments to Bay Area Agencies with Prop 1B Projects
- D. PTMISEA Guidelines
- E. Allocation Request Guide
- F. PTMISEA Allocation Request
- G. Financial Progress Report
- H. Financial Progress Report Balance Sheet
- I. Outcome Progress Report
- J. Project Lead Checklist
- K. Corrective Action Plan
- L. Final Project Report
- M. Bay Area's Share of Transit Security Funding

DRAFT - POPULATION-BASED PROPOSITION 1B - PTMISEA

Investment Category	Estimated Prop Total	FY 2007-08			FY 2008-09					Available for Programming		
		FY 2007-08 Appropriated	Actual Allocations (Paid)	CARRYOVER Unallocated FY 2007-08	A	B	C=A+B	D	E	F=D+E	G=C-F	I
Lifeline												
Alameda	30,688,000	1,734,416	5,098,588		0					-		2,872,181
Contra Costa	14,000,000	791,248		212,018	1,804,823	2,016,841	1,647,056	300,000	1,947,056	69,785		1,310,302
Marin	3,024,000	170,910		45,796	389,842	435,638	435,638		435,638	(0)		283,025
Napa	1,904,000	107,610		28,834	245,456	274,290	274,290		274,290	0		178,201
San Francisco*	16,912,000	955,828		256,117	2,180,226	2,436,344	212,000		212,000	2,224,344		1,582,844
San Mateo	7,952,000	449,429		120,426	1,025,140	1,145,566	100,000	900,000	1,000,000	145,566		744,251
Santa Clara	24,304,000	1,373,607		368,063	3,133,173	3,501,236			-	3,501,236		2,274,684
Solano	6,160,000	348,149		93,288	794,122	887,410	587,410	300,000	887,410	(0)		576,533
Sonoma	7,056,000	398,789		106,857	909,631	1,016,488	967,488	49,000	1,016,488	(0)		660,392
MTC - Regional Projects**		12,278,000	12,278,000		-							
Subtotal - Lifeline Program	112,000,000	18,607,987	17,376,588	1,231,399	10,482,412	11,713,811	4,223,882	1,549,000	5,772,882	5,940,929		10,482,412
*In FY 2008-09, MTC approved San Francisco Lifeline projects totaling \$2,436,344. However, Caltrans only approved \$212,000 for project work scheduled for completion within 6 months. SF project sponsors need to reapply to Caltrans when contract award is within 6 months of funding cycle.												
**MTC Regional Projects funded with 1B to free up STA funds for Lifeline.												
Urban Core Transit Improvements												
BART Seismic	24,000,000	3,987,426	24,000,000						-	-		
San Francisco Muni Central Subway	100,000,000	16,614,274			15,000,000		15,000,000		15,000,000	-		
Santa Clara VTA Line 522/523 BRT	45,000,000	7,476,423	9,726,977						-	-		
BART to Warm Springs	17,000,000	2,824,427							-	-		
East Contra Costa BART Extension	17,000,000	2,824,427			3,999,373		3,999,373		3,999,373	-		
Subtotal - Urban Core	203,000,000	33,726,977	33,726,977	0	18,999,373		18,999,373	0	18,999,373	0		18,999,373
Small Operators/North Counties												
Marin	3,404,473	565,629	565,629	0	318,635			318,635	318,635	-		318,635
Napa	1,806,699	300,170	300,170	0	169,094		169,094		169,094	-		169,094
Solano (includes Vallejo)	5,682,360	944,083	944,082	0	531,829			531,829	531,829	-		531,829
Sonoma	6,449,431	1,071,526	1,071,526	0	603,621		131,237	457,617	588,854	14,767		603,621
CCCTA	6,555,668	1,089,177	1,089,177	0	613,564		613,564		613,564	-		613,564
ECCTA	3,654,151	607,111	607,111	0	342,003		342,003		342,003	-		342,003
LAVTA	2,583,887	429,294	429,294	0	241,834		241,834		241,834	-		241,834
Union City	956,272	158,878	158,878	0	89,500		89,500		89,500	-		89,500
WestCat	907,058	150,701	150,701	0	84,894		84,894		84,894	-		84,894
Subtotal - Small Operators/North Counties	32,000,000	5,316,568	5,316,568	0	2,994,975		1,672,126	1,308,081	2,980,207	14,767		2,994,974
Population-based Total	347,000,000	57,651,532	56,420,133	1,231,399	32,476,760		24,895,381	2,857,081	27,752,462	5,955,696		32,476,760

FY 2007-08 CARRYOVER Funds are available for allocation until June 30, 2010, and available for encumbrance and liquidation until June 30, 2012.
 FY 2008-09 Funds are available for allocation until June 30, 2010, and available for encumbrance and liquidation until June 30, 2014.

DRAFT - REVENUE-BASED PROPOSITION 1B - PTMISEA

Agency	Estimated Prop 1B Total	FY 2007-08					FY 2008-09			Available for Programming	
		FY 2007-08 Appropriated	Actual Allocations (Paid)	Approved by Caltrans - Postponed to Future Cycle	Actual + Postponed	CARRYOVER Unallocated FY 2007-08	B FY 2008-09 Appropriated	C Actual Allocations (Paid)	D Approved by Caltrans - Postponed to Future Cycle	A+B-C-D	
										CARRYOVER FY 2007-08 and FY 2008-09	Estimated FY 2009-10 Appropriation
Alameda CMA - for ACE	1,699,328	283,155	283,155		283,155	0	159,509			159,509	159,509
Benicia	129,528	21,583	21,583		21,583	0	12,158			12,158	12,158
Caltrain	41,108,705	6,849,847	6,849,847		6,849,847	0	3,858,715			3,858,715	3,858,715
CCCTA	5,117,254	852,676	852,676		852,676	0	480,337	480,337		0	480,337
Dixon	41,542	6,922	6,922		6,922	0	3,900	3,900		0	3,900
ECCTA	2,076,372	345,981	345,981		345,981	0	194,901	194,901		0	194,901
Fairfield*	724,664	120,749		120,749	120,749	0	68,021	68,021		0	68,021
GGBHTD	35,123,114	5,852,482	5,852,482		5,852,482	0	3,296,871	2,163,666	532,679	600,526	3,296,871
Healdsburg	11,217	1,869	1,869		1,869	0	1,053		1,053	0	1,053
LAVTA	1,606,102	267,621	267,621		267,621	0	150,759	150,759		0	150,759
NCPTA	429,082	71,497	71,497		71,497	0	40,276	40,276		0	40,276
SamTrans	48,424,898	8,068,927	8,068,927		8,068,927	0	4,545,458	2,568,430		1,977,028	4,545,458
Santa Rosa	1,099,151	183,149	183,149		183,149	0	103,173	103,173		0	103,173
Sonoma County Transit	1,392,500	232,029	232,029		232,029	0	130,708	130,708		0	130,708
Union City	411,210	68,519	68,519		68,519	0	38,599	38,599		0	38,599
Vallejo	5,933,235	988,641	988,641		988,641	0	556,930	556,930		0	556,930
VTA	143,993,645	23,993,323	21,398,690		21,398,690	2,594,633	13,516,126			16,110,759	13,516,126
VTA - for ACE	2,371,371	395,136			0	395,136	222,592			617,728	222,592
WestCAT	2,484,810	414,038	414,038		414,038	0	233,239	233,239		0	233,239
SUBTOTAL	294,177,728	49,018,144	45,907,626	120,749	46,028,375	2,989,769	27,613,325	6,732,939	533,732	23,336,423	27,613,325
AC Transit	94,030,133	15,668,020	15,668,020		15,668,020	0	8,826,245	8826245	0	0	8,826,245
BART	235,238,734	39,197,278	39,197,278		39,197,278	0	22,080,949	22,080,949	0	0	22,080,949
SFMTA	309,462,843	51,565,067	50,365,000	1,200,000	51,565,000	67	29,048,079	16,700,000	8,700,000	3,648,146	29,048,079
SUBTOTAL	638,731,711	106,430,365	105,230,298	1,200,000	106,430,298	67	59,955,273	47,607,194	8,700,000	3,648,146	59,955,273
Revenue-based Total	932,909,439	155,448,509	151,137,924	1,320,749	152,458,673	2,989,836	87,568,598	54,340,133	9,233,732	26,984,570	87,568,598

FY 2007-08 CARRYOVER Funds are available for allocation until June 30, 2010.

FY 2008-09 Funds are available for allocation until June 30, 2010 also.

J:\PROJECT\Funding\Infrastructure Bond\U-Bond\Transit\MTC Regional Transit Proposal - \$347M\FY 2008-09\Project Summary List\PTMISEA Project List_8.25.09.xls\REV

Recent Payments to Bay Area Agencies with Prop 1B Projects:

SCO Paid Project Sponsors on 7/15/09 and 7/22/09

	Sponsor	Project Title	Amount Paid
1	AC Transit	Replace/Expand Nine 60-foot Articulated and Thirty 45-foot Buses	8,826,245
2	Alameda CMA - for ACE	ACE Station Improvements	283,155
3	BART	BART Pittsburg/Bay Point Station Improvements	320,000
4	BART	Intermodal Access Improvements at West County BART Stations	482,251
5	BART	BART Balboa Park Station Westside Entrance and Walkway	1,153,610
6	BART	Central Contra Costa BART Crossover	5,000,000
7	BART	eBART	6,000,000
8	BART	Station Modernization Program	15,080,322
9	Caltrain (PCJPB)	South Terminal Station Project	6,849,847
10	CCCTA	Pacheco Transit Hub	800,000
11	CCCTA	Rolling Stock Replacement	1,938,706
12	Dixon	Replacement vehicles	85,822
13	ECCTA	Bus Purchase	882,885
14	Fairfield	DART Paratransit Replacement Vehicles	109,621
15	Fairfield	Vacaville Bus Shelters	109,800
16	Fairfield	Vacaville City - Replace 5 Buses	240,000
17	GGBHTD	Canal Neighborhood Transit Improvements	435,638
18	GGBHTD	Purchase Seven 35-foot Low Floor Hybrid Buses	872,020
19	GGBHTD	Asset Management and Vehicle Fluid Management Systems	2,163,666
20	LAVTA	Route 10 Rapid Bus (BRT) Project	392,593
21	NCTPA	Bus Purchase - Rolling Stock Acquisition	555,157
22	San Mateo County Transit District	Van Purchase for Shelter Network	28,000
23	San Mateo County Transit District	East Palo Alto Bus Stop Improvements	72,000
24	San Mateo County Transit District	Replacement of 126 1993 Gillig Buses	888,938
25	San Mateo County Transit District	Replacement of Fare Collection Equipment	1,679,492
26	Santa Rosa CityBus	Bus Purchase	901,303
27	SFMTA	Randolph/Farallones/Orizaba Transit Access Improvements**	85,000
28	SFMTA	SFMTA Persia Triangle Improvements**	127,000
29	SFMTA	Interim Line Management Center	400,000
30	SFMTA	Light Rail Operations Control Center Improvements	1,300,000
31	SFMTA	Central Subway	30,000,000
32	Sonoma County	Bus Purchase (Five)	232,029
33	Sonoma County	Bus Purchase (Ten)	614,452
34	Union City	Bus Purchase - Two Replacement Buses	196,618
35	Vallejo	Purchase of Shop Truck	75,730
36	Vallejo	Purchase Vehicle Replacement Parts	94,000
37	Vallejo	Bus Maintenance Facility Repair	182,000
38	Vallejo	Bus Fixed/Heavy Equipments	205,200
39	Vallejo	Install Bus Shelters and Stops	361,010
40	WestCat	Bus Purchase - Contra Costa College Connection	69,785
41	WestCat	Bus Purchase - LYNX	318,133
		Total	90,412,028

**California Department of Transportation
Public Transportation Modernization, Improvement, and Service Enhancement Account
(PTMISEA)**

Guidelines and Project Description and Allocation Request

The Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006 (Bond Act), approved by the voters as Proposition 1B on November 7, 2006, includes a program of funding in the amount of \$4 billion to be deposited in the Public Transportation Modernization, Improvement, and Service Enhancement Account (PTMISEA). Of this amount, \$3.6 billion in the PTMISEA is to be made available to project sponsors in California for allocation to eligible public transportation projects. This comprehensive voter-approved transportation bond investment package was designed to help advance important goals and policies, including protecting the environment and public health, conserving energy, reducing congestion, and providing alternative mobility and access choices for Californians. Projects funded from the PTMISEA will help advance the State's policy goals of providing mobility choices for all residents, reducing congestion, and protecting the environment.

Funds will be appropriated to the State Controller's Office (Controller) for allocation to eligible agencies. In fiscal year 2007/08, Senate Bill 88 identified the Department of Transportation as the administering agency. The Legislature appropriated \$600 million to the Program. In fiscal year 2008/09 the Legislature extended the procedures in SB 88 for another year, and appropriated \$350 million. The 2009/2010 Governor's Budget includes \$350 million of PTMISEA.

Due to the current fiscal state, California bond funds have not been sold regularly. Projects approved for funding will receive their request when funding from bond sales is available.

Guidelines

1. Guideline Purpose

The Department is responsible for developing and approving guidelines that accomplish the following:

1. Provide for the audit of project expenditures and outcomes.
2. Require that the useful life of the project be identified as part of the project nomination process.
3. Require that project nominations have project delivery milestones as applicable: start and completion dates for environmental clearance, design, right of way, construction, vehicle/equipment procurement, and project closeout.

These guidelines are intended to assist the project sponsor and the Department in verifying that the proposed project is consistent with the criteria established for the PTMISEA in the Bond Act and Statutes. The Legislature is currently working to pass AB 1072 that applies

the process and formulae used initially in the Budget Act to distribute transit funds under the PTMISEA to the funds remaining in this Proposition 1B bond program. The Department will revise these guidelines as necessary for the remainder of the funds to be appropriated for the PTMISEA in future fiscal years.

Statutory Program Eligibility

2. Project Sponsors

“*Project sponsor*” is identified by the State Controller as:

- a. A transit operator, including a rail transit, commuter rail, bus, or waterborne transit operator, eligible to receive an allocation of funds under the State Transit Assistance (STA) pursuant to Public Utilities Code (PUC) Sections 99314, or
- b. A local agency, including a transportation planning agency, county transportation commission, or the San Diego Metropolitan Transit Development Board, eligible to receive an allocation of funds under the STA pursuant to PUC Section 99313.

Recipient Agency is the project sponsor that will act as the lead when multiple project sponsors agree to contribute their PTMISEA funds to a joint project.

3. PTMISEA Allocation

The Controller identifies and develops the list of eligible project sponsors and the amount each is eligible to receive, based on calculations outlined in PUC Sections 99313 and 99314. The Controller notifies project sponsors of their eligibility and funding level via an official letter annually. The amount may vary depending on the availability of funds.

FY 2008-09 PTMISEA Allocation

Per Budget Bill AB 1781, the FY 2008-09 PTMISEA amount is available for allocation until June 30, 2010, and available for encumbrance and liquidation until June 30, 2014.

FY 2007-08 PTMISEA Allocation

For FY 2007-08, the Controller released their letter on October 24, 2007. The FY 2007-08 PTMISEA amount is available for allocation until June 30, 2010, and available for encumbrance and liquidation until June 30, 2012.

4. Eligible Projects

Transit Capital Projects

Eligible projects are **transit capital projects** (including a minimum operable segment of a project) for purposes of one of the following:

- Rehabilitation, safety, or modernization improvements. Purchasing of equipment for rehabilitation, operation, modernization and/or safety enhancements. These may include items such as bus engines, computer systems, and signage.
- Capital service enhancements or expansions. Expansion and/or modernization of existing buildings, bus shelters, transit centers, operation and maintenance facilities, and the like. These may include any one or a combination of the phases; design and/or construction.
- New capital projects. New construction, expansion, and/or modernization of buildings, bus shelters, transit centers, operation and maintenance facilities, and the like. This may include any one or a combination of the phases; design, right of way, and/or construction.
- Bus rapid transit improvements. Construction and/ or expansion of BRT lanes and or equipment to expand service.
- Rolling stock procurement, rehabilitation, expansion or replacement. To purchase, replace or rehabilitate transit vehicles to replace or expand services. These may include buses, vans, paratransit vehicles, and rail transit vehicles.

Useful Life

To be eligible, projects must have a useful life not less than the required useful life for capital assets pursuant to the State General Obligation Bond Law, GC Section 16727 (a).

Short Range Transit Plan

Further more, projects **must** be consistent with the sponsor's most recently adopted short-range transit plan or publicly adopted plan that programs or prioritizes funds for transit capital improvements, including a transportation improvement program. Or a certified board endorsement will suffice to meet this requirement.

Project Full Funding Plan

The project sponsor must provide a funding plan that demonstrates the funds are expected to be reasonably available and sufficient to complete the project or a useable project segment. Funding for a useable project segment can only be approved if the benefits associated with the segment are sufficient to meet the objectives of the PTMISEA. **The executive authority of an agency must sign the statement on the cover sheet that holds project sponsor liable for all fiscal responsibilities.**

5. Authorized Agent Form

The executive authority of an agency is required to submit to the Department a signed and dated Authorized Agent form indicating whom has authority to act on behalf of their agency for submitting the required Allocation Request and reporting documents. The form will remain valid for one fiscal year or until there is a change in the authorized agent. This form shall be submitted even when the only signing authority is the Executive Director.

PTMISEA Allocation Request

6. PTMISEA Allocation Request

The project sponsor and/or the “recipient agency” must sign the Allocation Request. A project sponsor becomes the “recipient agency” when more than one project sponsor is contributing to the project. The contributing project sponsors must also sign the Request form and state the dollar amount contributed and whether the funds are provided in accordance with SB 1781, Statutes of 2008; **or provide an official signed letter with this information. If there are multiple contributing sponsors, each must submit an official signed letter stating the dollar amount.**

Project sponsors shall submit to the Department a description of the proposed transit capital project or projects it intends to fund with PTMISEA **The Project Lead will be the project sponsor or recipient agency. The Project Lead will complete Table 1 of the Request form and the contributing project sponsors information in Table 2.**

The PTMISEA Allocation Request and Attachment A.1 form is provided in Microsoft Excel format. The Request includes all of the following and serves as the basis for the Department’s review to verify the project is consistent with the PTMISEA requirements:

- a. A summary of the proposed project, which shall include the benefit the project intends to achieve.
- b. The useful life of the project.
- c. The estimated schedule for the completion of the project.
- d. The total cost of the proposed project, including the identification of all funding sources necessary for the project to be completed.

Please see Allocation Request Instructions

7. Request Submittal

The original signed hardcopy Request (including Attachment A.1, and the relevant sections of the publicly adopted plan) and any letter of verification from the regional entity, as applicable, must be mailed to:

Joan Musillani, PTMISEA Program Manager
California Department of Transportation
Division of Mass Transportation, MS #39
P.O. Box 942874
Sacramento, CA 94274-0001

You may e-mail a scanned version, but you must follow with a hard copy by mail. The scanned version should be sent to appropriate PTMISEA staff listed on the DMT website:

8. Project Eligibility Verification and Adoption

The Department will review the Requests and only approve projects that meet the requirements of PTMISEA as outlined above. A minimal operable project segment will only be approved if the benefits are sufficient to meet the objectives of the PTMISEA. Project sponsors are expected to have the financial capacity to maintain and operate the project services, as well as the financial and institutional ability to accept the legal liabilities and obligations for the duration of the project's useful life. These PTMISEA funds shall be spent consistent with the California Air Resources Board's regulations governing transit equipment and emissions.

Upon approval, the Department will establish and adopt a list of the eligible projects and allocations by project sponsor that are ready to proceed within the following six-month period and submit the list to the Controller. The Department will send written notification to the sponsors of the projects, including an accounting of the FY PTMISEA share remaining to be approved for other eligible projects.

9. Biannual Project Lists

For FY 2009-10, and previous years, requests can be made on a continuous basis up to the amount allocated for that year. However, the Department only sends a list of all approved PTMISEA projects that are ready to proceed with the PTMISEA funded phase within the following six-month period to the Controller biannually.

10. Allocations from the PTMISEA

After receiving the Department's adopted PTMISEA list, the Controller will issue the warrant to the project sponsor up to the level of funding it is eligible to receive for the project. This means that a sponsor may request funds in advance of actually incurring the expense, if the Department has verified that the project is eligible. Funds will be allocated based on project readiness as indicated in the submitted schedule. **To receive funds electronically, complete the form found at the website below and send it to the Controller: <http://www.sco.ca.gov/ard/state/forms/fam34.pdf>.**

11. Eligible Bond Expenditures/Timely Use of Funds

Per statutes, costs allowable include costs incidentally but directly related to construction or acquisition as applicable: start and completion dates for environmental clearance, design, right of way, construction, vehicle/equipment procurement, and project closeout. The Department must verify that funds can be encumbered within two years of the allocation and expended within four years after encumbrance.

Project cost incurred **prior** to passage of the following Fiscal Year Budget Acts are **not** eligible expenditures for PTMISEA funds. Dates are:

FY 2007-08: August 24, 2007

FY 2008-09: September 23, 2008

Project cost incurred **after** the passage of the following Fiscal Year Budget Act are eligible expenditures for PTMISEA funds. Dates are:

FY 2007-08: August 24, 2007

FY 2008-09: September 23, 2008

12. Interest Earned

Interest must be used in the same manner as the principle. Interest earned can only be used for approved PTMISEA Projects, in the following ways:

- If project cost exceeds the approved request, any interest earned can be applied to the project. An approved Corrective Action Plan is required, available from on the Department of Mass Transportation website or from PTMISEA staff.
- Interest remaining after project closeout must be applied to another approved PTMISEA project.

13. Surplus Funds

Funds remaining after project completion are considered surplus. These funds shall be expended in conformance with PTMISEA guidelines. A Project Description and Allocation Request is required.

14. Changes to Scope of Work, Budget, or Schedule

Prior approval is required to change a PTMISEA Project Allocation Request. The following process applies:

- Contact the PTMISEA office to request a Corrective Action Plan form.
- Complete and return the PTMISEA Corrective Action Plan form.
- Your amended PTMISEA Project Completion Date must fall within the original approved timeline.

Accountability and Progress Reports

15. Project Accountability and Semi-Annual Reporting

Each project must meet the front-end, in-progress, and follow-up accountability requirements of the Governor's Executive Order S-02-07, (E.O.) as found at: http://www.bondaccountability.ca.gov/Executive_Order/.

The Department will submit to the Department of Finance, the Controller, and the Treasurer a report that includes the project information taken from the Requests and subsequent adopted list. The Department's report will fulfill the E.O. front-end reporting requirement for the project sponsors.

GC Section 8879.50(f)(1) requires the project sponsor to report semi-annually on the activities and progress made on the project to the Department to ensure the projects and activities funded from bond proceeds are being executed in a timely fashion, within the scope and cost approved at the time of allocation, and are achieving the intended purposes. You will be notified of the due dates for the reports. The project sponsor must also notify the Department when the allocated funds have been encumbered. These semiannual reports to the Department fulfill the E.O. in-progress reporting requirements for the project sponsors.

If the project is expected to exceed the approved budget, the project sponsor shall provide a revised plan to the Department indicating how it will address the cost increase. The project sponsor may either downscope the project or find an alternative funding source. Unallocated FY 2007-08 and FY 2008-09 PTMISEA funds may be used as an alternative source.

The information from the Department's reports will be available online, accessible through the Department of Finance website, allowing the public and officials to see how bond funds are being used. The State Treasurer will prepare an annual executive summary of information on the bond projects and post it online, including any conclusions or recommendations to the Legislature or responsible department.

During the first year of these reports, the due dates fell six months after the release of the funds. Since the release dates vary, we are adjusting the due dates to be consistent each year. All projects (regardless of their cycle) will have reports due 45 days after the June quarter and after the December quarter. This will coincide with other bond program requirements and will present more consistent program status updates. All FY 7/8 projects will follow this schedule, and as we fund the FY 8/9 cycles, they will also be due at the same times. The schedule for the Semi-Annual Reports is as follows:

Report due:	Data effective as of:
August 15, 2009	June 30, 2009
February 15, 2010	December 31, 2009
August 15, 2010	June 30, 2010
February 15, 2011	December 31, 2010

16. Final Report

- Notice of Completion: When project is complete, the Sponsor must notify the DMT. This notification can be via email or letter.
- Six Month Completion Report: Six months after the project is complete a short summary of the project must be submitted to DMT.

17. Project Audit and Follow-up Report

The annual audit of public transportation operators already required under the Transportation Development Act (TDA) pursuant to PUC 99245 **must be expanded to include verification of receipt and appropriate expenditure of bond funds** in accordance with Statutes. Each project sponsor receiving PTMISEA funds in a fiscal year for which an audit is conducted shall transmit a copy of the audit to the Department **180 days after the close of the fiscal year**, and the Department shall make the audits available to the Legislature and the Controller. The audit can fulfill the E.O. requirement for follow-up reporting. If the annual audit is conducted six months after the project becomes fully operational or has entered service and includes final costs compared to the original project budget, the project duration as compared to the project schedule at date of allocation, and performance outcomes achieved as compared to the outcomes described in the original application.

18. Commission’s Annual Report

The Department will provide project information to the California Transportation Commission to include in its annual report. The report will include a summary of the PTMISEA project activities including the description and location, the amount of funds allocated to each project, progress made to date, and a description of the public benefits achieved. This shall also include a list of any projects that have been subject to an audit.

Other General Information

19. The estimated timeline for FY 2009-10, is below:

- | | |
|--|---------------|
| • Distribute revised guidelines | October 2009 |
| • SCO calculates allocations | October 2009 |
| • Project Sponsor submit Request to Department | November 2009 |
| • Department releases adopted list to Controller | December 2009 |
| • Controller allocates funds for first cycle | January 2010 |
| • Second Project Cycle submittals to Department | April 2010 |
| • Department releases adopted list to Controller | May 2010 |
| • Controller allocates funds for second cycle | June 2010 |

20. Additional Information

Please view our website to download all materials and additional information: [Division of Mass Transportation PTMISEA](http://www.dot.ca.gov/hq/MassTrans/Proposition-1B.html). (http://www.dot.ca.gov/hq/MassTrans/Proposition-1B.html)

PTMISEA Allocation Request Instructions

The following is to be used as a guide to completing the California Department of Transportation Public Transportation Modernization Improvement and Service Enhancement Account (PTMISEA) Allocation Request.

Cover Page

An original should be completed and submitted by the Lead Agency and signed by contributing sponsor(s). An official signed letter can be submitted by contributing sponsor(s) in lieu of signing the cover page. The signature(s) should be from the Executive Director or the Authorized Agent to confirm validity of the request. PTMISEA will need an Authorized Agent Form to be completed every Fiscal Year.

PTMISEA Project Description and Allocation Request

Allocation Request Amount

The amount requested should be listed under the year the funding was allocated by the legislature, not the year the funding is being requested or expended. The funds requested by each project sponsor cannot exceed the amount identified by the Controller for each year.

Table 1 – Project Sponsor/Recipient Agency Information: The Lead/Recipient Agency completes this table. If there are other contributing project sponsors, the agency receiving the funds from other project sponsors becomes the Lead Agency/Recipient Agency. The Lead Agency/Recipient Agency becomes the principal project contact and responsible for complying with reporting requirements. **Remember, only agencies identified by the Controller can be Project Sponsors.**

Table 2 – Contributing Project Sponsor(s) Information

The Request must clearly identify the contributing PTMISEA-eligible sponsors and the amount of funds they are contributing. In addition, whether the funds are from the PTMISEA formula for GC Section 8879.55(a)(2) or GC Section 8879.55(a)(3). **List PTMISEA funds only.**

Table 3 – Project Category

Select one category that best describes the project. *Refer to Eligible Projects, item #4, on the PTMITSEA guidelines.*

Table 4 – Project Summary

Describe the project (or minimum operable segment of a project). The description of the project should include the number of items being produced/purchased with PTMISEA funding (i.e. 5 vehicles, 1 transit center), the type (i.e. Type VII bus, i.e. Light Rail Station), and any appropriate definitions of project. Attach any additional pages if necessary.

Table 4.b:

The useful life of the project or asset, which shall not be less than the required useful life for capital assets pursuant to the State General Obligation Bond Law.

Table 5 – Description of Major Benefits / Outcomes

Please select one or more of the measurable public benefit(s). The major public benefit should be stated as a measurable statistical benefit shown as a percent. This information will be available on the Governor’s Bond Accountability Website for the public to view. Please refer to the table below for further guidance on filling out this table. In addition, please summarize any additional benefits the project will generate.

The table below may aid in quantifying some public benefits and outcomes				
Benefits	Increase Ridership	Reduce Operating/ Maintenance Costs	Reduce Emissions	Increase System Reliability
	Outputs	Increase in Rail Transit Round Trips	Increase Fleet Life	Increase Fuel Efficiency
Average Daily Rides		Reduce Vehicle Miles	Construct CNG / LNG Fueling station	Service Facility Expansion
Increased Capacity		Enhanced Maintenance Capacity	Purchase CNG / LNG vehicles	Improved System Performance
Increase Mobility		Extend Vehicle Life		On-Time Performance Increase
Reduce Congestion		Maintenance / Storage Facility Construction / Expansion		
Transit Center Construction / Expansion		Decrease Fueling Time		
Park & Ride Spaces				
Security Enhancement ADA Requirement				

Examples:

Project Description - Pave and re-stripe 40 Park & Spaces.

Output - Park & Ride Spaces

Benefit - Increase Ridership by 5%

Project Description - Rehabilitate 50 Buses.

Output - Increase fleet life

Benefit - Reduce Operating / Maintenance Cost by 10%

Project Description - Replace 10 Diesel buses with new CNG models

Output - Purchase CNG vehicles

Benefit - Reduce Emissions by 20%

Project Description - Purchase and Install AVL in bus fleet

Output - On-Time Performance Increase

Benefit - Increased System Reliability by 10%

Note: Percentages above are for example purposes only.

Table 6 – Project Schedule and Milestones

State the estimated start and completion dates for the project phases as applicable: start and completion dates for environmental clearance, design, right of way, construction, vehicle/equipment procurement, and project closeout. Please note, the PTMISEA-funded phase of the project **must** be ready to proceed within six months of the allocation request biannual deadlines.

Table 7 – Tax Compliance Information

Respond to the questions as asked. These questions replace the Tax Compliance Questionnaire usually required.

Total Project Cost and Funding Plan

The funding plan must demonstrate the project is fully funded by identifying the sources of funding, including federal, local, private, and State money committed for the project. If the project-funding plan includes interest earned on PTMISEA funds, it will be listed as a separate funding source and included on this attachment. The funding should be entered according to the year the funding was allocated to the project, not the year the funding was received or expended.

Short Range Transit Plan

Projects must be consistent with the project sponsor's most recently adopted short-range transit plan or other publicly adopted plan that programs or prioritizes funds for transit capital improvements, including the region's transportation improvement program or a certified board endorsement. Submit only the following information of your plan:

- a. Cover page
- b. Summary
- c. Adoption page
- d. Relevant project description

Sponsor Check List

The checklist serves as a guide to complete and submit key requirements in the Allocation Request process. Completing the checklist will help to ensure that requests are processed in a timely matter to meet Allocation Request deadlines.

**Public Transportation Modernization, Improvement and
Service Enhancement Program (PTMISEA)
PROJECT DESCRIPTION AND ALLOCATION REQUEST**

	Regional Entity:
Project Lead*:	County:
Project Title:	

I certify the scope, cost, schedule, and benefits as identified in the attached Project Description and Allocation Request (Request) and attachments are true and accurate and demonstrate a fully funded operable project. I understand the Request is subject to any additional restrictions, limitations or conditions that may be enacted by the State Legislature, including the State's budgetary process, which may effect the amount of bond proceeds received by the project sponsor now and in the future. Project sponsors may need to consider alternative funding sources if bond proceeds are not available. In the event the project cannot be completed as originally scoped, scheduled and estimated, or the project is terminated prior to completion, project sponsor shall, at its own expense, ensure that the project is in a safe and operable condition for the public. I understand this project will be monitored by the California Department of Transportation -- Division of Mass Transportation.

Name: _____

Signature: _____

Title: _____

Agency: _____

Date: _____

If this project includes funding from more than one project sponsor, the project sponsor above becomes the "recipient agency" and the additional contributing project sponsor(s) must also sign and state the amount and type of PTMISEA funds (GC Section 8879.55(a)(2) and/or Section 8879.55(a)(3)) contribution. Sign below or **attach a separate officially signed letter providing that information.**

Name: _____

Signature: _____

Title: _____

Agency: _____

Date: _____ **Amount:** _____

PTMISEA 2009- 10 PROJECT DESCRIPTION AND ALLOCATION REQUEST

	7/8	8/9	9/10
Request Amount per GC 8879.55(a)(2)/PUC 99313:	\$ _____	\$ _____	\$ _____
Request Amount per GC 8879.55(a)(3)/PUC 99314:	\$ _____	\$ _____	\$ _____
Total Project Allocation Request:	\$0	\$0	\$0
Project Title:	_____		
Project Location/Address:	_____		

Table 1: Project Lead/Recipient Agency Information

Project Lead/ Recipient Agency: _____	<i>Legislative District Numbers</i>
Contact: _____	Senate: _____
Contact Phone #: _____	Assembly: _____
Email Address: _____	Congressional: _____
Address: _____	Fund Type: _____
Amount: \$ _____	_____
\$ _____	_____

Table 2: Contributing PTMISEA-Eligible Project Sponsor Information

PTMISEA Contributors: _____	Amount :	Fund Type:
Contact: _____	\$ _____	_____
Contact Phone #: _____	\$ _____	_____
Email Address: _____		
Address: _____		
Other PTMISEA Contributors (Attach sheet with contact info)	Amount:	Fund Type:
_____	\$ _____	_____
_____	\$ _____	_____
_____	\$ _____	_____
TOTAL	\$0	_____

(*Contributing project sponsors attach signed letters of verification as to amount and eligibility or sign cover page)

Table 3: Project Category

Check **only 1** box that best fits the description of the project being funded.

<input type="checkbox"/> Rehabilitation, Safety or Modernization Improvement	<input type="checkbox"/> Bus Rapid Transit
<input type="checkbox"/> Capital Service Enhancement or Expansion	<input type="checkbox"/> Rolling Stock Procurement:
<input type="checkbox"/> New Capital Project	___ Expansion
	___ Rehabilitation
	___ Replacement

Table 4: Project Summary

a) Describe the project (or minimum operable segment) for which you are applying for funds. Attach additional sheets if necessary. If the application is for the purchase of vehicles or rolling stock, please include information on number of vehicles, size, passenger count, accessibility, and fuel type:

Write here:

b) Useful Life of the Project: _____ years

Table 5: Description of Major Benefits/Outcomes

a) Please check appropriate Benefit/Outcome:

_____ Increase Ridership by _____ %
 _____ Reduce Operating/Maintenance Cost by _____ %
 _____ Reduce Emissions by _____ %
 _____ Increase System Reliability by _____ %

b) Please summarize and describe any other benefits:

Table 6: Project Schedule

	Date
Begin Project Approval & Environmental Document Phase	
CEQA/ Environmental Compliance	
End Project Approval & Environmental Document Phase	
Begin Plans, Specifications & Estimates Phase	
End Plans, Specifications & Estimates Phase	
Begin Right of Way Phase	
End Right of Way Phase	
Begin Construction Phase (Contract Award)	
End Construction Phase (Contract Acceptance)	
Begin Vehicle/Equipment Order (Contract Award)	
End Vehicle/Equipment Order (Contract Acceptance)	
Begin Closeout Phase	
End Closeout Phase	

Table 7: Tax Compliance Information

Is it reasonably anticipated that any money will be derived at any point in the future as a result of the project that will be paid to the State?

	YES
	NO

If yes, please describe the source of the money and provide an estimate of the amount:

Estimate: \$ _____

Division of Mass Transportation
Public Transportation Modernization, Improvement, and
Service Enhancement Account (PTMISEA)
Financial Progress Report



Regional Entity	Transit Operator	Project Sponsor	Project Name
GC Section 8879.50(f)(1) requires the project sponsor to report semi-annually on the activities and progress made on the project to the Department to ensure the projects and activities funded from bond proceeds are being executed in a timely fashion, within the scope and cost approved at the time of allocation, and are achieving the intended purposes.			
BRIEF PROJECT DESCRIPTION:			

1. IDENTIFY ANY CONTRACTS INITIATED THAT WILL EXPEND PTMISEA FUNDS ON THIS PROJECT:

Contract #:

Vendor Name:

Start Date:

End Date:

Dollar Amount:

1a) If no contracts have been initiated please explain:

2. INTEREST EARNED TO DATE ON PTMISEA FUNDS, FOR THIS PROJECT:

Amount Awarded:

Interest Rate:

Interest Earned:

3. COMPLETION STATUS:

Overall Project Percent Complete: _____%

Date (anticipated completion date): _____

4. BEGINNING BALANCE, ITEMIZED EXPENDITURES, AND ENDING BALANCE:

Itemize Expenditures on Attachment A.1.3

PERSON PREPARING THIS REPORT (please type or print)	PHONE:	DATE:
APPROVAL AUTHORITY* (signature) Date:	TYPED NAME AND PHONE NUMBER	

*Note: The same authority that signed the Allocation Request must sign here.

Division of Mass Transportation
Public Transportation Modernization, Improvement, and
Service Enhancement Account (PTMISEA)
Outcome Progress Report



Regional Entity	Transit Operator	Project Sponsor	Project Name

GC Section 8879.50(f)(1) requires the project sponsor to report semi-annually on the activities and progress made on the project to the Department to ensure the projects and activities funded from bond proceeds are being executed in a timely fashion, within the scope and cost approved at the time of allocation, and are achieving the intended purposes.

BRIEF PROJECT DESCRIPTION:

1) BRIEFLY SUMMARIZE THE STATUS OF THE PROJECT:

a) Description of what has been completed as described in the scope of the original project allocation request:

b) List any vehicles/equipment received (i.e., ordered 10 buses, have received 3):

2) BRIEFLY DESCRIBE THE STATUS OF THE PROJECT’S BENEFITS/OUTCOMES:

State the progress of the Benefits/Outcomes as they pertain to the scope of this project (include data for measurable outcomes: number of new routes, rail miles, BRT miles, facilities constructed, increased ridership, reduced congestion/greenhouse gases, number of vehicles purchased/rehabilitated/ replaced):

Please include the current overall Measurable Benefit as a Percent.

3) STATE WHAT STILL NEEDS TO BE COMPLETED BEFORE PROJECT CLOSEOUT:

4) LIST THE COMPLETION STATUS OF THE MILESTONES THAT PERTAIN TO THIS PROJECT:

Phase:	Percent Complete:
Project Approval & Environmental Document (PA & ED)	%
Plan Specification & Estimates (PS & E)	%
Right of Way	%
Construction	%
Vehicle/ Equipment Purchase	%
Closeout	%

**Division of Mass Transportation
Public Transportation Modernization, Improvement and
Service Enhancement Account (PTMISEA)
Outcome Progress Report**

5) AMENDMENT: Please describe any changes to the project scope, cost, and/or schedule that have occurred.

	Original	Revised
<u>Project Description/ Scope of Work</u>		
<u>Funding</u>		
99313 :		
99314 :		
PTMISEA Interest :		
<u>Other Funds</u>		
Federal :		
State :		
Local :		
Total :	\$0	\$0
<u>Schedule Date</u>		
Begin PA & ED :		
End PA & ED :		
Begin PS & E :		
End PS & E :		
Begin Right of Way :		
End Right of Way :		
Begin Construction :		
End Construction :		
Begin Vehicle/Equipment Order :		
End Vehicle/Equipment Order :		
Begin Closeout Phase :		
End Closeout Phase :		
Justification for Change :		

PERSON PREPARING THIS REPORT (please type or print)		PHONE:	DATE:
APPROVAL AUTHORITY* (signature)		TYPED NAME AND PHONE NUMBER	
Date:			

*Note: The same authority that signed the Allocation Request must sign here.



**Public Transportation Modernization, Improvement & Service Enhancement Program (PTMISEA)
Project Description and Allocation Request
Corrective Action Plan**

Fiscal Year :
PTMISEA Cycle :
Project Sponsor :
Contributing PTMISEA Sponsor :

	Original		Revised
<u>Project Scope</u>			
<u>Funding</u>			
99313 :			
99314 :			
PTMISEA Interest :			
Other Funds :			
Federal :			
State :			
Local :			
<u>Schedule Date</u>			
Begin Environmental :			
End Environmental :			
Begin Design :			
End Design :			
Begin Right of Way :			
End Right of Way :			
Begin Construction :			
End Construction :			
Begin Vehicle/Equipment Order :			
End Vehicle/Equipment Order :			
Begin Closeout Phase :			
End Closeout Phase :			
Justification for Change :			

Signature(s)

Sponsor Recipient

Date

Contributing PTMISEA Sponsor

Date

Note: The same authority that signed the Allocation Request must sign here.



Effective(12/08)

Public Transportation Modernization, Improvement & Service Enhancement Program (PTMISEA)

Final Project Report

Per G.C. 8879.50 (f)(2) "Within six months of the project becoming operable the recipient agency shall provide a report to the administrative agency . . ." Please provide the following information:

Fiscal Year :
 PTMISEA Cycle :
 Project Sponsor :
 Contributing PTMISEA Sponsor :
 Project Name :

	Original Application	Final Project
Project Scope		
Funding	Original Approved Project Cost	Final Project Cost
99313 :		
99314 :		
PTMISEA Interest :		
Other Funds		
Federal :		
State :		
Local :		
Total Project Cost :	\$0	\$0
Schedule Date	Original Project Schedule	Final Project Schedule
Begin Environmental :		
End Environmental :		
Begin Design :		
End Design :		
Begin Right of Way :		
End Right of Way :		
Begin Construction :		
End Construction :		
Begin Vehicle/Equipment Order :		
End Vehicle/Equipment Order :		
Begin Closeout Phase :		
End Closeout Phase :		
	Anticipated Performance Outcome	Actual Performance Outcome
Performance Outcomes Description/Improvement Percentages :		

Signature:

 Name and Title

 Date

Note: The same authority that signed the Allocation Request must sign here.

Bay Area's Share of Transit Security Funding in Proposition 1B ~ FY2008-09								
	FY08-09 Eligible Allocation		Carryover from FY07-08		FY07-08 + 08-09	Total Requested in Round One (Received Conditional Award)	Total Available in Future (Carryover)	Total Population-Based Available (Carryover)
	Revenue Based Formula GC 8879.58(a)(3)	Population Based Formula GC 8879.58(a)(2)	Revenue Based Formula GC 8879.58(a)(3)	Population Based Formula GC 8879.58(a)(2)	Total Funding Available (Revenue + Population)*			
Statewide Share	30,000,000	30,000,000	30,000,000	30,000,000	120,000,000			
MTC Share	15,548,491	5,766,503	15,548,491	5,766,503	42,629,988			
Alameda CMA - Corresponding to ACE	28,322	10,504	28,322	10,504	77,652		77,652	21,008
Benicia	2,159	801	2,159	801	5,919		5,919	1,601
Caltrain	685,145	254,101			939,246	939,246		
CCCTA	85,288	31,631			116,918	116,918		
Dixon	692	257	692	257	1,898		1,898	514
ECCTA	34,606	12,834	34,606	12,834	94,881	47,440	47,441	12,834
Fairfield	12,078	4,479		4,479	21,036	21,036		
GGBHTD	585,385	217,103			802,488	802,488		
Healdsburg	187	69	187	69	513		513	139
LAVTA	26,768	9,928		9,928	46,624	46,624		
NCPTA	7,151	2,652	51	2,652	12,507		12,507	5,304
SamTrans	807,082	299,324			1,106,406	1,106,406		
Santa Rosa	18,319	6,794			25,113	25,113		
Sonoma County Transit	23,208	8,607			31,816	31,816		
Union City	6,854	2,542	6,854	2,542	18,791		18,791	5,084
Vallejo	98,887	36,675	98,887	36,675	271,123	135,562	135,561	36,675
SCVTA	2,399,894	890,054			3,289,948	3,289,948		
SCVTA - Corresponding to ACE	39,523	14,658	39,523	14,658	108,362		108,362	29,316
WestCAT	41,413	15,359			56,773	56,773		
SUBTOTAL	4,902,962	1,818,372	211,281	95,400	7,028,015	6,619,370	408,644	112,474
Alameda-Contra Costa Transit District	1,567,169	581,219			2,148,388	2,148,388		
Bay Area Rapid Transit District	3,920,646	1,454,058			5,374,704	5,374,704		
City of San Francisco (MUNI)	5,157,714	1,912,853			7,070,567	7,070,567		
SUBTOTAL	10,645,529	3,948,131			14,593,659	14,593,659		
TOTAL	15,548,491	5,766,503	211,281	95,400	21,621,674	21,213,029	408,644	112,474

Note:

Per OHS California Transit Security Grant Program guidelines (pp. 5 and 6).

J:\PROJECT\Funding\Infrastructure Bond\I-Bond\Security-Transit\FY 2008-09\Program Allocations - FY 08-09\Prop 1B Transit Security allocation FY08-09_v3.xls]For Round Two



**METROPOLITAN
TRANSPORTATION
COMMISSION**

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WEB www.mtc.ca.gov

Memorandum

TO: Transit Finance Working Group

DATE: October 7, 2009

FR: Amy Burch

RE: State-Local Partnership Program (SLPP) Update

Background

Proposition 1B authorized \$1 billion for the State-Local Partnership Program (SLPP) for allocation by the California Transportation Commission (CTC) over a five-year period to eligible transportation projects. SLPP is divided into a formula program that matches local sales tax, property tax and/or bridge tolls (95%) and a competitive program to match local uniform developer fees (5%). The Legislature appropriated \$200 million in both FY 2008-09 and 2009-10 for SLPP. The CTC adopted the FY 2009-10 program of projects in September.

SLPP Project Status

To date, the CTC has programmed roughly \$150 million in SLPP funds, including over \$84 million to Bay Area projects (see Attachment A). A summary of the most recent CTC programming action is included as Attachment B.

SLPP funds that are not programmed will be available for future programming rounds. The Bay Area has approximately \$24 million remaining in FY 2008-09 and 2009-10 SLPP funds to program in the future.

Feel free to contact me at 510-817-5735 and aburch@mtc.ca.gov or Kenneth Folan at 510-817-5804 and kfolan@mtc.ca.gov with questions.

DRAFT
Proposition 1B State Local Partnership Program - Bay Area Programmed Projects and Reserves

Programmed Projects				
Project Title	SLPP Recipient Agency	Programmed 08-09	Programmed 09-10	Total SLPP Programming
BART Extension to Warm Springs	Bay Area Rapid Transit (BART)	2,563,000	2,755,000	5,318,000
	Bay Area Toll Authority (BATA)	12,898,000	12,633,000	25,531,000
	Alameda County Transportation Improvement Authority	7,814,000	7,770,000	15,584,000
	Santa Clara County Valley Transportation Authority	8,000,000	0	8,000,000
Subtotal		31,275,000	23,158,000	54,433,000
BART Oakland Airport Connector	Bay Area Toll Authority (BATA)	0	1,000,000	1,000,000
No projects currently programmed	Transportation Authority of Marin (TAM)	0	0	0
Santa Rosa CityBus Purchase 4 Hybrid Buses	Sonoma County Transportation Authority	1,200,000	0	1,200,000
Sonoma County - Arnold Drive Widening	Sonoma County Transportation Authority		330,000	330,000
SCTA Subtotal		1,200,000	330,000	1,530,000
SR-4 East Widening - Somersville to SR 160	Contra Costa Transportation Authority	5,253,000	5,012,000	10,265,000
City of El Cerrito Local Street Rehabilitation	City of El Cerrito	73,000	281,000	354,000
Contra Costa Subtotal		5,326,000	5,293,000	10,619,000
AC Transit Bus Procurement Program	AC Transit	3,959,000	4,256,000	8,215,000
Doyle Drive Replacement	San Francisco County Transportation Authority	4,176,000	4,221,000	8,397,000
SamTrans Bus Procurement Program - Paratransit	San Mateo County Transit District	0	49,000	49,000
Total Programmed		45,936,000	38,307,000	84,243,000

Unprogrammed Reserve				
Unprogrammed - Held in Reserve	SLPP Recipient Agency	Available 08-09	Available 09-10	Total Available for Programming
Unprogrammed Reserve - TAM	Transportation Authority of Marin (TAM)	1,304,000	1,291,000	2,595,000
Unprogrammed Reserve - Santa Clara VTA	Santa Clara County Valley Transportation Authority	1,303,000	9,272,000	10,575,000
Unprogrammed Reserve - San Mateo	San Mateo County Transit District	3,745,000	3,674,000	7,419,000
Unprogrammed Reserve - Sonoma	Sonoma County Transportation Authority	1,253,000	2,099,000	3,352,000
Total Unprogrammed - in Reserve	Total Reserve	7,605,000	16,336,000	23,941,000

Total_ Programmed and Unprogrammed	53,541,000	54,643,000	108,184,000
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Memorandum

To: CHAIR and COMMISSIONERS

Date: September 9-10, 2009

From: BIMLA G. RHINEHART
Executive Director

**Reference No. 4.6
Action**

**Ref: PROPOSITION 1B STATE-LOCAL PARTNERSHIP PROGRAM
2008-09 Formula Program Amendment and 2009-10 Formula Program Adoption
Resolutions SLP1B-P-0910-01 and SLP1B-P-0910-02**

RECOMMENDATION:

Staff recommends the California Transportation Commission (Commission) amend the 2008-09 Proposition 1B State-Local Partnership Program (SLPP) formula program of projects, in accordance with the attached Resolution SLP1B-P-0910-01 and adopt the 2009-10 SLPP formula program of projects in accordance with the attached Resolution SLP1B-P-0910-02.

ISSUE:

Proposition 1B, passed in November 2006, authorized \$1 billion for the State-Local Partnership Program (SLPP). The program is split into two sub-programs – a formula program to match local sales tax, property tax and/or bridge tolls (95%) and a competitive program to match local uniform developer fees (5%). The Legislature appropriated \$200,000,000 each in 2008-09 and 2009-10 for this program, and the Commission is required by statute to adopt a program and make the first allocations by October 2009 for the 2009-10 year. This item is to program projects for the 2009-10 formula program. A proposal to program the competitive program will be on the agenda in October 2009, with an information item this month (Item 4.5).

The Commission adopted the 2008-09 formula program in April 2009. Due to lack of bond funds, only two of the programmed projects have been allocated so far and others have been delayed. Because of the unavailability of bond funds, Marin and Orange Counties are requesting an amendment to de-program three 2008-09 projects, which are being delivered with other funds. The deprogrammed balance remains available to the agencies for future programming. This amendment, Resolution SLP1B-P-0910-01, is attached.

The Commission adopted SLPP Guidelines for 2009-10 in July 2009. These guidelines required applications for the second year of the program be submitted no later than August 15, 2009. Commission staff has received 14 project applications for the formula portion of the program totaling \$53,845,000. The amount available for programming in 2009-10 totals \$272,081,000. The proposed programming is shown on Resolution SLP1B-P-0910-02, attached.

Any un-programmed funds remain available for programming in the future.

BACKGROUND:

The Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006, approved by the voters as Proposition 1B on November 7, 2006, authorized \$1 billion to be deposited in the State-Local Partnership Program Account to be available, upon appropriation by the Legislature, for allocation by the California Transportation Commission over a five-year period to eligible transportation projects nominated by an applicant transportation agency.

In 2008, the Legislature enacted implementing legislation (AB 268) to add Article 11 (commencing with Section 8879.66) to Chapter 12.491 of Division 1 of Title 2 of the Government Code. This defines the program, eligibility of applicants, projects and matching funds.

Attachments

Proposition 1B State-Local Partnership Program

2008-09 Formula (\$,000)

AMENDMENT

RESOLUTION SLP1B-P-0910-01

Item 4.6 Attachment 1

September 9-10, 2009

Applicant Agency Project Title	Implementing Agency	2008-09 \$	
		Available	Requested
<u>TOLLS AND PROPERTY/PARCEL TAXES</u>			
Bay Area Toll Authority		\$12,898	\$12,898
BART Warm Springs Extension	BART		\$12,898
Bay Area Rapid Transit District		\$2,563	\$2,563
BART Warm Springs Extension	BART		\$2,563
<u>SALES TAXES - NORTH</u>			
Alameda		\$7,814	\$7,814
BART Warm Springs Extension	BART		\$7,814
Contra Costa (concurrent under PA-0910-02)		\$5,326	\$5,326
SR 4 East Liveridge to Somersville	Caltrans		\$5,253
SR 4 East Somersville to 160	Caltrans		\$5,253
2009 RAC Overlay Program	El Cerrito		\$73
Madera		\$764	\$764
Measure T Street Improvement Project	Chowchilla		\$258
Rehab, Resurface, Reconstruct and ADA	City of Madera		\$356
Ave 12 Sidewalk between Rds 36 and 37	Madera County		\$150
Marin (amend Sept 2009)		\$1,304	\$0
Street Resurfacing Program	Marin County		\$835
Street Resurfacing Program	San Rafael		\$208
Nevada - Truckee		\$82	\$82
Annual Slurry Seal Project	Truckee		\$82
Sacramento		\$7,214	\$7,214
Highway 50 HOV lanes Watt-Sunrise	Caltrans		\$7,214
Santa Clara		\$9,303	\$8,000
BART Warm Springs Extension	BART		\$8,000
Sonoma		\$2,453	\$1,200
Hybrid Bus Acquisition	Santa Rosa		\$1,200
<u>SALES TAXES - SOUTH</u>			
Los Angeles		\$54,625	\$40,000
I-5 North Carpool Lns SR 118- 170	Caltrans		\$40,000
Orange (amend Sept 2009)		\$16,451	\$9,865
Katella Ave Smart Street Humor to Jean	Anaheim		\$3,700
Imperial Hwy and Assoc. Rd Smart Street	Brea		\$200
Imperial Hwy Smart St - Co Ln to Harbor	La Habra		\$5,965
Katella Ave Smart St - Stanton Ch to Jean	Orange County		\$2,299
Tulare		\$2,294	\$2,294
Road 80 Widening - Phase 1A	Tulare County		\$2,294
TOTAL		\$123,091	\$98,020

Proposition 1B State-Local Partnership Program

2008-09 Formula (\$,000)

AMENDMENT

RESOLUTION SLP1B-P-0910-01

Item 4.6 Attachment 1

September 9-10, 2009

UNPROGRAMMED 2008-09 FUNDS

	2008-09 \$	
	Available	Requested
Alameda-Contra Costa Transit District	\$3,959	\$0
Fresno	\$4,715	\$0
Mendocino - Fort Bragg	\$35	\$0
Mendocino - Point Arena	\$2	\$0
Mendocino - Willits	\$25	\$0
Nevada - Nevada City	\$16	\$0
San Francisco	\$4,176	\$0
San Joaquin	\$3,472	\$0
San Mateo	\$3,745	\$0
Santa Cruz	\$1,350	\$0
Imperial	\$929	\$0
Riverside	\$11,007	\$0
San Bernardino	\$10,836	\$0
San Diego	\$16,583	\$0
Santa Barbara	\$2,259	\$0
TOTAL	\$63,109	\$0

Proposition 1B State-Local Partnership Program

2009-10 Formula (\$,000)

Initial Programming

RESOLUTION SLP1B-P-0910-02

Item 4.6 Attachment 2

September 9-10, 2009

Applicant Agency Project Title	Implementing Agency	2009-10 \$		Information Only		
		Available	Requested	2010-11	2011-12	2012-13
<u>TOLLS AND PROPERTY/PARCEL TAXES</u>						
Bay Area Toll Authority						
Oakland Airport Connector	BART	\$13,633	\$13,633			
BART Warm Springs Extension *	BART		\$1,000			
			\$12,633	\$12,898	\$1,571	
Bay Area Rapid Transit District						
BART Warm Springs Extension *	BART	\$2,755	\$2,755			
			\$2,755	\$2,563	\$2,563	\$2,086
Alameda-Contra Costa Transit District						
Bus Procurement Program	ACTransit	\$8,215	\$8,215			
			\$8,215			
<u>SALES TAXES - NORTH</u>						
Alameda						
BART Warm Springs Extension *	BART	\$7,770	\$7,770			
			\$7,770	\$7,814	\$6,558	
Contra Costa						
SR 4 East Somersville to 160 *	Caltrans	\$5,293	\$5,293			
RAC Overlay Program *	El Cerrito		\$5,012			
			\$281			
Madera						
Street 3R and ADA Improvements	City of Madera	\$760	\$760			
Road 200 reconstruction & widening	MCTC		\$216			
			\$544			
San Francisco						
Doyle Drive Replacement Project	Caltrans	\$8,397	\$8,397			
			\$8,397			
San Mateo						
Purchase Buses for Paratransit	SMCTD	\$7,468	\$49			
			\$49			
Sonoma						
Arnold Drive Widening	Santa Rosa	\$3,682	\$330			
			\$330			
<u>SALES TAXES - SOUTH</u>						
Orange						
Beach Blvd/SR91 Eastbd Ramp Widen.	Buena Park	\$22,907	\$648			
	Rancho Santa		\$465			
Santa Margarita Pkwy/Avenida Empresa	Margarita		\$183			
Riverside						
SR74 / I-215 Interchange	RCTC	\$21,965	\$3,700			
			\$3,700			
Tulare						
Road 108 Widening	Tulare County	\$2,295	\$2,295			
			\$2,295			
TOTAL		\$105,140	\$53,845	\$23,275	\$10,692	\$2,086

* Project also has 08-09 SLPP funds programmed

Proposition 1B State-Local Partnership Program

2009-10 Formula (\$,000)

Initial Programming

RESOLUTION SLP1B-P-0910-02

Item 4.6 Attachment 2
September 9-10, 2009

UNPROGRAMMED 2009-10 FUNDS	2009-10 \$	
	Available	Requested
Fresno	\$9,418	\$0
Marin	\$2,595	\$0
Mendocino - Fort Bragg	\$69	\$0
Mendocino - Point Arena	\$5	\$0
Mendocino - Willits	\$50	\$0
Nevada - Nevada City	\$31	\$0
Nevada - Truckee	\$81	\$0
Sacramento	\$7,154	\$0
San Joaquin	\$6,914	\$0
Santa Clara	\$10,575	\$0
Santa Cruz	\$2,691	\$0
Imperial	\$1,861	\$0
Los Angeles	\$68,661	\$0
San Bernardino	\$21,551	\$0
San Diego	\$33,082	\$0
Santa Barbara	\$4,502	\$0
TOTAL	\$169,240	\$0

characteristics of the installation indicated that it was not fully anchored and that it needed to be limited to a much lower maximum safe working pressure. Operator personnel must be specifically trained and qualified for the installation of weldable compression couplings including ensuring that the extent to which the pipeline is not fully anchored is taken into account when determining the maximum safe working pressure.

To ensure safety, pipeline operators using weldable compression couplings must ensure personnel are trained and qualified to perform the installation. Also, operators must ensure their procedures accurately incorporate manufacturers' procedures and limitations on the use of weldable compression couplings and ensure that the procedures are available, understood and followed by personnel. PHMSA believes that the risk of compromising safety posed by unauthorized modifications to weldable compression couplings is unacceptable. PHMSA strongly recommends that any field changes in the installation process (i.e., modifications allowed by a component manufacturer) that could affect component performance and safety be subject to a documented authorization process, communicated to appropriate personnel, and be reflected by allowable working pressures. Allowable working pressures vary greatly between anchored and un-anchored installations. In order to use the pressure rating for an anchored installation, the operator must verify the pipeline is anchored in all directions in accordance with company and manufacturer procedures prior to pipeline start-up. To ensure safety for personnel, property and the environment, pipeline start-up procedures must be available and followed. Finally, any failure to identify and restrict access to hazard zones during pressurization of exposed pipeline sections could compromise safety.

II. Advisory Bulletin ADB-09-02

To: Owners and Operators of Hazardous Liquid and Natural Gas Pipelines.

Subject: Weldable Compression Couplings.

Advisory: The Pipeline and Hazardous Materials Safety Administration (PHMSA) advises operators of hazardous liquid and natural gas pipelines installing or planning to install weldable compression couplings and similar repair devices to follow manufacturer procedures to ensure correct installation. In addition, PHMSA also

advises these operators to follow the appropriate safety and start-up procedures to ensure the safety of personnel and property and protect the environment. The failure to install a weldable compression coupling correctly, or the failure to implement and follow appropriate safety and start-up procedures, could result in a catastrophic pipeline failure. PHMSA strongly urges operators to review, and incorporate where appropriate into operators' written procedures, the manufacturer's installation procedures and any other necessary safety measures for safe and reliable operation of pipeline systems.

Issued in Washington, DC September 23, 2009.

Jeffrey D. Wiese,

Associate Administrator for Pipeline Safety.
[FR Doc. E9-23527 Filed 9-29-09; 8:45 am]

BILLING CODE 4910-60-P

DEPARTMENT OF TRANSPORTATION

Federal Transit Administration

Docket No. FTA-2009-0010]

Urbanized Area Formula Program: Proposed Circular

AGENCY: Federal Transit Administration (FTA), DOT.

ACTION: Notice of Availability of Proposed Circular.

SUMMARY: The Federal Transit Administration (FTA) has placed in the docket and on its Web site, proposed guidance in the form of a circular to assist grantees in implementing the Urbanized Area Formula Program (Section 5307). The Urbanized Area Formula Program provides grants for capital, planning, and some operating projects in urbanized areas. By this notice, FTA invites public comment on the proposed circular 9030.1D, Urbanized Area Formula Program: Program Guidance and Application Instructions for the program.

DATES: Comments must be submitted by November 30, 2009. Late-filed comments will be considered to the extent practicable.

ADDRESSES: You may submit comments identified by the docket number [FTA-2009-0010] by any of the following methods:

1. *Federal eRulemaking Portal:* Go to www.regulations.gov. Follow the online instructions for submitting comments on the U.S. Government electronic docket site.

2. *Fax:* 202-493-2251.

3. *Mail:* U.S. Department of Transportation, 1200 New Jersey Ave., SE., Docket Operations, M-30, West Building Ground Floor, Room W12-140, Washington, DC 20590-0001.

4. *Hand Delivery:* U.S. Department of Transportation, 1200 New Jersey Ave., SE., Docket Operations, M-30, West Building Ground Floor, Room W12-140, Washington, DC 20590 between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

Instructions: You must include the agency name (Federal Transit Administration) and Docket number (FTA-2009-0010) for this notice at the beginning of your comments. You should submit two copies of your comments if you submit them by mail. If you wish to receive confirmation that FTA received your comments, you must include a self-addressed stamped postcard. Note that all comments received will be posted without change to www.regulations.gov including any personal information provided and will be available to internet users. You may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477). *Docket:* For access to the docket to read background documents and comments received, go to www.regulations.gov at any time or to the U.S. Department of Transportation, 1200 New Jersey Ave., SE., Docket Operations, M-30, West Building Ground Floor, Room W12-140, Washington, DC 20590 between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Henrika Buchanan-Smith, Office of Program Management, Federal Transit Administration, 1200 New Jersey Ave., SE., East Building, Fourth Floor, Washington, DC 20590, phone: (202) 366-5080, fax: (202) 366-7951, or e-mail, Henrika.Buchanan-Smith@dot.gov; or Richard Wong, Office of Chief Counsel, Federal Transit Administration, 1200 New Jersey Ave., SE., East Building, Fifth Floor, Washington, DC 20590, phone: (202) 366-0675, fax: (202) 366-3809, or e-mail, Richard.Wong@dot.gov.

SUPPLEMENTARY INFORMATION:

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- II. Chapter-by-Chapter Analysis
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 - C. Chapter III—General Program Information
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 - E. Chapter V—Coordinated Planning

F. Chapter VI—Program Management and Administrative Requirements
G. Chapter VII—Other Provisions
H. Appendices

I. Overview

This notice provides a summary of proposed changes to FTA Circular 9030.1C, Urbanized Area Formula Program: Grant Application Instructions. The Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), Public Law 109–59, signed into law on August 10, required changes to the Urbanized Area Formula Program (Section 5307 program). FTA is updating the existing circular, developed in 1998, to reflect changes in the law. The final circular, when adopted, will supersede the existing circular.

This document does not include the proposed circular; an electronic version is available on FTA's Web site, at <http://www.fta.dot.gov>. Paper copies of the circular may be obtained by contacting FTA's Administrative Services Help Desk, at (202) 366–4865.

Readers familiar with the existing FTA Circular 9030.1C will notice that FTA is proposing a complete reorganization to make this circular consistent with the style of other circulars FTA is updating. Substantive changes in content are discussed in the chapter-by-chapter analysis.

II. Chapter-by-Chapter Analysis

A. Chapter I—Introduction and Background

Chapter I of the proposed circular is an introductory chapter and covers general information about FTA and how to contact us, briefly reviews the authorizing legislation for the Urbanized Area Formula program (a.k.a. "Section 5307 program"), provides information about Grants.gov, includes definitions applicable to the program and provides a brief program history. The definitions section is new to this circular, and includes definitions related to the Section 5307 program. Where applicable, we have used the same definitions found in rulemakings or other circulars to ensure consistency.

In the existing circular, Chapter I includes a number of topics that have been relocated in the proposed circular. We have renamed the existing section, "Other Funds Available for Transit Projects," as "Relationship to Other Programs" for consistency with other circulars, and moved the section to Chapter II. We propose moving the information regarding "flexible funds" to the "Relationship to Other Programs" section in proposed Chapter II, and

propose moving information on apportionments and local and federal share to Chapter III. In addition, we have removed or streamlined some information in the existing Chapter I. For example, we propose removing the section on "Codification of Federal Transit Laws" as it is no longer pertinent, and we have incorporated the information in the section, "Grant Application Process" into other sections of the proposed circular.

B. Chapter II—Program Overview

Chapter II of the existing circular, "Applicant Eligibility" is limited to a discussion about designated recipients. This information has been updated and is included in the proposed Chapter II, in addition to more detail about the Urbanized Area Formula program. Chapter II of the proposed circular starts with the statutory authority for the Urbanized Area Formula program, followed by the goals of the program, recipient designation, the roles of the designated recipient and FTA, a discussion about transportation management areas, FTA oversight, and the relationship of the Urbanized Area Formula Program to other FTA programs. The information found in this proposed chapter is consistent with other circulars FTA has recently updated.

C. Chapter III—General Program Information

Chapter III of the existing circular, "Eligible Grant Activities," addresses eligible capital, operating and planning activities, as well as pre-award authority, letters of no prejudice, and advance capital project authority. Eligible projects continue to be in Chapter III and the lists have been updated consistent with changes made by SAFETEA-LU. Advance capital project authority also remains in Chapter III. Transportation development credits (formerly referred to as toll revenue credits) has been added to the proposed Chapter III to provide a calculation method that is consistent with the method used by FHWA. We propose moving preventive maintenance into Appendix E due to the length and complexity of the topic. We propose moving pre-award authority, and letters of no prejudice to Chapter IV. Additional information addressed in the proposed Chapter III includes apportionments, funds availability, and local and federal share. All of these sections have been updated to be consistent with the law and with the format of other recently revised FTA circulars.

D. Chapter IV—Program Development

The existing Chapter IV, "Apportionments" addresses how funds are apportioned under the urbanized area formula, as well as transfers of apportionments. These sections have been moved to the proposed Chapter III. The proposed Chapter IV, "Program Development," addresses the role of the designated recipient and the metropolitan planning organization (MPO), applicants other than designated recipients, pass-through arrangements (formerly found in Chapter II); subarea allocation and transfer of funds for highway projects (formerly found in Chapter IV), planning requirements (formerly in Appendix A); program of projects and public participation requirements, and certifications and assurances (formerly found in Chapter V), and undertaking projects in advance, a catch-all section for pre-award authority, and letters of no prejudice (formerly found in Chapter III).

FTA has revised each of these sections to reflect changes in statutes, regulations, and/or FTA policy. We also propose streamlining some sections, such as planning, while expanding others, such as certifications and assurances, to provide more detailed information.

E. Chapter V—Coordinated Planning

The proposed Chapter V addresses the coordinated planning process required for the Section 5310, Elderly Individuals and Individuals with Disabilities formula program; the Section 5316, Job Access and Reverse Commute (JARC) program; and the Section 5317, New Freedom program. Often the designated recipient for the Urbanized Area Formula program will also be the designated recipient for one or more of these human services transportation programs. The proposed Chapter V contains substantially the same information as that found in FTA Circular 9040.1F, Nonurbanized Area Formula Program Guidance and Grant Application Instructions.

The information found in the existing Chapter V, "Requirements Associated with Urbanized Area Formula Program Grants" has all been relocated to other chapters or eliminated. The section, "National Transit Database Reporting System" has been updated and moved to the proposed Chapter VI. We have provided a link to the FTA Web site as well as to the Transportation Electronic Award Management (TEAM) system, where applicants can find the instructions. We propose moving the "Certification Procedures" to the proposed Chapter IV. The section on

“FTA Oversight” has been updated and moved to the proposed Chapter II. The “Certifications Particular to the Urbanized Area Formula Program” section has been renamed, “Certifications Required by 49 U.S.C. 5307” and moved to Chapter IV. We propose moving the updated information on program of projects and public participation requirements to Chapter IV.

Finally, we propose eliminating the “Alphabetical List of Other Requirements.” The substance of that section has been moved to other chapters. Updated information related to “Associated Capital Maintenance Items,” “New Technology Introduction” and “Lease vs. Buy Considerations” can be found in Chapter III, under “Capital Projects;” updated information on “Buses,” “Bus Facilities” and “Fixed Guideway Rolling Stock,” is in proposed Chapter VI. We have consolidated the information on buses and rolling stock and renamed the section, “Requirements Related to Rolling Stock and Equipment.” We propose removing the section on “New Starts;” information on how the New Starts program relates to the Urbanized Area Formula program is in Chapter II. Updated information on the rest of the content of existing Chapter V is in proposed Chapter VII.

F. Chapter VI—Program Management and Administrative Requirements

The content of existing Chapter VI, “Application Instructions,” has been updated, streamlined, and moved to Appendix A. The proposed Chapter VI contains information on the TEAM system, Electronic Clearing House Operation (ECHO system, and, as previously discussed, information on the National Transit Database, requirements related to vehicles and equipment, and requirements related to facilities. The information in this chapter is consistent with that found in other recently updated FTA circulars.

G. Chapter VII—Other Provisions

Chapter VII of the existing circular contains instructions for preparing a project budget. This information has been updated and moved to Appendix B, consistent with other recently revised FTA circulars. The proposed Chapter VII is similar to the “Other Provisions” chapters in other FTA circulars, and summarizes a number of FTA-specific and other Federal requirements that FTA grantees are held to in addition to the program-specific requirements and guidance provided in the circular. As previously stated, some of the information has been relocated from the

existing Chapter V’s “Alphabetical Listing of Other Requirements.” Other sections, including charter bus, commercial driver’s license, and the presidential coin act are new to this circular. Recipients should use this chapter, in conjunction with FTA’s “Master Agreement” and the current fiscal year “Certifications and Assurances,” to assure that they have met all requirements. Recipients may contact FTA Regional Counsel for more detail about these requirements.

G. Appendices

The proposed appendices are intended as tools for developing a grant application. Appendix A specifically addresses steps and instructions for preparing a grant application, including pre-application and application stages. This information is comparable to Chapter VI, “Application Instructions,” in the existing circular, although it has been updated and reorganized. Appendix A also includes an application checklist. Proposed Appendix B provides budget information, including a sample budget, and compares with the information found in Chapter VII, “Instructions for Preparing a Project Budget,” in the existing circular. Proposed Appendix C compares with existing Appendix D, “Operating Assistance Projects,” in the existing circular. Proposed Appendix D, which compares with existing Appendix F, “Forms and Representative Documents,” in the existing circular (except the documents we propose removing, as described below), contains samples of an Authorizing Resolution, Opinion of Counsel, Fleet Status, Proceeds from the Sale of Public Transportation Assets, Like-Kind Exchange Example and Sample Supplemental Agreement. Proposed Appendix E contains a description of the preventive maintenance program, and is new to this circular. Proposed Appendix F contains updated contact information for all of FTA’s regional and metropolitan offices; this information is in Chapter VIII of the existing circular.

We propose removing most of the contents of Appendix A of the existing circular, “Transportation Planning Process,” and instead including a paragraph referencing the planning regulations in Chapter IV of the proposed circular. We propose removing most of the content of existing Appendix B, “Apportionment Formula,” and relocating the basic formula in Chapter III of the proposed circular. We propose removing the content of existing Appendix C, “New Start Development Process,” and direct readers to the most recent revision of

FTA Circular 9300, “Capital Investment Program Guidance and Application Instructions,” for information on New Starts.

We have relocated the existing Appendix D, “Operating Assistance Projects” to proposed Appendix C. The information has been updated, and we propose moving the sections relating to eligible projects and federal/local share to Chapter III. We propose removing the existing Appendix E, “Procedures Related to Flexible Funding” and we have relocated the substance to Chapter II and Appendix A. The existing Appendix F, “Forms and Representative Documents” compares to the proposed Appendix D. We have removed some of the sample forms, namely the Application, Lobbying Disclosure Form, Project Milestone Schedule and Subregional Allocation. The application is submitted and reviewed entirely online in TEAM and all the forms can be viewed online. The lobbying form is also available online. We propose removing the existing Appendix G, which contains information on certifications and assurances, much of which has been moved to proposed Chapter IV. We propose removing the Sample Certifications and Assurances, as this is something that is updated every year and available on FTA’s Web site. We propose moving the information in Appendix H, “Interest as an Eligible Capital Cost” to the proposed Chapter III with other eligible projects.

FTA seeks public comment on the changes within proposed FTA Circular 9030.1D.

Issued in Washington, DC, this 25th day of September 2009.

Peter Rogoff,

FTA Administrator.

[FR Doc. E9–23584 Filed 9–29–09; 8:45 am]

BILLING CODE

UNITED STATES SENTENCING COMMISSION

Sentencing Guidelines for United States Courts

AGENCY: United States Sentencing Commission.

ACTION: Notice of extension of deadline for individuals to apply to be appointed to the membership of the Victims Advisory Group.

SUMMARY: The United States Sentencing Commission is issuing this notice to advise the public that the application period for membership in the Victims Advisory Group has been extended to

>>> Federal Transit Administration <usdotfta@govdelivery.com> 10/1/2009 11:27 AM >>>
You are subscribed to receive information about *Economic Recovery* from the Federal Transit Administration (FTA) website. Information has been updated. *1512 Reporting begins today, October 1, 2009. If you have received Recovery Act funds from FTA, you have until October 10, 2009 to submit your reports. Check out the "What's New" section for links that go directly to FTA 1512 guidance http://www.fta.dot.gov/index_9440.html. Also, check out our new FTA email and hotline number listed under "What's New." *now available [\[http://service.govdelivery.com/service/view.html?code=USDOTFTA_32\]](http://service.govdelivery.com/service/view.html?code=USDOTFTA_32)].

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