

Metropolitan Transportation Commission Programming and Allocations Committee

December 14, 2011

Item Number 3a

Resolution Nos. 4033 and 4042

Subject: Third Cycle Lifeline Transportation Program Guidelines and Fund Estimate for FY2011-FY2013

Background: MTC's Lifeline Transportation Program funds projects that improve mobility for the region's low-income communities. The program is administered by the nine county congestion management agencies (CMAs), and in Santa Clara County via a joint arrangement between the CMA and the County.

In the first two funding cycles, \$74 million in Lifeline funding was programmed to 125 projects throughout the region.

MTC recently completed an evaluation of the Lifeline Program in anticipation of the third funding cycle. Overall, the program was found to be successful in meeting its goals, including improving transportation choices for low-income communities with a range of solutions, addressing locally identified transportation gaps or barriers, and funding projects developed through a collaborative process. However, the evaluation did recommend program changes and refinements, to be incorporated into the Third Cycle Program Guidelines where possible.

The target programming amount for the third cycle is \$87 million, which includes three years of funding (FY2011-FY2013). As in previous cycles, the funding sources include a mix of state and federal funds, to support both operating and capital activities: approximately \$24 million in State Transit Assistance (STA) funds, \$47 million in Proposition 1B – Transit funds, \$8 million in Job Access and Reverse Commute (JARC) funds, and \$9 million in Surface Transportation Program (STP) funds.

Proposed changes from the second cycle include the following:

- Federal STP funds have been added to the program, consistent with an earlier funding commitment. This provides more flexibility for the program, for planning, bicycle, and pedestrian projects identified in the region's community-based transportation plans.
- Proposition 1B Transit funds are proposed to be distributed directly to large transit operators and counties using a formula that distributes half of the funds according to the transit operators' share of the regional low-income ridership and half of the funds according to the transit operators' share of the regional low-income population. See the table on the next page. This change will result in decreased administrative burden for the majority of the Lifeline Program Administrators.

County & Share of Regional Low Income Population	Total (STA, JARC, STP)
Alameda 23.7%	\$ 9,550,312
Contra Costa 13.4%	\$ 5,393,849
Marin 2.6%	\$ 1,047,704
Napa 2.2%	\$ 692,105
San Francisco 13.1%	\$ 5,267,499
San Mateo 7.6%	\$ 3,047,472
Santa Clara 23.7%	\$ 9,167,409
Solano 5.8%	\$ 1,833,601
Sonoma 7.8%	\$ 2,855,777
MTC - Means-Based Discount Project	\$ 1,000,000
MTC - Admin, Planning, Technical Assist.	\$ 384,397
Total	\$ 40,240,123

Transit Operator & Hybrid Formula (Share of Regional Low Income Ridership & Share of Regional Low Income Population)	Prop 1B
AC Transit 18.1%	\$ 8,403,487
BART 17.6%	\$ 8,173,010
County Connection (CCCTA) 1.0%	\$ 484,534
Golden Gate Transit/Marin Transit 3.2%	\$ 1,477,729
Wheels (LAVTA) 0.5%	\$ 240,910
Muni (SFMTA) 25.2%	\$ 11,723,430
SamTrans 4.9%	\$ 2,272,697
Tri Delta Transit (ECCTA) 0.7%	\$ 327,019
VINE (NCTPA) 1.3%	\$ 597,647
VTA 19.7%	\$ 9,186,049
WestCat (WCCTA) 0.3%	\$ 147,335
Solano County Operators 3.3%	\$ 1,547,328
Sonoma County Operators 4.2%	\$ 1,938,791
Total	\$ 46,519,967

- Project eligibility would be expanded to address transportation gaps and barriers identified in Community Based Transportation Plans or in other substantive local planning efforts involving focused outreach to low-income populations.
- To facilitate multi-county or region-wide projects, applicants with multi-county projects will be allowed to submit copies of their application to all of the relevant counties. If the counties have different application deadlines, the applicant should adhere to the earliest deadline.
- MTC will set aside up to \$1 million in STA funds over a two-year period toward the development and implementation of a regional means-based discount. In Phase 1 of the means-based discount project, MTC will develop the regional concept, including identifying who is eligible, costs, funding, relationship to other discounts, etc. MTC will convene a regional Technical Advisory Committee to assist with scope development and project oversight. Depending on the results of Phase 1, remaining funds from the \$1 million set-aside would be used for implementation activities.
- Low-income population factors have been updated with 2010 Census data.

In addition to the \$87 million discussed above, MTC must obligate \$0.7 million in available JARC funds from prior Lifeline cycles by September 30, 2011. Staff is proposing to use these funds to support mobility management activities, and recommends a separate competitive selection process to determine a small number of projects (1-2) to receive funding. See Resolution 4042 for details about the proposed Mobility Management call for projects.

The proposed program changes have been reviewed with MTC’s Policy Advisory Council Equity and Access Subcommittee, the Partnership Technical Advisory Committee, the Transit Finance Working Group, and CMA staff.

Issues:

- 1) First quarter information from the Board of Equalization and the Department of Finance indicates that the actual FY2012 STA revenues may be significantly

lower than the revenue estimates in the State budget last May. Furthermore, due to state and federal funding uncertainties, the FY2013 JARC, STP and STA amounts are subject to change. More will be known about the FY2013 funds near the end of calendar year 2012. If there is a change in the funding amounts, staff will return with a revised Lifeline Cycle 3 fund estimate.

2) The STP funds in the program are part of the One Bay Area grant proposal that is scheduled to be adopted by the Commission in Spring 2012.

Recommendation: Refer Resolution Nos. 4033 and 4042 to the Commission for approval.

Attachments: MTC Resolution Nos. 4033 and 4042

Date: December 21, 2011
W.I.: 1311
Referred by: PAC

ABSTRACT

Resolution No. 4033

This Resolution adopts the Third Cycle Lifeline Transportation Program Guidelines and Fund Estimate.

The following attachment is provided with this Resolution:

Attachment A — Third Cycle Lifeline Transportation Program Guidelines and Funding FY2010-11 through FY2012-13

Further discussion of the Lifeline Program Guidelines is provided in the Programming and Allocations Committee Summary dated December 14, 2011.

Date: December 21, 2011
W.I.: 1311
Referred by: PAC

RE: Third Cycle Lifeline Transportation Program Guidelines and Fund Estimate

METROPOLITAN TRANSPORTATION COMMISSION
RESOLUTION NO. 4033

WHEREAS, the Metropolitan Transportation Commission (MTC) is the regional transportation agency for the San Francisco Bay Area pursuant to Government Code Section 66500 *et seq.*; and

WHEREAS, MTC adopted Resolution 3814, which directed Proposition 1B funds to the Lifeline Transportation Program; and

WHEREAS, MTC adopted Resolution 3837, which established a consolidated policy for State Transit Assistance (STA) – population-based funds, including a set percentage to the Lifeline Transportation Program; and

WHEREAS, MTC is the designated recipient for federal Job Access Reverse Commute (JARC) funds and has incorporated these funds into the Lifeline Transportation Program; and

WHEREAS, MTC is the designated recipient for regional Surface Transportation Program (STP) and Congestion Mitigation and Air Quality Improvement (CMAQ) funds for the San Francisco Bay Area and has incorporated or will incorporate certain STP and/or CMAQ funds into the Lifeline Transportation Program; and

WHEREAS, MTC has conducted a program evaluation of the Lifeline Transportation Program and has made revisions to the program based on evaluation results; and

WHEREAS, MTC will use the process and criteria set forth in Attachment A of this Resolution to fund a program of projects for the third-cycle of the Lifeline Transportation Program; now, therefore be it

RESOLVED, that MTC approves the program guidelines to be used in the administration and selection of the Third Cycle of Lifeline Transportation projects, as set forth in Attachment A of this Resolution; and be it further

RESOLVED, that the Executive Director of MTC is authorized and directed to modify the programming targets in Attachment A if the final Lifeline funding apportionments differ from the estimated amounts; and be it further

RESOLVED, that the Executive Director of MTC shall forward a copy of this Resolution, and such other information as may be required, to such other agencies as may be appropriate.

METROPOLITAN TRANSPORTATION COMMISSION

Adrienne J. Tissier, Chair

The above Resolution was entered into by the Metropolitan Transportation Commission at a regular meeting of the Commission held in Oakland, California on December 21, 2011.

Date: December 21, 2011
W.I.: 1311
Referred by: PAC

Attachment A
MTC Resolution No. 4033
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Third Cycle Lifeline Transportation Program Guidelines and Funding FY 2011 through FY 2013

Program Goals: The Lifeline Transportation Program is intended to fund projects that result in improved mobility for low-income residents of the nine San Francisco Bay Area counties, and are expected to carry out the following regional Lifeline Program goals:

The Lifeline Program supports community-based transportation projects that:

- Are developed through a collaborative and inclusive planning process that includes broad partnerships among a variety of stakeholders such as public agencies, transit operators, community-based organizations and other community stakeholders, and outreach to underrepresented stakeholders.
- Improve a range of transportation choices by adding a variety of new or expanded services including but not limited to: enhanced fixed route transit services, shuttles, children's programs, taxi voucher programs, improved access to autos, and capital improvement projects.
- Address transportation gaps and/or barriers identified in Community-Based Transportation Plans (CBTP) or other substantive local planning efforts involving focused outreach to low-income populations. While preference will be given to community-based plan priorities, strategies emerging from countywide or regional welfare-to-work transportation plans, the Coordinated Public Transit-Human Services Transportation Plan or other documented assessment of need within the designated communities of concern will also be considered. Findings emerging from one or more CBTPs or other relevant planning efforts may also be applied to other low-income areas, or otherwise be directed to serve low-income constituencies within the county, as applicable.
- Transportation needs specific to elderly and disabled residents of low-income communities may also be considered when funding projects. Existing transportation services may also be eligible for funding.

Program Administration: The Lifeline Program will be administered by county congestion management agencies (CMAs) or other designated county-wide agencies as follows:

County	Lifeline Program Administrator
Alameda	Alameda County Transportation Commission
Contra Costa	Contra Costa Transportation Authority
Marin	Transportation Authority of Marin
Napa	Napa County Transportation Planning Agency
San Francisco	San Francisco County Transportation Authority
San Mateo	City/County Association of Governments
Santa Clara	Santa Clara Valley Transportation Authority and Santa Clara County
Solano	Solano Transportation Authority
Sonoma	Sonoma County Transportation Authority

Lifeline Program Administrators are responsible for soliciting applications for the Lifeline Program. This requires a full commitment to a broad, inclusive public involvement process and using multiple methods of public outreach. Methods of public outreach include, but are not limited to highlighting the program and application solicitation on the CMA website; sending targeted postcards and e-mails to local community-based organizations, city departments, and non-profit organizations (particularly those that have previously participated in local planning processes); and contacting local elected officials and their staffs. Further guidance for public involvement is contained in MTC’s Public Participation Plan.

For the selection of projects involving federal funds, Lifeline Program Administrators must also consider fair and equitable solicitation and selection of project candidates in accordance with federal Title VI requirements, i.e. funds must be distributed without regard to race, color, and national origin.

Fund Availability: Fund sources for the Third Cycle Lifeline Program (FY2010-2011 to FY2012-2013) include State Transit Assistance (STA), Proposition 1B - Transit funds, Job Access and Reverse Commute (JARC), and Surface Transportation Program (STP), as shown in Table A. Note that MTC may apply Congestion Mitigation and Air Quality Improvement (CMAQ) funds instead of STP to CMAQ-eligible projects, and references throughout these guidelines to “STP” should be considered as “STP or CMAQ”. Funding for STA, JARC¹, and STP will be assigned to counties by each fund source, based on the county’s share of the regional poverty population consistent with the estimated distribution outlined in Table B. Note that the county shares were updated using 2010 census data which resulted in some shifts compared to previous Lifeline cycles. Lifeline Program Administrators will assign funds to eligible projects in their counties based on a competitive process to be conducted by the Lifeline Program Administrators in each county. Proposition 1B funding will be assigned by MTC directly to transit operators and counties based on a formula that distributes half of the funds according to the transit operators’ share of the regional low-income ridership and half of the funds according to the transit operators’ share of the regional low-income population. The formula distribution is shown in Table C. All funded projects must meet the eligibility requirements of the respective funding source. See Appendix 1 for detailed eligibility requirements by fund source.

¹ Consistent with federal JARC guidance, MTC may set aside up to five percent of the region's FY11, FY12 and FY13 JARC apportionments to fund administration, planning and technical assistance.

MTC will set aside up to \$1 million in STA funds toward the development and implementation of a regional means-based discount. In Phase 1 of the means-based discount project, MTC will develop the regional concept, including identifying who is eligible, costs, funding, relationship to other discounts, etc. MTC will convene a regional Technical Advisory Committee to assist with scope development and project oversight. Depending on the results of Phase 1, any remaining funds from the \$1 million set-aside will be used for implementation activities.

Multi-Year Programming: The Third Cycle Lifeline Transportation Program will cover a three-year programming cycle, FY2010-2011 to FY2012-2013.

Competitive Process: Projects must be selected through an open, competitive process with the following exceptions:

(1) In an effort to address the sustainability of fixed-route transit operations, Lifeline Program Administrators may elect to allocate some or all of their STA funds directly to transit operators for Lifeline transit operations within the county. Projects must be identified as Lifeline projects before transit operators can claim funds, and will be subject to Lifeline Program reporting requirements.

(2) In most cases, Proposition 1B Transit funds will be allocated directly to transit operators by MTC, due to the limited eligibility and uses of this fund source. Upon concurrence from the applicable governing board of the CMA, transit operators may program funds to any capital project that is consistent with the Lifeline Program and goals, and is eligible for this fund source. Transit operators are encouraged to consider needs throughout their service area. Projects must be identified as Lifeline projects before transit operators can claim funds, and, at the discretion of the Lifeline Program Administrators, may be subject to Lifeline Program reporting requirements. For Solano and Sonoma counties, Proposition 1B funds are being directed to the CMA, who should include these funds in the overall Lifeline programming effort (keeping in mind the limited sponsor and project eligibility of Proposition 1B funds).

Other exceptions may be considered by MTC on a case-by-case basis but must meet the guidelines/restrictions of the applicable fund sources. LPAs should contact MTC staff as early as possible for any exception requests.

Grant Application: To ensure a streamlined application process for project sponsors, a universal application form (or standard format and content for project proposals) will be used, but, with review and approval from MTC, may be modified as appropriate by the Lifeline Program Administrator for inclusion of county-specific grant requirements.

Applicants with multi-county projects must notify the relevant Lifeline Program Administrators and MTC about their intent to submit a multi-county project, and submit copies of their application to all of the relevant counties. If the counties have different application forms, the applicant can submit the same form to all counties, but should contact the Lifeline Program Administrators to determine the appropriate form. If the counties have different application deadlines, the applicant should adhere to the earliest deadline. The Lifeline Program Administrators will work together to score and rank the multi-county projects, and, if selected, to

determine appropriate funding. (Note: Multi-county operators with projects that are located in a single county need only apply to the county where the project is located.)

Program Match: The Lifeline Program requires a minimum local match of 20% of the total project cost; new Lifeline Transportation Program funds may cover a maximum of 80% of the total project cost.

There are two exceptions to the 20% match requirement:

(1) JARC operating projects require a 50% match. However, consistent with MTC's approach in previous funding cycles, Lifeline Program Administrators may use STA funds to cover the 30% difference for projects that are eligible for **both** JARC and STA funds.

(2) All auto-related projects require a 50% match.

Project sponsors may use certain federal or local funding sources (Transportation Development Act, operator controlled State Transit Assistance, local sales tax revenue, etc.) to meet the match requirement. The match may include a non-cash component such as donations, volunteer services, or in-kind contributions as long as the value of each is documented and supported, represents a cost that would otherwise be eligible under the program, and is included in the net project costs in the project budget.

For JARC projects, the local match can be *non*-Department of Transportation (DOT) federal funds. Eligible sources of non-DOT federal funds include: Temporary Assistance to Needy Families (TANF), Community Services Block Grants (CSBG) and Social Services Block Grants (SSBG) administered by the US Department of Health and Human Services or Community Development Block grants (CDBG) and HOPE VI grants administered by the US Department of Housing and Urban Development (HUD). Grant funds from private foundations may also be used to meet the match requirement.

Eligible Projects: Per the requirements set forth in the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), projects selected for funding under the JARC program must be "derived from a locally developed, coordinated public transit-human services transportation plan", and the plan must be "developed through a process that includes representatives of public, private, and non-profit transportation and human services providers and participation by members of the public." A locally developed, coordinated, public transit-human services transportation plan ("coordinated plan") identified the transportation needs of individuals with disabilities, older adults, and people with low incomes, and provides strategies for meeting those local needs. The Bay Area's Coordinated Plan was adopted in December 2007 and is available at <http://www.mtc.ca.gov/planning/pths/>. The plan includes a low-income component and an elderly and disabled component.

Eligible operating projects, consistent with requirements of funding sources, may include (but are not limited to) new or enhanced fixed route transit services, restoration of lifeline-related transit services eliminated due to budget shortfalls, shuttles, children's transportation programs,

taxi voucher programs, improved access to autos, etc. See Appendix 1 for additional details about eligibility by funding source.

Eligible capital projects, consistent with requirements of funding sources, include (but are not limited to) purchase of vehicles; bus stop enhancements, including the provision of bus shelters, benches, lighting or sidewalk improvements at or near transit stops; rehabilitation, safety or modernization improvements; or other enhancements to improve transportation access for residents of low-income communities. See Appendix 1 for additional details about eligibility by funding source.

Eligible planning projects, consistent with requirements of funding sources, include (but are not limited to) planning assistance for updating Community-Based Transportation Plans (CBTP), consolidated transportation services planning, and bicycle and pedestrian planning projects. CBTP updates are eligible for STP funding provided the following conditions are met: 1) All of the previously identified CBTPs in the county have been completed²; 2) The county has identified a lead agency to update the status of existing plans, needs, and projects, and to track implementation of projects over time; 3) A county-led process involving multiple stakeholders has established a way to set priorities for plan updates within the county (e.g., oldest first, largest populations, highest percentage of implemented projects); 4) Communities getting plan updates must be identified as Communities of Concern (CoCs) as part of the Plan Bay Area process to have priority, but countywide updates will be considered in counties with either no CoCs or with more than two-thirds of the county low-income population residing outside designated CoCs. Counties may decide whether and/or how to prioritize CBTP updates over other eligible uses such as bicycle and pedestrian projects. See Appendix 1 for additional details about eligibility by funding source.

Transportation needs specific to elderly and disabled residents of low-income communities may also be considered when funding Lifeline projects.

Project Selection/Draft Program of Projects: MTC is the designated recipient for the Bay Area's large Urbanized Area (UA) funding apportionment of JARC funds. Caltrans is the designated recipient for California's small and non-UA funding apportionment of JARC funds. As the designated recipient, MTC is responsible for ensuring a competitive selection process to determine which projects should receive funding. For the large UA apportionment, the competitive selection is conducted on a county-wide basis. For the small and non-UA apportionment, the competitive selection is conducted by Caltrans.

For the MTC process, standard evaluation criteria will be used to assess and select projects. The six criteria include (1) project need/goals and objectives, (2) community-identified priority, (3) implementation plan and project management capacity, (4) coordination and program outreach, (5) cost-effectiveness and performance indicators, and (6) project budget/sustainability.³ Lifeline

² Because funding has been available for completing the region's remaining CBTPs since 2008, counties who have not completed all of their existing plans will not be eligible for any plan update funds. MTC's expectation is that all CBTPs will be complete by the end of this cycle.

³ For future cycles of the Lifeline Transportation Program, transit operations projects will need to be consistent with recommendations stemming from MTC's Transit Sustainability Project. See <http://www.mtc.ca.gov/planning/tsp/>

Program Administrators may establish the weight to be assigned for each criterion in the assessment process.

Additional criteria may be added to a county program but should not replace or supplant the regional criteria. MTC staff will review the proposed county program criteria to ensure consistency and to facilitate coordination among county programs.

Each county will appoint a local review team of CMA staff, the local low-income or minority representative from MTC's Policy Advisory Council, and representatives of local stakeholders, such as, transit operators, other transportation providers, community-based organizations, social service agencies, and local jurisdictions, to score and select projects. Counties are strongly encouraged to appoint a diverse group of stakeholders for their local review team. Each county will assign local priorities for project selection.

In funding projects, preference will be given to strategies emerging from local CBTP processes or other substantive local planning efforts involving focused outreach to low-income populations. Projects included in countywide regional welfare-to-work transportation plans, the Coordinated Public Transit-Human Services Transportation Plan or other documented assessment of need within the designated communities of concern will also be considered. Findings emerging from one or more CBTPs or other relevant planning efforts may also be applied to other low-income areas, or otherwise be directed to serve low-income constituencies within the county, as applicable. Regional Lifeline funds should not supplant or replace existing sources of funds.

A full program of projects is due to MTC from each Lifeline Program Administrator on May 15, 2012. However, with state and federal funding uncertainties, sponsors with projects selected for FY2013 JARC funds should plan to defer the start of those projects until the funding is appropriated and secured. Lifeline Program Administrators, at their discretion, may opt to prioritize high scoring projects with FY2011 and FY2012 funds. MTC staff will work with Lifeline Program Administrators on this sequencing; more will be known about the FY2013 funds near the end of calendar year 2012.

Project Delivery: All projects funded under the county programs are subject to MTC obligation deadlines and project delivery requirements. STP funds are subject to all of the delivery requirements in MTC Res. 3606. All projects will be subject to a "use it or lose it" policy. Beginning this cycle, MTC is adding a project delivery requirement that project sponsors must expend the Lifeline Transportation funds within three years of the grant award or execution of subrecipient agreement with MTC, whichever is applicable.

Policy Board Adoption: Prior to the programming of funds to any project, MTC requires that the project sponsor adopt and submit a resolution of local support. Projects recommended for STA, JARC and STP funding must be submitted to and approved by the respective governing board of the Lifeline Program Administrator. Projects funded with Proposition 1B Transit funds must have concurrence from the applicable CMA; furthermore, Caltrans requires that Proposition 1B - Transit projects either be consistent with the project sponsor's most recent short-range transit plan (SRTP), as evidenced by attaching the relevant SRTP page to the allocation request, or be accompanied by a certified Board Resolution from the project sponsor's governing board. For all

funds, the appropriate governing board shall resolve that approved projects not only exemplify Lifeline Program goals, but that the local project sponsors understand and agree to meeting all project delivery, funding match and eligibility requirements, and obligation and reporting deadlines and requirements.

Project Oversight: For Lifeline projects funded by STA, JARC, and STP, Lifeline Program Administrators are responsible for programmatic and fiscal oversight, and for ensuring projects meet MTC obligation deadlines and project delivery requirements. In addition, Lifeline Program Administrators will ensure that projects substantially carry out the scope described in the grant applications for the period of performance, and are responsible for approving reimbursement requests, budget changes, and scope of work changes, prior to MTC's authorization. All scope changes must be fully explained and must demonstrate consistency with Lifeline Program goals. Any changes to JARC or STP funded projects must be reported to MTC and reconciled with FTA (or FHWA, as applicable for STP funds).

For projects funded by Proposition 1B, the Lifeline Program Administrators are encouraged to continue coordination efforts with the project sponsors if they feel that it would be beneficial toward meeting the Lifeline goals; however, this may not be necessary or beneficial for all Proposition 1B projects.

See appendix 1 for detailed accountability and reporting requirements by funding source.

As part of the Call for Projects, applicants will be asked to establish project goals, and to identify basic performance indicators to be collected in order to measure the effectiveness of the Lifeline projects. At a minimum, performance measures for service-related projects would include: documentation of new "units" of service provided with the funding (e.g., number of trips, service hours, workshops held, car loans provided), cost per unit of service, and a qualitative summary of service delivery procedures employed for the project. For capital projects, project sponsors are responsible for establishing milestones and reporting on the status of project delivery. For planning projects, project sponsors are responsible for establishing a schedule of deliverables related to the project. Project sponsors are responsible for satisfying all reporting requirements, as referenced in Appendix 1. Lifeline Program Administrators will forward all reports containing performance measures to MTC for review and overall monitoring of the Lifeline Transportation Program.

Fund Administration:

For projects receiving JARC Funds: MTC will enter all projects into the Transportation Improvement Program (TIP). For projects sponsored by non-Federal Transit Administration (FTA) grantees, e.g., nonprofits or other local government entities, MTC will enter projects into MTC's FTA grant planned to be submitted in fall 2012. Following FTA approval of the grant, MTC will enter into funding agreements with subrecipients. Transit operators who are FTA grantees will act as direct recipients, and will submit grant applications to FTA directly. MTC reserves the right to reprogram funds if direct recipients fail to obligate the funds through grant submittal and FTA approval within 12 months of program approval. See Appendix 2 for federal compliance requirements.

For projects receiving STA funds: For transit operators receiving STA funds, MTC will allocate funds directly through the annual STA claims process. For other STA eligible projects administered by sponsors who are not STA eligible recipients, the project sponsor is responsible for identifying a local transit operator who will act as a pass-through for the STA funds, and will likely seek to enter into a funding agreement directly with the project sponsor.

For projects receiving Proposition 1B Transit Funds: Project sponsors receiving Proposition 1B funds must submit a Proposition 1B application to MTC for submittal to Caltrans with prior review by MTC. The estimated due date to Caltrans is June 1, 2012. The state will distribute funds directly to the project sponsor. Note that although the Proposition 1B Transit Program is intended to be an advance-payment program, actual disbursement of funds is dependent on the State budget and State bond sales.

For projects receiving STP funds: Projects must comply with the provisions of the Cycle 2 STP/CMAQ programming guidelines and program adoption, and project sponsors must submit a Local Resolution of Support (template located on MTC's Website at: <http://www.mtc.ca.gov/funding/STPCMAQ/>) meet all of the delivery requirements in MTC Resolution 3606 (located on MTC's Website at: <http://www.mtc.ca.gov/funding/delivery/>) and STP funds must be obligated by the Federal Highway Administration (FHWA) or transferred to FTA by April 30, 2014. Furthermore, the following provisions apply accordingly:

- Transit operators who are FTA grantees will act as direct recipients, and will enter projects into the TIP, request FHWA transfers through Caltrans and submit grant applications to FTA directly. MTC reserves the right to reprogram funds if direct recipients fail to obligate the funds through grant submittal and FTA approval within 18 months of MTC approval of the project.
- For non-FTA grantees with transit projects, the CMA (or appropriate agency) will enter projects into the TIP, request a transfer of funds from FHWA to FTA, and include the projects into an FTA grant for submittal in spring 2013. Following FTA approval of the grant, the CMA or appropriate agency will execute funding agreements with the implementing entity.
- Local non-transit agencies with non-transit projects (e.g., planning, bicycle, and pedestrian projects) will receive the funding directly, and will enter projects into the TIP and submit obligation/authorization requests through Caltrans to FHWA. (See Appendix 2 for federal compliance requirements.)

Timeline Summary

Program	Action	Date
JARC/STA/STP	MTC issues guidelines to counties	December 21, 2011
Prop 1B	Transit operators submit draft project lists to CMAs	February 15, 2012
Prop 1B	Allocation requests due to MTC (concurrence from the CMA is required)	April 11, 2012
Prop 1B	MTC & transit operators submit TIP amendments	End of April – Deadline TBD
Prop 1B	Commission approval of Prop 1B projects	May 23, 2012
Prop 1B	MTC submits FY11 request to Caltrans	June 1, 2012
JARC/STA/STP	Board-approved programs due to MTC from CMAs	May 15, 2012
JARC/STA/STP	MTC and transit operators submit TIP Amendments	June/July 2012 – Deadline TBD
JARC/STA/STP	Commission approval of Program of Projects	June 27, 2012
STA	Operators can file claims for FY12 and FY13	After Commission Approval
JARC	MTC and transit operators submit FTA grants with FY11 and FY12 JARC projects	November/December 2012 (following TIP approval)
JARC	FY11 and FY12 JARC-funded project sponsors enter into funding agreements	January/February 2013 (following FTA grant approval)
JARC/STP	MTC confirms availability of FY13 funds; MTC and transit operators submit TIP Amendments for FY13 projects	Winter/Spring 2013 (est.)
JARC/STP	MTC and transit operators submit FTA grant or FHWA obligation request with FY13 projects	Spring/Summer 2013 (following TIP approval)
JARC/STP	FY13 project sponsors enter into funding agreements (if applicable)	Summer/Fall 2013 (following FTA grant approval)
STP	Deadline for STP funds to be obligated or transferred to FTA	April 30, 2014

**Table A – Lifeline Transportation Program
Third Cycle Funding
FY2010-11 through FY2012-13**

Fund Source	FY2011 Actual	FY2012 Estimate	FY2013 Estimate	Total
STA ¹	(Programmed in Cycle 2)	\$ 11,673,561	\$ 11,907,032	\$ 23,580,593
Prop 1B ²	\$ 46,519,967	-	-	\$ 46,519,967
JARC ³	\$ 2,562,648	\$ 2,562,648	\$ 2,562,648	\$ 7,687,944
STP ⁴	\$ -	\$ -	\$ 8,971,587	\$ 8,971,587
Total	\$ 49,082,615	\$ 14,236,209	\$ 23,441,267	\$ 86,760,091

Notes:

(1) FY2011 STA Funds were programmed in Cycle 2. The FY2011-12 STA Estimates reflect the \$413.2 million in the FY2011-12 State Budget. The FY2012-13 STA estimates assume 2% growth.

(2) FY2011 Prop 1B appropriations represent three years of funding.

(3) Consistent with federal JARC guidance, MTC may set aside five percent of the region's FY11, FY12 and FY13 apportionment to fund administration, planning and technical assistance. Amounts shown here are prior to any MTC set-aside.

(4) STP funds are available to the Lifeline Program starting in FY13, as part of MTC's "Resolution 3814 payback" being implemented in the 2nd cycle STP/CMAQ program (proposed One Bay Area Grants). Note that MTC may apply Congestion Mitigation and Air Quality Improvement (CMAQ) funds instead of STP to CMAQ-eligible projects, and references to "STP" should be considered as "STP or CMAQ."

Table B – Estimated Funding Target by Fund Source per County

County & Share of Regional Low Income Population	FY2011		FY2012		FY2013			Total
	STA ¹	JARC ²	STA	JARC ²	STA	JARC ²	STP ³	
Alameda 23.7%		685,806	2,653,456	685,806	2,708,899	685,806	2,130,539	9,550,312
Contra Costa 13.4%		387,331	1,498,625	387,331	1,529,939	387,331	1,203,291	5,393,849
Marin 2.6%		75,235	291,094	75,235	297,176	75,235	233,728	1,047,704
Napa 2.2%		-	245,095	-	250,216	-	196,794	692,105
San Francisco 13.1%		378,258	1,463,520	378,258	1,494,100	378,258	1,175,104	5,267,499
San Mateo 7.6%		218,838	846,709	218,838	864,401	218,838	679,848	3,047,472
Santa Clara 23.7%		561,175	2,650,265	561,175	2,705,643	561,175	2,127,977	9,167,409
Solano 5.8%		-	649,332	-	662,900	-	521,368	1,833,601
Sonoma 7.8%		127,873	875,465	127,873	893,757	127,873	702,937	2,855,777
MTC - Means-Based Discount Project		-	500,000	-	500,000	-	-	1,000,000
MTC - Admin, Planning, Technical Assistance ²		128,132	-	128,132	-	128,132	-	384,397
Total 100.0%		2,562,648	11,673,561	2,562,648	11,907,032	2,562,648	8,971,587	40,240,123

(1) FY2011 STA Funds were programmed in Cycle 2

(2) Consistent with federal JARC guidance, MTC will set aside five percent of the region's FY11, FY12 and FY13 apportionment to fund administration, planning and technical assistance

(3) STP funds are available to the Lifeline Program starting in FY13, as part of MTC's "Resolution 3814 payback" being implemented in the 2nd cycle STP/CMAQ program (proposed One Bay Area Grants). Note that MTC may apply Congestion Mitigation and Air Quality Improvement (CMAQ) funds instead of STP to CMAQ-eligible projects, and references to "STP" should be considered as "STP or CMAQ."

Table C – Estimated Funding Target for Proposition 1B Transit Funds per Transit Operator and County

Transit Operator & Hybrid Formula (Share of Regional Low Income Ridership & Share of Regional Low Income Population) ²	Prop 1B ¹			Total
	FY2011	FY2012	FY2013	
AC Transit 18.1%	8,403,487	-	-	8,403,487
BART 17.6%	8,173,010	-	-	8,173,010
County Connection (CCCTA) 1.0%	484,534	-	-	484,534
Golden Gate Transit/Marin Transit 3.2%	1,477,729	-	-	1,477,729
Wheels (LAVTA) 0.5%	240,910	-	-	240,910
Muni (SFMTA) 25.2%	11,723,430	-	-	11,723,430
SamTrans 4.9%	2,272,697	-	-	2,272,697
Tri Delta Transit (ECCTA) 0.7%	327,019	-	-	327,019
VINE (NCTPA) 1.3%	597,647	-	-	597,647
VTA 19.7%	9,186,049	-	-	9,186,049
WestCat (WCCTA) 0.3%	147,335	-	-	147,335
Solano County Operators 3.3%	1,547,328	-	-	1,547,328
Sonoma County Operators 4.2%	1,938,791	-	-	1,938,791
Total 100.0%	46,519,967	-	-	46,519,967

(1) FY2011 Prop 1B appropriations represent three years of funding.

(2) Only transit operators who have previously received Proposition 1B Lifeline funds are included in the formula distribution

Appendix 1
Lifeline Transportation Program Third Cycle Funding
Funding Source Information

	State Transit Assistance (STA)	Proposition 1B – Transit	Job Access and Reverse Commute (JARC)	Surface Transportation Program (STP)
Purpose of Fund Source	To improve existing public transportation services and encourage regional transportation coordination	To help advance the State’s goals of providing mobility choices for all residents, reducing congestion, and protecting the environment	To improve access to transportation services to employment and related activities for welfare recipients and eligible low-income individuals	To fund highway improvements, including projects on eligible public roads, transit capital projects, and intracity/ intercity bus terminals and facilities.
Detailed Guidelines	http://www.dot.ca.gov/hq/MassTrans/Docs-Pdfs/TDA2007Work.pdf	www.mtc.ca.gov/funding/infrastructure/PTMISEA_12-05-07.PDF	www.fta.dot.gov/documents/FTA_C_9050.1_JARC.pdf	http://www.fhwa.dot.gov/programadmin/13005.cfm
Use of Funds	For public transportation purposes including community transit services	For public transportation purposes	For transportation services that meet the transportation needs of low-income persons	For public transportation purposes
Eligible Recipients	<ul style="list-style-type: none"> ▪ Transit operators ▪ Cities and Counties if eligible to claim TDA ▪ MTC for regional coordination ▪ Other entities, under an agreement with an eligible recipient 	Transit operators or local agencies that are eligible to receive STA funds, as listed by State Controller’s Office	<ul style="list-style-type: none"> ▪ Operators of public transportation services, including private operators of public transportation services ▪ Private non-profit organizations ▪ State or local governmental authority 	<ul style="list-style-type: none"> ▪ Operators of public transportation services. ▪ State or local governmental authority
Eligible Projects	<u>Transit Capital and Operations</u> , including: <ul style="list-style-type: none"> ▪ New, continued or expanded fixed-route service ▪ Purchase of vehicles ▪ Shuttle service if available for use by the general public ▪ Purchase of technology (i.e. GPS, other ITS applications) ▪ Capital projects such as bus stop improvements, including bus benches, shelters, etc. ▪ Various elements of mobility management, if consistent with STA program purpose and allowable use. These may include planning, coordinating, capital or operating activities. 	<u>Transit Capital</u> (including a minimum operable segment of a project) for: <ul style="list-style-type: none"> ▪ Rehab, safety, or modernization improvements ▪ Capital service enhancements or expansions ▪ New capital projects ▪ Bus rapid transit improvements ▪ Rolling stock procurement, rehab, or replacements Projects must be consistent with most recently adopted short-range transit plan or other publicly adopted plan that includes transit capital improvements.	<u>Capital and Operating projects</u> including: <ul style="list-style-type: none"> ▪ Services (e.g. late-night & weekend, shuttles) ▪ Ridesharing and carpooling ▪ Transit-related aspects of bicycling ▪ Local car loan programs ▪ Marketing ▪ Certain pedestrian and bicycle projects ▪ Administration and expenses for voucher programs ▪ ITS, AVL, etc. for improving scheduling and dispatch ▪ Mobility management Projects must be derived from the regionally-adopted Coordinated Public Transit-Human Services Transportation Plan.	<u>Capital and Planning projects</u> including: <ul style="list-style-type: none"> ▪ Public transit capital improvements ▪ Rehab, safety, or modernization improvements ▪ Pedestrian and bicycle facilities ▪ Transportation planning activities ▪ Community-Based Transportation Plan updates ▪ Consolidated transportation services planning

	State Transit Assistance (STA)	Proposition 1B – Transit	Job Access and Reverse Commute (JARC)	Surface Transportation Program (STP)
Lifeline Program Local Match	20%	20%	<ul style="list-style-type: none"> ▪ 50% for operating projects (may use STA funds to cover up to 30% if project is eligible for both JARC and STA) ▪ 50% for auto projects ▪ 20% for capital projects 	20%
Estimated timing for availability of funds to project sponsor	<ul style="list-style-type: none"> ▪ Transit operators and eligible cities and counties can initiate claims for FY12 and FY13 funds immediately following MTC approval of program of projects for current fiscal year funds. ▪ For “other entities”, the eligible recipient acting as fiscal agent will initiate a funding agreement following MTC approval of program of projects. Funds will be available on a reimbursement basis after execution of the agreement. 	Project sponsors must submit a Proposition 1B application to MTC for submittal to Caltrans by April 11, 2012. Disbursement timing depends on bond sales.	For FY11 and FY12 funds, following MTC approval of the program of projects, there will be a 3-6 month process of entering projects in the TIP, applying for the FTA grant, FTA review and award. Following FTA award, there will be an additional 3 month process of entering into funding agreements with the non-FTA recipient project sponsors. Funds will be available on a reimbursement basis after execution of agreements. For FY13 funds, the 6-9 month process of entering projects in the TIP, applying for the FTA grant, and entering into funding agreements will start as soon as the funds are appropriated and secured (approximately Spring 2013).	<p>For transit projects: After approval by the Commission, the sponsor will enter projects in the TIP, apply to FHWA for a funds transfer to FTA, apply for the FTA grant, FTA review and award. Following FTA award, there will be an additional process of entering into funding agreements with the non-FTA recipient project sponsors. Funds will be available on a reimbursement basis after execution of agreements.</p> <p>For local agencies with non-transit projects (e.g., bicycle and pedestrian facilities): After project approval by the MTC Commission, the sponsor will enter projects in the TIP, followed by submitting the obligation requests to FHWA. Project sponsors cannot spend STP funds until after they receive FHWA authorization.</p>
Accountability & Reporting Requirements	<ul style="list-style-type: none"> ▪ Transit operators and eligible cities and counties must submit annual performance (i.e., ridership) statistics for the project, first to Lifeline Program Administrators for review, and then to MTC along with annual claim. ▪ Depending on the arrangement with the pass-through agency, “other entities” will likely submit quarterly performance reports with invoices, first to the pass-through agency for reimbursement, and then to Lifeline Program Administrators for review. 	<p>Using designated Caltrans forms, project sponsors are required to submit project activities and progress reports to the state every six months, as well as a project close-out form. Caltrans will track and publicize progress via their website.</p> <p>Project sponsor will not be required to submit progress reports to the Lifeline Program Administrator unless the LPA believes that county-level project monitoring would be beneficial.</p>	Non-FTA recipient sponsors will submit quarterly performance reports with invoices, first to Lifeline Program Administrators for review, and then to MTC for reimbursement. Non-FTA recipient sponsors will also submit FTA Certifications and Assurances and Title VI reports annually to MTC, and are subject to Title VI monitoring. FTA recipients are responsible for following all applicable federal requirements for preparing and maintaining their JARC grants. All project sponsors will submit annual JARC reporting information to MTC.	Non-FTA recipient sponsors will submit quarterly performance reports with invoices, first to Lifeline Program Administrators for review, and then to MTC for reimbursement. Non-FTA recipient sponsors will also submit FTA Certifications and Assurances and Title VI reports annually to MTC, and are subject to Title VI monitoring. FTA recipients are responsible for following all applicable federal requirements for preparing and maintaining their STP grants. All project sponsors will submit annual STP reporting information to MTC.

Note: Information on this chart is accurate as of December 2011. MTC will strive to make Lifeline Program Administrators aware of any changes to fund source guidelines that may be enacted by the appropriating agencies (i.e. State of California, Federal Transit Administration).

Appendix 2 Lifeline Transportation Program Third Cycle Funding

Compliance with Federal Requirements for Job Access and Reverse Commute (JARC) and Surface Transportation Program (STP) Funds

Applicants should be prepared to abide by all applicable federal requirements as specified in 49 U.S.C. Section 5316, FTA Circulars C 9050.1 and 4702.1A, the most current FTA Master Agreement MA(13), and the most current Certifications and Assurances for FTA Assistance Programs.

MTC includes language regarding these federal requirements in its funding agreements with subrecipients and requires each subrecipient to execute a certification of compliance with the relevant federal requirements. Subrecipient certifications are required of the subrecipient prior to the execution of a funding agreement by MTC and annually thereafter when FTA publishes the annual list of certifications and assurances.

Direct recipients are responsible for adhering to FTA requirements through their agreements and grants with FTA directly.

Title VI of the Civil Rights Act

In connection with MTC's Title VI monitoring obligations, as outlined in FTA Circular 4702.1A (Title VI and Title VI-Dependent Guidelines for Federal Transit Administration Recipients), applicants will be required to provide the following information in the grant application:

- a. The organization's policy regarding Civil Rights (based on Title VI of the Civil Rights Act) and for ensuring that benefits of the project are distributed equitably among low-income and minority population groups in the project's service area.
- b. Information on whether the project will provide assistance to predominately minority and low-income populations. (Projects are classified as providing service to predominately minority and low-income populations if the proportion of minority and low-income people in the project's service area exceeds the regional average minority and low-income population.)

In order to document that federal funds are passed through without regard to race, color or national origin, and to document that minority populations are not being denied the benefits of or excluded from participation in the Lifeline Transportation Program, MTC will keep a record of applications submitted for Lifeline funding. MTC's records will identify those applicants that would use grant program funds to provide assistance to predominately minority and low-income populations and indicate whether those applicants were accepted or rejected for funding.

MTC requires that all JARC and STP subrecipients submit all appropriate FTA certifications and assurances to MTC prior to funding agreement execution and annually thereafter when FTA publishes the annual list of certifications and assurances. MTC will not execute any funding agreements prior to having received these items from the selected subrecipients. MTC, within its administration, planning, and technical assistance capacity, also will comply with all appropriate certifications and assurances for FTA assistance programs and will submit this information to the FTA as required.

The certifications and assurances pertaining to civil rights include:

1. Nondiscrimination Assurances in Accordance with the Civil Rights Act
2. Documentation Pertaining to Civil Rights Lawsuits and Complaints

Nondiscrimination assurances included above involve the prohibition of discrimination on the basis of race, color, creed, national origin, sex, or age, and prohibit discrimination in employment or business opportunity, as specified by 49 U.S.C. 5332 (otherwise known as Title VI of the Civil Rights Act of 1964O, as amended (42 U.S.C. 2000d et seq.) and U.S. DOT regulations, *Nondiscrimination in Federally-Assisted Programs of the*

Department of Transportation-Effectuation of Title VI of the Civil Rights Act, 49 C.F.R. Part 21. By complying with the Civil Rights Act, no person, on the basis of race, color, national origin, creed, sex, or age, will be excluded from participation in, be denied the benefits of any program for which the subrecipient receives federal funding via MTC.

As a condition of receiving JARC and STP funds, subrecipients must comply with the requirements of the US Department of Transportation's Title VI regulations. The purpose of Title VI is to ensure that no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. Subrecipients are also responsible for ensuring compliance of each third party contractor at any tier of the project.

Subrecipients must develop procedures for investigating and tracking Title VI complaints filed against them and make their procedures for filing a complaint available to members of the public upon request. In order to reduce the administrative burden associated with this requirement, subrecipients may adopt the Title VI complaint investigation and tracking procedures developed by MTC.

Subrecipients must prepare and maintain a list of any active investigations conducted by entities other than FTA, lawsuits, or complaints naming the subrecipient that allege discrimination on the basis of race, color, or national origin. This list shall include the date, summary of allegations, current status, and actions taken by the subrecipient in response to the investigation, lawsuit, or complaint.

Subrecipients must provide information to the public regarding their Title VI obligations and apprise members of the public of the protections against discrimination afforded to them by Title VI. Subrecipients that provide transit service shall disseminate this information to the public through measures that can include but shall not be limited to a posting on the agency's Web site.

All successful subrecipients must submit compliance reports to MTC. The following contents will be required with the submission of the standard agreement and annually thereafter with the submission of the annual FTA certifications and assurances:

1. A summary of public outreach and involvement activities undertaken and a description of steps taken to ensure that minority and low-income people had meaningful access to these activities.
2. A copy of the subrecipient's plan for providing language assistance for persons with limited English proficiency (LEP) that was based on the DOT LEP Guidance or a copy of the agency's alternative framework for providing language assistance.
3. A copy of the subrecipient procedures for tracking and investigating Title VI complaints.
4. A list of any Title VI investigations, complaints, or lawsuits filed with the subrecipient. This list should include only those investigations, complaints, or lawsuits that pertain to the subrecipient submitting the report, not necessarily the larger agency or department of which the entity is a part.
5. A copy of the subrecipient's notice to the public that it complies with Title VI and instructions to the public on how to file a discrimination complaint.

The first compliance report, submitted with the standard agreement, must contain all of the contents listed above. If, prior to the deadline for subsequent compliance reports, the subrecipient has not altered items 2, 3 and 5 above (its language assistance policies, procedures for tracking and investigating a Title VI complaint, or its notice to the public that it complies with Title VI and instructions to the public on how to file a Title VI complaint), the

subrecipient should submit a statement to this effect in lieu of copies of the original documents. The annual compliance report should include an update on items 1 and 4.

Dun and Bradstreet (D&B) Data Universal Numbering System (DUNS)

JARC and STP recipients/subrecipients will be required to have a Dun and Bradstreet (D&B) Data Universal Numbering System (DUNS) number and provide it during the application process.⁴ A DUNS number may be obtained from D&B by telephone (866-705-5711) or the Internet (<http://fedgov.dnb.com/webform>).

Role of Recipients/Subrecipients: JARC and STP recipients/subrecipients' responsibilities include:

- For direct recipients (transit operators who are FTA grantees), submitting a grant application to FTA and carrying out the terms of the grant;
- Meeting program requirements and grant/funding agreements requirements including, but not limited to, Title VI reporting requirements;
- Making best efforts to execute selected projects; and
- Complying with other applicable local, state, and federal requirements.

⁴ A Dun and Bradstreet (D&B) Data Universal Numbering System (DUNS) number is a unique, non-indicative 9-digit identifier issued and maintained by D&B that verifies the existence of a business entity. The DUNS number is a universal identifier required for Federal financial assistance applicants, as well as recipients and their direct subrecipients.

Date: December 21, 2011
W.I.: 1311
Referred by: PAC

ABSTRACT
Resolution No. 4042

This Resolution adopts the Job Access and Reverse Commute (JARC)-Funded Mobility Management Program Guidelines and Call for Projects

The following attachment is provided with this Resolution:

Attachment A Job Access and Reverse Commute (JARC)-Funded Mobility Management Program Guidelines

Further discussion of this action is contained in the Programming and Allocations Committee Summary sheet dated December 14, 2011.

Date: December 21, 2011
W.I.: 1311
Referred by: PAC

RE: Job Access and Reverse Commute (JARC)-Funded Mobility Management Program Guidelines and Call for Projects

METROPOLITAN TRANSPORTATION COMMISSION
RESOLUTION NO. 4042

WHEREAS, Title 49 United States Code (U.S.C.) Section 5316 (49 U.S.C. 5316) authorizes and sets forth the provisions for the Job Access and Reverse Commute program, which makes grants to recipients for access to jobs and reverse commute projects carried out by the recipient or a subrecipient.

WHEREAS, 49 U.S.C. §5316(c) apportions Job Access and Reverse Commute funds by formula to large urbanized areas, small urbanized areas, and non-urbanized areas; and

WHEREAS, pursuant to California Government Code Section 66500 et seq., the Metropolitan Transportation Commission (“MTC”) is the regional transportation planning agency for the San Francisco Bay Area; and

WHEREAS, MTC is the designated metropolitan planning organization (MPO) for the nine-county San Francisco Bay Area; and

WHEREAS, consistent with 49 U.S.C. §5307(a)(2), MTC is the designated recipient of the Federal Transit Administration’s (FTA’s) Job Access Reverse Commute program funding apportionments for large urbanized areas in the nine-county San Francisco Bay Area; and

WHEREAS, as the designated recipient, MTC is responsible for administering the program, including: conducting a competitive selection process; certifying a fair and equitable distribution of funds resulting from the competitive selection process; certifying that each project was derived from a locally developed, coordinated public transit-human services transportation plan, certifying that the plan was developed through a process that included representatives of public, private, and non-profit transportation and humans services providers and participation by the public; managing all aspects of grant distribution and oversight for subrecipients receiving funding under the program; and submitting reports as required by the FTA; and

WHEREAS, MTC has developed guidelines for a Job Access and Reverse Commute-Funded Mobility Management Program attached hereto as Attachment A, and incorporated herein as though set forth at length; now, therefore, be it

RESOLVED, that MTC adopts the Job Access and Reverse Commute-Funded Mobility Management Program Guidelines as provided in Attachment A; and be it further

RESOLVED, that MTC will use these guidelines to conduct the competitive selection process for the Job Access and Reverse Commute-Funded Mobility Management Program; and be it further

RESOLVED, that the Executive Director of MTC shall forward a copy of this Resolution, and such other information as may be required, to such other agencies as may be appropriate.

METROPOLITAN TRANSPORTATION COMMISSION

Adrienne J. Tissier, Chair

The above Resolution was entered into by the Metropolitan Transportation Commission at a regular meeting of the Commission held in Oakland, California on December 21, 2011.

Date: December 21, 2011
W.I.: 1311
Referred by: PAC

Attachment A
MTC Resolution No. 4042
Page 1 of 13



METROPOLITAN
TRANSPORTATION
COMMISSION

Job Access and Reverse Commute (JARC)-Funded Mobility Management Program Guidelines

December 2011

METROPOLITAN TRANSPORTATION COMMISSION
JOB ACCESS AND REVERSE COMMUTE (JARC)-FUNDED
MOBILITY MANAGEMENT PROGRAM GUIDELINES
FOR LARGE URBANIZED AREAS
December 2011

The following guidelines are excerpted from Federal Transit Administration (FTA) Circular C 9050.1, the *Job Access and Reverse Commute (JARC) Program Guidance and Application Instructions*, except where modified to meet the region's needs or where additional clarification is provided. The FTA Circular is available at http://www.fta.dot.gov/documents/FTA_C_9050.1_JARC%281%29.pdf. MTC's Program Management Plan for JARC-funded programs can be found at http://www.mtc.ca.gov/funding/FTA/RES-3986_approved.pdf.

1. INTRODUCTION. Mobility management is identified in the Bay Area's Coordinated Public Transit/Human Services Transportation Plan (Coordinated Plan) as a potential solution to address transportation gaps for low-income persons, seniors, and persons with disabilities. Mobility management is also an eligible activity under the FTA's Job Access and Reverse Commute (JARC) Program.

In this call for projects, MTC will use unprogrammed JARC funds from prior cycles of the Lifeline Transportation Program to support mobility management activities, particularly those that advance regional and/or subregional transportation coordination efforts. In addition, the program would like to see whether mobility management efforts could be merged with the activities of Consolidated Transportation Service Agencies (CTSAs) or CTSA-like agencies. CTSAs are becoming more of a focus at the state level, and MTC would like to understand and advance them as appropriate in the region. MTC will conduct a competitive selection process to determine which project(s) should receive funding. MTC intends to fund one or two larger-scale projects with the funds, with the hope that successful components of the funded project(s) could serve as a model for other parts of the region.

A variety of mobility management activities are currently taking place throughout the Bay Area. Some efforts are well-developed, while others are in their infancy. In areas where mobility management activities are well-developed, applicants are encouraged to consider how existing efforts can be expanded or replicated elsewhere in the region. In areas where mobility management activities are just beginning and/or are taking place in a fragmented manner, applicants are encouraged to consider how existing activities can be better coordinated or enhanced. See section 9 for additional details about eligible mobility management activities.

2. STATUTORY AUTHORITY. The JARC Program is authorized under the provisions set forth in the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users, (SAFETEA-LU), enacted on August 10, 2005, as codified at 49 U.S.C. 5316. These provisions authorize the Secretary to make grants to recipients for access to jobs and reverse commute projects carried out by the recipient or a subrecipient.

3. PROGRAM GOAL. The goal of the JARC program is to improve access to transportation services to employment and employment related activities for welfare recipients and eligible low-income individuals and to transport residents of urbanized areas and nonurbanized areas to suburban employment opportunities. Toward this goal, the Federal Transit Administration (FTA) provides financial assistance for transportation services planned, designed, and carried out to meet the transportation needs of eligible low-income individuals, and of reverse commuters regardless of income. The program requires coordination of Federally-assisted programs and services in order to make the most efficient use of Federal resources.
4. FUNDING APPORTIONMENT AND AVAILABILITY. JARC funds are first apportioned 60 percent to large urbanized areas¹ (UAs), 20 percent to small UAs, and 20 percent to non-UAs. Funds are then apportioned to all designated recipients for an area type by the ratio of the number of eligible low-income individuals and welfare recipients in the designated recipient's area to the total number of eligible low-income individuals and welfare recipients for that area type. **Figure 1** shows the Bay Area's five large UAs and seven small UAs. (Note that the names given to the urbanized areas correspond to the most populated city/cities within the area, and that the urbanized areas themselves are larger than the cities for which they are named.) Funds are available to the region for obligation during the fiscal year of apportionment plus two additional years. MTC is also requiring that, for this call for projects, project sponsors must expend the JARC funds within three years of the FTA grant award or execution of subrecipient agreement with MTC, whichever is applicable.
5. ROLE OF THE DESIGNATED RECIPIENTS. MTC is the designated recipient for the Bay Area's large UA JARC funding apportionments, and Caltrans is the designated recipient for California's small and non-UA funding apportionments. The designated recipient is responsible for conducting the competitive selection process to determine which projects should receive funding. For the large UA apportionment, the competitive selection is conducted on a region-wide basis. For the small and non-UA apportionment, the competitive selection is conducted by Caltrans on a statewide basis.

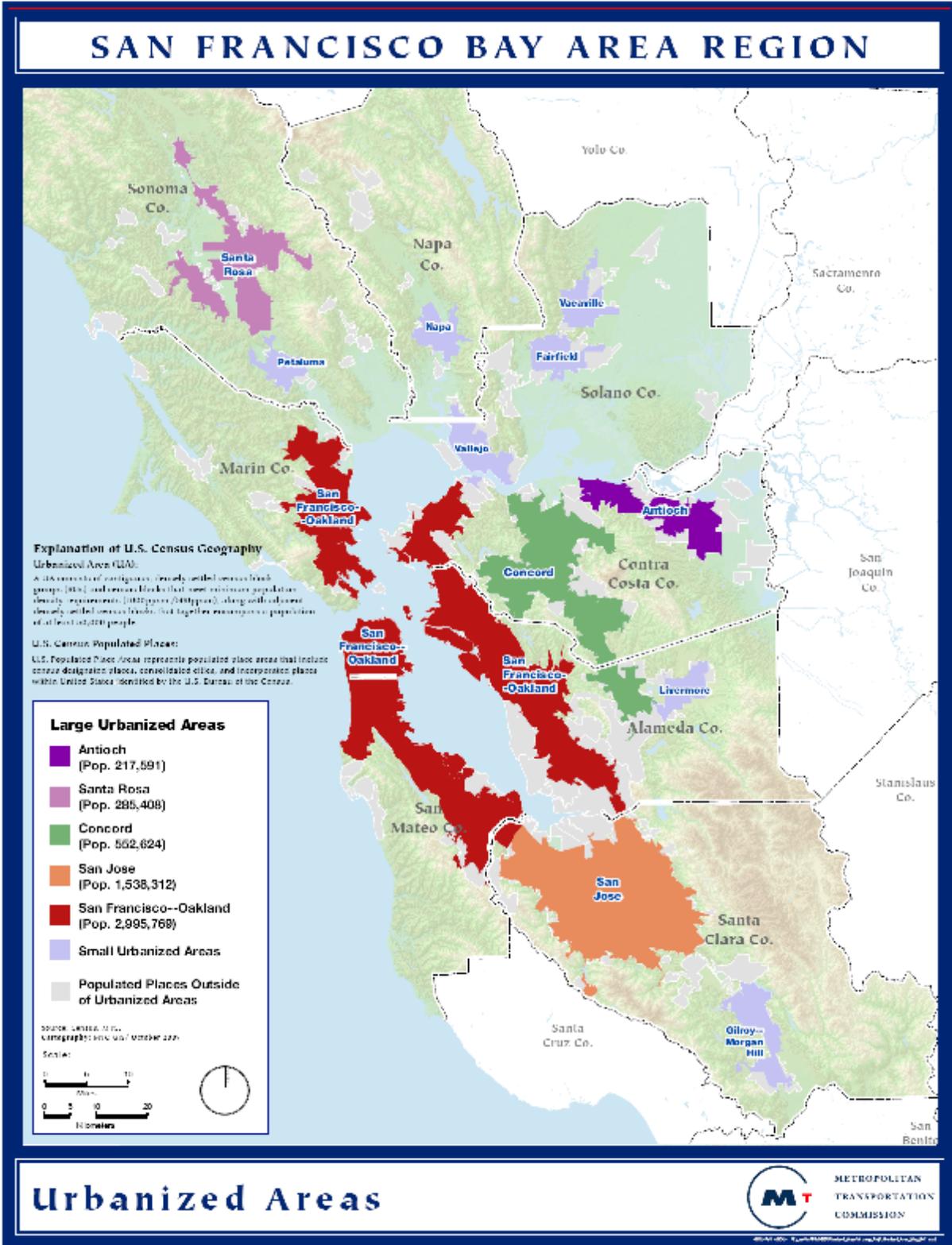
Once projects are selected in the large UA competitive process, transit operators with selected projects that are FTA grantees (i.e., transit operators that are direct recipients under Section 5307 and typically receive funds directly from FTA) must submit their own JARC grants to FTA and serve as direct recipients of the funds. MTC reserves the right to reprogram funds if direct recipients fail to obligate the funds through grant submittal and FTA approval by June 30, 2012. Direct recipients are responsible for carrying out the terms of their grants.

MTC will serve as the direct recipient of JARC funds for transit operators or public entities that are not FTA grantees, and for non-profits that are selected in the large UA competitive process, subject to the restrictions included in sections 7 and 9 below. These agencies and organizations will enter into a subrecipient relationship with MTC through the execution of funding agreements with MTC. MTC will monitor subrecipient compliance with federal

¹ An urbanized area is an area encompassing a population of not less than 50,000 people that has been defined and designated in the most recent decennial census as an "urbanized area" by the Secretary of Commerce. Large urbanized areas as used in the context of FTA formula grant programs are urbanized areas with a population of greater than 200,000, and small urbanized areas are those with a population of at least 50,000 but less than 200,000.

requirements through inclusion of such requirements in funding agreements and through ongoing monitoring activities.

Figure 1. Map of Urbanized Areas



6. **FUNDING DISTRIBUTION.** Projects may compete for funding that is apportioned to the UA in which the project will provide mobility management services. Projects that will provide services in multiple UAs may compete for funding from all of the affected UAs. This call for projects is for large UAs only.

Large UA Programming Targets. The total funding available for the Bay Area's large UAs in this call for projects is \$0.7 million. The amounts available are the FY2010 apportionments that remained unprogrammed after previous cycles of the Lifeline Transportation Program. The target programming amount for each large UA is shown in **Table 1**. There is no maximum grant request, except that applicants should not request more than the target amount for the large UAs in which their projects will provide services. MTC intends to fund one or two mobility management projects that advance the efforts of regional or subregional coordination, rather than funding a large number of small, localized projects dispersed throughout the region.

**Table 1. Programming Targets for
FY2011-12 JARC-Funded Mobility Management Program Projects**

Bay Area Large Urbanized Areas	\$671,864
Concord	\$21,585
San Francisco-Oakland	\$643,752
San Jose	\$11,721

Small and Non-UA Programming Targets. The small and non-UA calls for projects are conducted by Caltrans. According to Caltrans, the next small and non-UA call for projects will likely take place in mid-2012. Additional information about the small and non-UA call for projects can be found on the Caltrans website:
<http://www.dot.ca.gov/hq/MassTrans/5316.html>.

7. **ELIGIBLE RECIPIENTS/SUBRECIPIENTS.** There are three categories of eligible recipients/subrecipients of JARC funds: a) private non-profit organizations; b) state or local governmental authorities; and c) transit operators.

All recipients/subrecipients will be required to have a Dun and Bradstreet (D&B) Data Universal Numbering System (DUNS) number and provide it during the application process.² A DUNS number may be obtained from D&B by telephone (866-705-5711) or the Internet (<http://fedgov.dnb.com/webform>).

² A Dun and Bradstreet (D&B) Data Universal Numbering System (DUNS) number is a unique, non-indicative 9-digit identifier issued and maintained by D&B that verifies the existence of a business entity. The DUNS number is a universal identifier required for Federal financial assistance applicants, as well as recipients and their direct subrecipients.

8. ROLE OF RECIPIENTS/SUBRECIPIENTS. JARC recipients/subrecipients' responsibilities include:
- For direct recipients (transit operators who are FTA grantees), submitting a grant application to FTA and carrying out the terms of that grant;
 - Meeting program requirements and grant/funding agreement requirements including, but not limited to, Title VI reporting requirements;
 - Making best efforts to execute selected projects; and
 - Complying with other applicable local, state, and federal requirements.
9. ELIGIBLE ACTIVITIES. In this call for projects, MTC is requesting proposals for mobility management projects only. Mobility management techniques enhance transportation access for populations beyond those served by one agency or organization within a larger community. For example, a nonprofit agency could apply for JARC funding to support the administrative costs of sharing services it provides to its own clientele with other low-income individuals and coordinate usage of vehicles with other non-profits, but not the operating costs of the service. Mobility management is intended to build coordination among existing public transportation providers and other transportation service providers with the results of expanding the availability of service. Mobility management activities may include:
- (1) The promotion, enhancement, and facilitation of access to transportation services, including the integration and coordination of services for individuals with disabilities, older adults, and low-income individuals;
 - (2) Support for short term management activities to plan and implement coordinated services;
 - (3) The support of State and local coordination policy bodies and councils;
 - (4) The operation of transportation brokerages to coordinate providers, funding agencies and customers;
 - (5) The provision of coordination services, including employer-oriented Transportation Management Organizations' and Human Service Organizations' customer-oriented travel navigator systems and neighborhood travel coordination activities such as coordinating individuals travel training and trip planning activities for customers;
 - (6) The development and operation of one-stop transportation traveler call centers to coordinate transportation information on all travel modes and to manage eligibility requirements and arrangements for customers among supporting programs; and
 - (7) Operational planning for the acquisition of intelligent transportation technologies to help plan and operate coordinated systems inclusive of Geographic Information Systems (GIS) mapping, Global Positioning System technology, coordinated vehicle scheduling, dispatching and monitoring technologies as well as technology to track costs and billing in a coordinated system and single smart customer payment system (acquisition of technology is also eligible as a stand alone capital expense).

10. FEDERAL/LOCAL MATCHING REQUIREMENTS.

- a. General. Mobility management is an eligible capital expense. The Federal share of eligible capital costs may not exceed 80 percent of the net cost of the activity. The local share of eligible capital costs shall be no less than 20 percent of the net cost of the activity. All of the local share must be provided from sources other than federal Department of Transportation (DOT) funds. Some examples of sources of local match which may be used for any or all of the local share include: State or local appropriations; other non-DOT Federal funds; dedicated tax revenues; private donations; revenue from human service contracts; and net income generated from advertising and concessions. Non-cash share such as donations, volunteered services, or in-kind contributions is eligible to be counted toward the local match as long as the value of each is documented and supported, represents a cost which would otherwise be eligible under the program, and is included in the net project costs in the project budget.
- b. Exceptions. The Federal share is 90 percent for vehicle-related equipment and facilities required by the Clean Air Act (CAA) or the Americans with Disabilities Act (ADA). It is only the incremental cost of the equipment or facility required by the CAA or ADA that may be funded at 90 percent, not the entire cost of the vehicle or facility, even if the vehicle or facility is purchased for use in service required by the ADA or CAA. *Applicants wishing to apply for assistance at the higher match ratio should inform MTC before submitting an application, as MTC would need to consult the FTA regional office for further guidance regarding methods of computing the incremental cost.*
- c. Use of Other Federal Funds. Local match may be derived from other Federal funds derived from Federal programs that are eligible to be expended for transportation, other than from the DOT programs. Examples of types of programs that are potential sources of local match include: employment training, aging, community services, vocational rehabilitation services, and Temporary Assistance for Needy Families (TANF). To be eligible as local match for FTA funds, the other Federal funds must be used for activities included in the total net project costs of the FTA grant. Expenditure of other Federal funds for transportation outside of the scope of the project cannot be applied as a credit for local match in the FTA grant. Specific program information for other types of Federal funding is available at www.unitedweride.gov.

11. COORDINATED PLANNING. SAFETEA requires that projects selected for funding under the JARC program must be “derived from a locally developed, coordinated public transit-human services transportation plan”, and that the plan be “developed through a process that includes representatives of public, private, and non-profit transportation and human services providers and participation by members of the public.” A locally developed, coordinated, public transit-human services transportation plan (“coordinated plan”) identifies the transportation needs of individuals with disabilities, older adults, and people with low incomes, and provides strategies for meeting those local needs. The Bay Area’s Coordinated Plan was adopted in December 2007 and is available at <http://www.mtc.ca.gov/planning/pths/>.

Agencies and organizations interested in applying for JARC funds must consider the transportation needs, proposed solutions, and enhanced coordination strategies presented in the Coordinated Plan in developing their project proposals. Applicants will be asked to demonstrate their proposed project's consistency with the Coordinated Plan.

12. APPLICATION FORMS AND TECHNICAL ASSISTANCE. The application form is available at <http://www.mtc.ca.gov/planning/lifeline/>. Interested agencies must submit eight (8) copies and an electronic copy on a USB flash drive or CD of their application by 4:00 p.m. on Friday, February 24, 2012 to:

Kristen Mazur
Metropolitan Transportation Commission
Joseph P. Bort MetroCenter
101 Eighth Street
Oakland, CA 94607-4700

A workshop will be held for prospective applicants on Tuesday, January 17, 2012, from 1:00 to 3:00 p.m. in the Fishbowl Conference Room on the 3rd floor of MTC's office.

Attendance is not required, but is encouraged. Beyond the workshops, MTC staff is available to provide technical assistances throughout the application process.

13. **APPLICATION EVALUATION.** Following an initial eligibility screening by MTC staff, eligible projects will be evaluated by a panel consisting of Bay Area representatives of low-income population interests and MTC staff. Applications will be evaluated on the following criteria:

Project Need, Stated Goals, and Benefits	(maximum 40 points)
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Effectiveness at improving access to transportation services to employment and employment related activities for welfare recipients and eligible low-income individuals

Extent to which project provides additional benefits

Extent to which project advances the development and implementation of coordinated transportation services

Extent to which the project could serve as a model for other parts of the region

Coordination, Partnership, and Outreach	(maximum 30 points)
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Extent of coordination with other affected transportation systems, providers, and services, and with related social service programs. (Note: non-transit operators are strongly encouraged to coordinate with transit operators in their service area; transit operators are strongly encouraged to coordinate with non-profit organizations and human service agencies that serve low-income persons.)

Extent of community support

Thoroughness of plan for marketing the project to beneficiaries

Project Readiness and Implementation Plan	(maximum 30 points)
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Reasonableness and completeness of funding plan

Project sustainability beyond the grant period

Thoroughness of implementation plan and reasonableness of project schedule

Ability to use JARC funds to leverage additional resources

Sponsor's experience in managing services for welfare recipients and/or low-income individuals

How project fits into a larger program with well-defined goals and objectives

Sponsor's institutional capacity to manage the project

Sponsor's history of managing federal transportation funds

14. TIMELINE. The anticipated timeline for this call for projects is as follows:

Release Call for Projects	End of December 2011
Outreach	December 2011 / January 2012
Applicant Workshop	January 17, 2012 1:00 p.m. to 3:00 p.m.
Project Applications Due to MTC	February 24, 2012 at 4:00 p.m.
Project Selection	March 2012
Present update to Policy Advisory Council Equity & Access Subcommittee	March and/or April 2012
Present Recommended Project(s) to Transit Finance Working Group	April 4, 2012
Present Recommended Project(s) to Programming and Allocations Committee	April 11, 2012
Present Recommended Program to Commission	April 25, 2012
Federal TIP approval	Anticipated May 4, 2012
FTA grant submittal	May 2012
Project sponsors enter into funding agreements with MTC (if applicable)	Summer/Fall 2012
Projects begin	Summer/Fall 2012

Following project selection, MTC will enter the approved project(s) into MTC's FTA grant, planned to be submitted in spring 2012. Subsequent to FTA approval of the grant, MTC will enter into funding agreements with project sponsors. Project sponsors who are FTA grantees will act as direct recipients of funds, and will submit grant applications to FTA directly. MTC reserves the right to reprogram funds if direct recipients fail to obligate the funds through grant submittal and FTA approval by June 30, 2012.

15. COMPLIANCE WITH FEDERAL REQUIREMENTS. Applicants should be prepared to abide by all applicable federal requirements as specified in 49 U.S.C. Section 5316, FTA Circulars C 9050.1 and 4702.1A, the most current FTA Master Agreement MA(13), and the most current Certifications and Assurances for FTA Assistance Programs.

MTC includes language regarding these federal requirements in its funding agreements with subrecipients and requires each subrecipient to execute a certification of compliance with the relevant federal requirements. Subrecipient certifications are required of the subrecipient prior to the execution of a contract by MTC and annually thereafter when FTA publishes the annual list of certifications and assurances.

Direct recipients are responsible for adhering to FTA requirements through their agreements and grants with FTA directly.

16. **REPORTING REQUIREMENTS.** Subrecipients to MTC will be required to submit quarterly reports to MTC on the following:

- a. Budget or schedule changes, if any
- b. Progress toward meeting milestones
- c. Quantitative or qualitative information, as available, on the following measures:
 - (a) Actual or estimated number of jobs that can be accessed as a result of geographic or temporal coverage of the project for the reporting period.
 - (b) Actual or estimated number of rides (as measured by one-way trips) provided as a result of the project for the reporting period.
- d. Financial status report
- e. Disadvantaged Business Enterprise (DBE) participation as applicable.

Direct recipients of JARC funds with active grants will be required to submit quarterly reports to FTA on the progress of their projects.

Detailed quarterly reporting requirements will be included in the funding agreement (if sponsor is a subrecipient to MTC) or in the FTA grant (if sponsor is a direct grantee with FTA).

Both direct recipients and subrecipients of JARC funds will be required to participate in FTA's annual JARC and New Freedom reporting, in which performance measures will be collected.

17. **TITLE VI.** In connection with MTC's Title VI monitoring obligations, as outlined in FTA Circular 4702.1A (Title VI and Title VI-Dependent Guidelines for Federal Transit Administration Recipients) and in MTC's JARC and New Freedom Program Management Plan (http://www.mtc.ca.gov/funding/JARC-New_Freedom/JARC-NF_PMP.htm), applicants will be required to provide the following information in the grant application:

- a. The organization's policy regarding Civil Rights (based on Title VI of the Civil Rights Act) and for ensuring that benefits of the project are distributed equitably among low-income and minority population groups in the project's service area.
- b. Information on whether the project will provide assistance to predominantly minority and low-income populations. (Projects are classified as providing service to predominantly minority and low-income populations if the proportion of minority and low-income people in the project's service area exceeds the regional average minority and low-income population.)

In order to document that JARC funds are passed through without regard to race, color or national origin, and to document that minority populations are not being denied the benefits of or excluded from participation in the FY2011-12 Job Access and Reverse Commute-

Funded Mobility Management Program, MTC will keep a record of applications submitted for funding. MTC's records will identify those applicants that would use grant program funds to provide assistance to predominantly minority and low-income populations and indicate whether those applicants were accepted or rejected for funding.

MTC requires that all JARC subrecipients submit all appropriate FTA certifications and assurances to MTC prior to funding agreement execution and annually thereafter when FTA publishes the annual list of certifications and assurances. MTC will not execute any funding agreements prior to having received these items from the selected subrecipients. MTC, within its administration, planning, and technical assistance capacity, also will comply with all appropriate certifications and assurances for FTA assistance programs and will submit this information to the FTA as required.

The certifications and assurances pertaining to civil rights include:

1. Nondiscrimination Assurances in Accordance with the Civil Rights Act
2. Documentation Pertaining to Civil Rights Lawsuits and Complaints

Nondiscrimination assurances included above involve the prohibition of discrimination on the basis of race, color, creed, national origin, sex, or age, and prohibit discrimination in employment or business opportunity, as specified by 49 U.S.C. 5332 (otherwise known as Title VI of the Civil Rights Act of 1964), as amended (42 U.S.C. 2000d et seq.) and U.S. DOT regulations, *Nondiscrimination in Federally-Assisted Programs of the Department of Transportation-Effectuation of Title VI of the Civil Rights Act*, 49 C.F.R. Part 21. By complying with the Civil Rights Act, no person, on the basis of race, color, national origin, creed, sex, or age, will be excluded from participation in or be denied the benefits of any program for which the subrecipient receives federal funding via MTC.

As a condition of receiving JARC program funds, subrecipients must comply with the requirements of the US Department of Transportation's Title VI regulations. The purpose of Title VI is to ensure that no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. Subrecipients are also responsible for ensuring compliance of each third party contractor at any tier of the project.

Subrecipients must develop procedures for investigating and tracking Title VI complaints filed against them and make their procedures for filing a complaint available to members of the public upon request. In order to reduce the administrative burden associated with this requirement, subrecipients may adopt the Title VI complaint investigation and tracking procedures developed by MTC.

Subrecipients must prepare and maintain a list of any active investigations conducted by entities other than FTA, lawsuits, or complaints naming the subrecipient that allege discrimination on the basis of race, color, or national origin. This list shall include the date, summary of allegations, current status, and actions taken by the subrecipient in response to the investigation, lawsuit, or complaint.

Subrecipients must provide information to the public regarding their Title VI obligations and apprise members of the public of the protections against discrimination afforded to them by Title VI. Subrecipients that provide transit service shall disseminate this information to the public through measures that can include but shall not be limited to a posting on the agency's Web site.

All successful subrecipients must submit compliance reports to MTC. The following contents will be required with the submission of the standard agreement and annually thereafter with the submission of the annual FTA certifications and assurances:

1. A summary of public outreach and involvement activities undertaken and a description of steps taken to ensure that minority and low-income people had meaningful access to these activities.
2. A copy of the subrecipient's plan for providing language assistance for persons with limited English proficiency (LEP) that was based on the DOT LEP Guidance or a copy of the agency's alternative framework for providing language assistance.
3. A copy of the subrecipient procedures for tracking and investigating Title VI complaints.
4. A list of any Title VI investigations, complaints, or lawsuits filed with the subrecipient. This list should include only those investigations, complaints, or lawsuits that pertain to the subrecipient submitting the report, not necessarily the larger agency or department of which the entity is a part.
5. A copy of the subrecipient's notice to the public that it complies with Title VI and instructions to the public on how to file a discrimination complaint.

The first compliance report, submitted with the standard agreement, must contain all of the contents listed above. If, prior to the deadline for subsequent compliance reports, the subrecipient has not altered items 2, 3 and 5 above (its language assistance policies, procedures for tracking and investigating a Title VI complaint, or its notice to the public that it complies with Title VI and instructions to the public on how to file a Title VI complaint), the subrecipient should submit a statement to this effect in lieu of copies of the original documents. The annual compliance report should include an update on items 1 and 4.