

**Metropolitan Transportation Commission
Programming and Allocations Committee**

September 12, 2007

Item Number 2e

Resolution No. 3738, Revised

- Subject:** Amendment to BART Car Replacement Agreement, MTC Resolution 3738, Revised.
- Background:** MTC Resolution 3738, Revised, authorizes MTC's agreement with BART to exchange federal and local funds, and create a reserve account for the future costs of replacing BART's railcars. This action amends the agreement to incorporate \$45.4 million in Third Cycle (FY 2007-08 and FY 2008-09) STP funds that were recently programmed for the car replacement by the Commission in MTC Resolution 3723, Revised.
- Issues:** None
- Recommendations:** Refer MTC Resolution No. 3738, Revised, to the Commission for approval.
- Attachments:** MTC Resolution No. 3738, Revised

Date: May 24, 2006
W.I.: 1512
Referred By: PAC
Revised: 11/15/06-ED
9/26/07-C

ABSTRACT

Resolution No. 3738, Revised

This resolution approves the principles, process, and schedule for exchanging federal, state, and local funds and the criteria for reserving these funds for BART's A, B, C1, and C2 cars until the cars are eligible for replacement, beginning in 2013, and the funds are needed by BART.

This resolution was revised through administrative action by the Executive Director on November 15, 2006 to include the final version of the agreement between MTC and BART. The revisions specify that the amount of local funds BART agrees to deposit into the Account is equal to 100% of the federal reimbursement less any BART principal previously withheld for retention in the Account, delete a reference to early termination of the agreement, and made a few other terminology changes.

This resolution was revised by the Commission on September 26, 2007, to make a minor correction in Attachment B to the amount programmed in FY 2006-07, and to include in Attachment B a reference to \$45 million in Third Cycle STP funds that were programmed to the BART Car Replacement project by the Commission in MTC Resolution 3723, Revised.

Further discussion of the BART car fund exchange and reserve account is contained in the "Executive Director" memorandum and the Programming and Allocations Summary Sheet dated May 10, 2006, and the Programming and Allocations Summary Sheet dated September 12, 2007.

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Attachment B
Resolution No. 3738
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ATTACHMENT B
PROGRAMMED FEDERAL FUNDING AMOUNTS

<u>Ready-to-go Project Title</u>	<u>Transportation Improvement Program</u>	<u>Fund Source</u>	<u>Amount</u>	<u>Fiscal Year Programming</u>
Preventive Maintenance	REG050020	Surface Transportation Program	\$22,680,000	FY 2005-06
Preventive Maintenance	REG050020	Surface Transportation Program	\$22,681,000	FY 2006-07
Preventive Maintenance	REG050020	Surface Transportation Program	\$22,682,000	FY 2007-08
Preventive Maintenance	REG050020	Surface Transportation Program	\$22,683,000	FY 2008-09