

SBCAG STAFF REPORT

SUBJECT: SB1 State of Good Repair Program Project List Approval

MEETING DATE: January 18, 2018

AGENDA ITEM: 4E

STAFF CONTACT: Anne Jensen

RECOMMENDATION:

1. Adopt Resolution 18-02 approving the four-year Program of Projects and FY 17/18 project list; and
2. Delegate authority to the Executive Director to sign Certifications and Assurances and to take any actions necessary for the purpose of obtaining State Transit Assistance State of Good Repair funds provided by the California Department of Transportation.

SUMMARY:

Senate Bill 1 (SB1) created a new transit funding program for transit operators to invest in the upgrade, repair and improvement of their agency's transportation infrastructure: the State of Good Repair program. The Santa Barbara region will receive approximately \$599,000 annually in population based funding. In November, the SBCAG board approved program guidelines and issued a four year call for projects, with project applications due to SBCAG on December 8. A scoring committee comprised of SBCAG staff and local operators reviewed and scored applications. The scoring committee recommends approval of the projects included in the attached four year program of projects. Project nominations will then be submitted to the State.

DISCUSSION:

Background on the State of Good Repair Program

SB1 created the new State of Good Repair Program, which provides \$105 million annually to regional transportation planning agencies and transit operators for eligible transit maintenance, rehabilitation and capital projects. The SOGR program will be funded from a portion of a new Transportation Improvement Fee on vehicles registered on or after January 1, 2018. These funds will be allocated under the State Transit Assistance (STA) Program formula to eligible agencies, with half of the funding allocated according to population formula to Regional Transportation Planning Agencies and half to transit operators according to transit operator revenues. Funds allocated based on population shall be allocated to projects in the region based on the local needs. SBCAG will receive \$599,000 annually based on population. Eligible transit operators in Santa Barbara will also receive fare box based revenue apportionments of approximately \$154,000.

Eligible projects under the State of Good Repair Program include transit capital projects to maintain or repair existing transit fleets or facilities, the design, acquisition and construction of new vehicles or facilities and transit services that complement local efforts for repair and improvement of local transportation infrastructure.

Call for Projects Process

SBCAG announced a call for projects in November for four years of SOGR funding. Moving forward there will be one call for projects every other year that will cover the next two years. This initial four-year program will program approximately \$2.4M in total funding for Fiscal Years 17/18 to 20/21. The next call for projects would occur in FY 20/21. Eligible applicants are the Cities of Guadalupe, Lompoc, Santa Maria and Solvang; the County of Santa Barbara; Santa Barbara MTD; and SBCAG (Clean Air Express). Consolidated Transportation Service Agencies (CTSAs), like Easy Lift and SMOOTH, may apply for funding as a subrecipient to an eligible applicant.

A scoring committee comprised of eligible transit operators met in early January to finalize funding recommendations for the first four years of the program. Prior to meeting, each reviewer scored every application except their own and submitted scores using criteria adopted at the November 2017 SBCAG board meeting. All submitted scores were averaged into one final score. Based on available funding, the committee reached consensus on fully funding the City of Guadalupe and Santa Ynez Valley Transit projects, programming funding to the Clean Air Express towards the purchase of one replacement bus, and to program the remainder to the City of Lompoc, Santa Maria Area Transit and Santa Barbara MTD based on their requested amounts. The attached Program of Projects (Attachment A) provides additional information.

Development of Project List

Projects and funding amounts recommended for SBCAG approval by the scoring committee in this call for projects are summarized in Table 1 on the next page.

Table 1: Projects Recommended for Funding – State of Good Repair Cycle 1

Applicant	Project	Recommended Funding
City of Guadalupe	Bus Replacement Local Match	\$74,023
Santa Ynez Valley Transit	Bus Rehabilitation for Express Route	\$30,000
Santa Ynez Valley Transit	Rolling Stock	\$30,000
Santa Maria Area Transit	Capital Assistance for Replacement Buses	\$215,000
City of Lompoc Transit	Replacement Bus	\$462,000
Santa Barbara MTD	Match for Bus Replacement	\$1,030,000
Clean Air Express	Bus Replacement	\$553,477
		Total: \$2,394,500

To accompany the submittal of the project list (Attachment B) to Caltrans, SBCAG must also submit a Certifications and Assurances document (Attachment C) and accompanying Resolution. Resolution 18-02 (Attachment D) both authorizes the execution of the Certifications and Assurances, and identifies eligible local subrecipients eligible to receive allocation.

TRANSIT OPERATOR REVIEW:

SBCAG met with local transit operators to review project scoring on January 3, 2018 and develop a four-year Program of Projects (Attachment A). This Program of Projects was used by SBCAG to create the Project List for FY 17/18 (Attachment B) for submittal to Caltrans.

ATTACHMENTS:

- A. Program of Projects (FYs 17/18 – 20/21)
- B. FY 17/18 Project List
- C. State of Good Repair Program Recipient Certifications and Assurances
- D. Resolution 18-02

State of Good Repair Program

SBCAG Program of Projects for Population Based Funding (\$2,394,500 in PUC 99313 funding available for FY 17/18 - FY 20/21)

Implementing Agency	Project Title and Description	Project Category	99313 Funding Requested	Recommendation	Year of Funding	Total Project Cost	Final Score
Guadalupe	Guadalupe Transit Bus Replacement Local Match: match a 5339 grant for 1 replacement bus for the Guadalupe Flyer.	Replacement	\$ -	\$ -	17/18	\$ 493,486	90.4
			\$ 74,023	\$ 74,023	18/19		
			\$ -	\$ -	19/20		
			\$ -	\$ -	20/21		
SMAT	Capital Assistance for Two Replacement Buses: purchase of 2 replacement buses.	Replacement	\$ 250,000	\$ 215,000	17/18	\$ 1,803,838	87.2
			\$ -	\$ -	18/19		
			\$ -	\$ -	19/20		
			\$ -	\$ -	20/21		
MTD	MTD Match for Bus Replacement: portion of match for purchase of 14 replacement buses.	Replacement	\$ -	\$ -	17/18	\$ 8,849,564	86.8
			\$ 1,197,250	\$ 416,227	18/19		
			\$ -	\$ 15,148	19/20		
			\$ -	\$ 598,625	20/21		
SYVT	SYVT Rolling Stock: purchase 2 replacement transit vehicles	Replacement	\$ -	\$ -	17/18	\$ 190,791	86.6
			\$ -	\$ -	18/19		
			\$ 30,000	\$ 30,000	19/20		
			\$ -	\$ -	20/21		
SYVT	Bus Rehabilitation for Express Route: installation of benches, shelters, solar lights, informational signage and concrete pads at existing bus stops.	Rehabilitation	\$ -	\$ -	17/18	\$ 90,000	86.0
			\$ 30,000	\$ 30,000	18/19		
			\$ -	\$ -	19/20		
			\$ -	\$ -	20/21		
COLT	Replacement Buses: purchase 5 replacement cutaway buses; purchase of 1 replacement ADA van.	Replacement	\$ -	\$ 383,625	17/18	\$ 536,986	80.8
			\$ 536,986	\$ 78,375	18/19		
			\$ -	\$ -	19/20		
			\$ -	\$ -	20/21		
SBCAG Clean Air Express	Clean Air Express Bus Replacement: purchase 2 replacement buses for Clean Air Express service. <i>Due to the amount of funding available, \$553K will be programmed towards the replacement of one replacement vehicle.</i>	Replacement	\$ -	\$ -	17/18	\$ 1,913,477	79.0
			\$ 1,100,000	\$ -	18/19		
			\$ -	\$ 553,477	19/20		
			\$ -	\$ -	20/21		

\$ 3,218,259 \$ 2,394,500 \$ 13,878,142

Projects Not Recommended for Funding

COLT	Restroom Facility for Transit Transfer Center: construct a restroom facility at the Transit Transfer Center in downtown Lompoc.	Modernization	\$ -	\$ -	17/18	\$ 250,000	75.0
			\$ 250,000	\$ -	18/19		
			\$ -	\$ -	19/20		
			\$ -	\$ -	20/21		

\$ 3,468,259 \$ 14,128,142

ATTACHMENT B

Department of Rail and Mass Transportation
Senate Bill 1 State of Good Repair Program



Agency Information

Funding Fiscal Year: 2017-18

(Choose First) Regional Entity :

Santa Barbara County Association of Governments

***Estimated SGR 99313 Allocation**

\$ 598,625

Operator (Not required if you are the Regional Entity):

***Estimated SGR 99314 Allocation**

\$ 153,925

****Enter your total STA allocation in the blue box:**

\$ 3,360,306

The amount to be reported on will be listed in the grey box:

\$ 1,108,901

Agency Address:

260 N. San Antonio Road, Suite B

City:

Santa Barbara

Contact Name:

Sarkes Khachek

Contact Title:

Programing Manager

Contact Phone Number:

805-961-8913

Contact Email:

skhachek@sbcag.org

*You can find your **SGR** allocation estimates on the letter from the California State Controller dated Nov. 3, 2017:

https://www.sco.ca.gov/Files-ARD-Payments/Transit/statetransitassistanceestimate_sgr_1718_october17.pdf

You can find your **STA allocation estimates on the letter from the California State Controller dated Nov. 3, 2017:

https://www.sco.ca.gov/Files-ARD-Payments/Transit/statetransitassistanceestimate_1718_october17.pdf

#	Project Location City	Project Funding							Legislative Districts			Notes, Comments, Additional Information	
		SGR Costs				Non-SGR Costs			Total Project Costs <i>Auto Populated</i>	Congressional	Senate		Assembly
		<u>2017-18</u> SGR Costs 99313	<u>2017-18</u> SGR Costs 99314	<u>Total</u> SGR Costs 99313	<u>Total</u> SGR Costs 99314	<u>Total</u> STA Costs - <i>Not Including SGR</i>	<u>Total</u> All Other Funds						
1	Santa Maria	\$ 215,000	\$ 11,004	\$ 215,000	\$ 11,004	\$ 91,764	\$ 1,271,070	\$ 1,588,838					
2	Lompoc	\$ 383,625	\$ 13,802	\$ 462,000	\$ 27,604	\$ -	\$ 47,382	\$ 536,986					
3	Santa Barbara	\$ -	\$ 123,829	\$ -	\$ 495,316			\$ 495,316					
4	Guadalupe	\$ -	\$ -	\$ 74,023	\$ 1,738	\$ -	\$ 419,463	\$ 495,224					
5	Solvang	\$ -	\$ -	\$ 30,000	\$ 2,373	\$ -	\$ 130,000	\$ 162,373					
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ATTACHMENT C

Santa Barbara County Association of Governments

Page 1

State Transit Assistance State of Good Repair Program

Recipient Certifications and Assurances

Recipient: Santa Barbara County Association of Governments (SBCAG)

Effective Date: January 18, 2018.

In order to receive State of Good Repair Program (SGR) funds from the California Department of Transportation (Department), recipients must agree to following terms and conditions:

A. General

- (1) The recipient agrees to abide by the State of Good Repair Guidelines as may be updated from time to time.
- (2) The potential recipient must submit to the Department a State of Good Repair Program Project List annually, listing all projects proposed to be funded by the SGR program. The project list should include the estimated SGR share assigned to each project along with the total estimated cost of each project.
- (3) The recipient must submit a signed Authorized Agent form designating the representative who can submit documents on behalf of the recipient and a copy of the board resolution authorizing the agent.

B. Project Administration

- (1) The recipient certifies that required environmental documentation will be completed prior to expending SGR funds. The recipient assures that each project approved for SGR funding comply with Public Resources Code § 21100 and § 21150.
- (2) The recipient certifies that SGR funds will be used for transit purposes and SGR funded projects will be completed and remain in operation for the estimated useful lives of the assets or improvements.
- (3) The recipient certifies that it has the legal, financial, and technical capacity to deliver the projects, including the safety and security aspects of each project.
- (4) The recipient certifies that there is no pending litigation, dispute, or negative audit findings related to any SGR project at the time an SGR project is submitted in the annual list.

- (5) Recipient agrees to notify the Department immediately if litigation is filed or disputes arise after submission of the annual project list and to notify the Department of any negative audit findings related to any project using SGR funds.
- (6) The recipient must maintain satisfactory continuing control over the use of project equipment and/or facilities and will adequately maintain project equipment and/or facilities for the estimated useful life of each project.
- (7) Any and all interest the recipient earns on SGR funds must be reported to the Department and may only be used on approved SGR projects or returned to the Department.
- (8) The recipient must notify the Department of any proposed changes to an approved project list by submitting an amended project list.
- (9) Funds will be expended in a timely manner.

C. Reporting

- (1) Per Public Utilities Code § 99312.1 (e) and (f), the recipient must submit the following SGR reports:
 - a. Annual Expenditure Reports within six months of the close of the fiscal year (by December 31st) of each year.
 - b. The annual audit required under the Transportation Development Act (TDA), to verify receipt and appropriate expenditure of SGR funds. A copy of the audit report must be submitted to the Department within six months of the close of each fiscal year in which SGR funds have been received or expended.

D. Cost Principles

- (1) The recipient agrees to comply with Title 2 of the Code of Federal Regulations Part 200, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments.
- (2) The recipient agrees, and will assure that its contractors and subcontractors will be obligated to agree, that (a) Contract Cost Principles and Procedures, 48 CFR, Federal Acquisition Regulations System, Chapter 1, Part 31, et seq., shall be used to determine the allowability of individual project cost items and (b) those parties shall comply with Federal administrative procedures in accordance with 2 CFR, Part 200, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments.

- (3) Any project cost for which the recipient has received payment that are determined by subsequent audit to be unallowable under 2 CFR, Part 200, are subject to repayment by the recipient to the State of California (State). Should the recipient fail to reimburse moneys due to the State within thirty (30) days of demand, or within such other period as may be agreed in writing between the Parties hereto, the State is authorized to intercept and withhold future payments due the recipient from the State or any third-party source, including but not limited to, the State Treasurer and the State Controller.

E. Record Retention

- (1) The recipient agrees, and will assure that its contractors and subcontractors shall establish and maintain an accounting system and records that properly accumulate and segregate incurred project costs and matching funds by line item for the project. The accounting system of the recipient, its contractors and all subcontractors shall conform to Generally Accepted Accounting Principles (GAAP), enable the determination of incurred costs at interim points of completion, and provide support for reimbursement payment vouchers or invoices. All accounting records and other supporting papers of the recipient, its contractors and subcontractors connected with SGR funding shall be maintained for a minimum of three (3) years from the date of final payment and shall be held open to inspection, copying, and audit by representatives of the State and the California State Auditor. Copies thereof will be furnished by the recipient, its contractors, and subcontractors upon receipt of any request made by the State or its agents. In conducting an audit of the costs claimed, the State will rely to the maximum extent possible on any prior audit of the recipient pursuant to the provisions of federal and State law. In the absence of such an audit, any acceptable audit work performed by the recipient's external and internal auditors may be relied upon and used by the State when planning and conducting additional audits.
- (2) For the purpose of determining compliance with Title 21, California Code of Regulations, Section 2500 et seq., when applicable, and other matters connected with the performance of the recipient's contracts with third parties pursuant to Government Code § 8546.7, the recipient, its contractors and subcontractors and the Department shall each maintain and make available for inspection all books, documents, papers, accounting records, and other evidence pertaining to the performance of such contracts, including, but not limited to, the costs of administering those various contracts. All of the above referenced parties shall make such materials available at their respective offices at all reasonable times during the entire project period and for three (3) years from the date of final payment. The State, the California State Auditor, or any duly authorized representative of the State, shall each have access to any books, records, and documents that are pertinent to a project for audits, examinations, excerpts, and transactions, and the recipient shall furnish copies thereof if requested.

- (3) The recipient, its contractors and subcontractors will permit access to all records of employment, employment advertisements, employment application forms, and other pertinent data and records by the State Fair Employment Practices and Housing Commission, or any other agency of the State of California designated by the State, for the purpose of any investigation to ascertain compliance with this document.

F. Special Situations

- (1) Recipient acknowledges that if a project list is not submitted timely, the recipient forfeits its apportionment for that fiscal year.
- (2) Recipients with delinquent expenditure reports may risk future eligibility for future SGR funding.
- (3) Recipient acknowledges that the Department shall have the right to perform an audit and/or request detailed project information of the recipient's SGR funded projects at the Department's discretion from SGR award through 3 years after the completion and final billing of any SGR funded project. Recipient agrees to provide any requested project information.

I certify all of these conditions will be met.

Santa Barbara County Association of Governments

BY: _____
Marjie Kirn, Executive Director

ATTACHMENT D
A RESOLUTION OF THE SANTA BARBARA
COUNTY ASSOCIATION OF GOVERNMENTS

AUTHORIZATION FOR THE EXECUTION OF)
THE CERTIFICATIONS AND ASSURANCES)
FOR THE CALIFORNIA STATE OF GOOD)
REPAIR PROGRAM)

RESOLUTION NO. 18-02

WHEREAS, the Santa Barbara County Association of Governments (SBCAG) is an eligible project sponsor and may receive State Transit Assistance funding from the State of Good Repair (SGR) account now or sometime in the future for transit projects; and

WHEREAS, the statutes related to state-funded transit projects require a local or regional implementing agency to abide by various statutes and regulations; and

WHEREAS, Senate Bill 1 (2017) named the California Department of Transportation (Department) as the State's administrative agency for SGR; and

WHEREAS, the Department has developed guidelines for the purpose of administering and distributing SGR funds to SBCAG; and

WHEREAS, SBCAG must adopt and submit a Project List to Caltrans annually in order to receive SGR funding; and

WHEREAS, SBCAG wishes to delegate authority to execute State Transit Assistance State of Good Repair Program Recipient Certifications and Assurances and any amendments thereto to the Executive Director.

WHEREAS, SBCAG wishes to delegate authority to the Executive Director to take any actions necessary for the purpose of obtaining State Transit Assistance State of Good Repair funds provided by the California Department of Transportation.

WHEREAS, SBCAG wishes to delegate authority to the Executive Director as described herein from January 2018 until the end of the SGR Program.

NOW, THEREFORE, BE IT RESOLVED that the SBCAG Board of Directors finds that the SBCAG agrees to comply with all conditions and requirements set forth in the Certifications and Assurances document and applicable statutes, regulations and guidelines for all SGR funded transit projects.

BE IT FURTHER RESOLVED that from January 2018 until the end of the SGR program the SBCAG Executive Director is authorized to execute all make certifications and assurances, amendments to certifications and assurances, as required by the SGR program, and to take any actions necessary for the purpose of obtaining State Transit Assistance State of Good Repair funds provided by the Department.

BE IT FURTHER RESOLVED that eligible SGR subrecipients under SBCAG are the Cities of Guadalupe, Lompoc, Santa Maria and Solvang; the County of Santa Barbara; and the Santa Barbara Metropolitan Transit District, and all may apply for and receive SGR funds under SBCAG.

BE IT FURTHER RESOLVED that the projects on SBCAG's FY 17/18 Project List, as shown in Attachment B in the staff report for the SGR program item on the January 18, 2018 agenda, are recommended for funding and are hereby approved and authorized to be submitted to the Department.

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

Marjie Kirn
Executive Director

Joan Hartmann, Chair
Santa Barbara County
Association of Governments

Date: _____

APPROVED AS TO FORM:



Rachel Van Mullem
Chief Assistant County Counsel