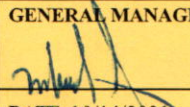
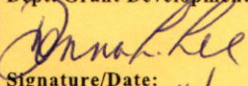
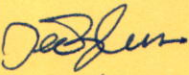
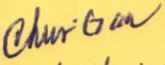
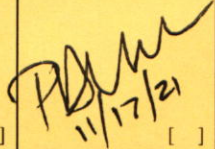




## EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL:  11/23/21		GENERAL MANAGER ACTION REQ'D:		
DATE: 10/14/2021		BOARD INITIATED ITEM: No		
Originator/Prepared by: Donna Lee Dept: Grant Development  Signature/Date: 11/17/21	General Counsel  11/17/2021 [ ]	Controller/Treasurer  11/17/2021 [ ]	District Secretary [ ]	BARC  11/17/21 [ ]

### Approval of a Resolution of Local Support for an Alameda County Transportation Commission Measure BB Allocation for the Fleet of the Future Maintenance Facilities

**PURPOSE:** To request that the Board of Directors adopts the required Resolution of Local Support and authorizes the General Manager to execute all required documents for BART to be an eligible recipient for an Alameda County 2022 Comprehensive Investment Plan fund allocation of five million dollars (\$5,000,000) in Measure BB funds. These funds will be used for the Fleet of the Future Maintenance Facilities (FotFMF) Project.

**DISCUSSION:** Alameda County Transportation Commission's (ACTC) Comprehensive Investment Plan (CIP) is a near-term strategic programming document through which fund sources administered by ACTC are consolidated, programmed, and allocated through a singular programming cycle. The CIP's purpose is to strategically program available funds towards transportation investments that support the vision and goals of the ACTC Countywide Transportation Plan, multi-modal plans, and voter-approved transportation expenditure plans. As part of the biennial CIP update process, the 2022 CIP includes a shift of the five-year programming horizon to recommend fund allocations for the FY 2021-22 through FY 2025-26 time period. ACTC requires recipients of Alameda County CIP funds to adopt a Resolution of Local Support.

For the 2022 CIP Allocation Plan, ACTC is allocating five million dollars (\$5,000,000) in Measure BB, county sales tax funds, to the FotFMF Project. The FotFMF Project will construct a new vehicle maintenance facility at the Hayward Maintenance Complex (HMC), which will have connections to the Main Shop and modifications to the existing Hayward Maintenance Back Shop; and will bring into compliance any site infrastructure directly impacted by a new facility. The FotFMF Project will allow BART's new Fleet of the Future



railcars, procured through the Core Capacity Program, to be maintained in a state of good repair and support the future service objective of 30 ten-car trains traveling through the Transbay Tube, per hour. BART must provide an equal five million dollars (\$5,000,000) to match this allocation of Measure BB funds, which BART included as part of FY22 priority operating-to-capital allocation.

**FISCAL IMPACT:** Approval of the Resolution of Local Support is an ACTC requirement for the District to receive a 2022 CIP allocation in the amount of five million dollars (\$5,000,000) in Measure BB funds. BART is required to provide an equal five million dollars (\$5,000,000) in matching funds, which BART included as part of FY22 priority operating-to-capital allocation. There is no impact to unprogrammed District Reserves.

**ALTERNATIVES:** Do not approve the Resolution of Local Support. If the Resolution is not approved, BART will risk the loss of the five million dollars (\$5,000,000) in Measure BB funds, which will delay design and construction of the FotFMF.

**RECOMMENDATION:** Adopt the following motion.

**MOTION:** The BART Board of Directors approves adoption of the attached Resolution of Local Support "In the Matter of Approval of a Resolution of Local Support for an Alameda County Transportation Commission Measure BB Allocation for the Fleet of the Future Maintenance Facilities Project". The BART Board of Directors also authorizes the General Manager to execute all required documents for participation in the ACTC 2022 CIP program.



**BEFORE THE BOARD OF DIRECTORS OF THE  
SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT**

In the Matter of the Approval of a  
Resolution of Local Support for an  
Alameda County Transportation Commission  
Measure BB Allocation for the  
Fleet of the Future Maintenance Facilities Project  
Resolution No. \_\_\_\_\_

**A RESOLUTION OF THE GOVERNING BODY OF THE SAN FRANCISCO BAY AREA  
RAPID TRANSIT DISTRICT  
ACCEPTING FUNDS FROM THE ALAMEDA COUNTY TRANSPORTATION  
COMMISSION FOR THE  
FLEET OF THE FUTURE MAINTENANCE FACILITIES PROJECT**

**WHEREAS**, Alameda County Transportation Commission ("ALAMEDA CTC") administers funding programs consisting of 2000 Measure B, 2010 Vehicle Registration Fee, 2014 Measure BB, CMA-TIP, and Transportation Fund for Clean Air Programs for projects and programs that benefit the Alameda County transportation system, and such funding is collectively defined as and shall be referenced herein as the "ALAMEDA CTC ADMINISTERED FUNDS"; and

**WHEREAS**, SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT ("FUND RECIPIENT") submitted a funding application to the ALAMEDA COUNTY TRANSPORTATION COMMISSION ("ALAMEDA CTC") requesting \$5,000,000 funding for FLEET OF THE FUTURE MAINTENANCE FACILITIES PROJECT ("PROJECT") from the ALAMEDA CTC's programming and allocation process of ALAMEDA CTC's administered fund sources; and

**WHEREAS**, the PROJECT will construct a new vehicle maintenance facility at the Hayward Maintenance Complex, which will have connections to the Main Shop and modifications to the Existing Hayward Maintenance Back Shop to allow the new Fleet of the Future railcars to be maintained in a state of good repair; and bring into compliance any site infrastructure directly impacted by new facility.

**WHEREAS**, ALAMEDA CTC awarded \$5,000,000 in ALAMEDA CTC ADMINISTERED FUNDS for the implementation and delivery of the PROJECT to the FUND RECIPIENT; and

**WHEREAS**, as part of the requirements to receive ALAMEDA CTC ADMINISTERED FUNDS awarded to the PROJECT, ALAMEDA CTC requires a resolution adopted by the responsible funding recipient stating the following:

1. Commitment of FUND RECIPIENT's matching funds against the awarded ALAMEDA CTC ADMINISTERED FUNDS; and
2. Confirmation of FUND RECIPIENT understanding that the amount of ALAMEDA CTC ADMINISTERED FUNDS awarded to the PROJECT is capped at the amount awarded by ALAMEDA CTC, and therefore any cost increase cannot be expected to be funded with additional ALAMEDA CTC ADMINISTERED FUNDS; and
3. Confirmation FUND RECIPIENT shall complete the project as described in the funding application and the subsequent funding agreement between ALAMEDA CTC and the FUND RECIPIENT; and
4. Confirmation PROJECT will comply with all the project-specific requirements set forth in the ALAMEDA CTC Project Funding Agreement "AGREEMENT".



**NOW, THEREFORE, BE IT RESOLVED** that FUND RECIPIENT agrees to accept award of \$5,000,000 in ALAMEDA CTC ADMINISTERED FUNDS; and be it further

**RESOLVED** that FUND RECIPIENT, by adopting this resolution, does hereby state that:

1. FUND RECIPIENT will provide \$5,000,000 in matching funds consisting of BART-controlled funds or another fund source; and
2. FUND RECIPIENT understands that the amount of ALAMEDA CTC ADMINISTERED FUNDS funding for the project is capped at the amount awarded by ALAMEDA CTC, and that any cost increases will be funded through other means by the FUND RECIPIENT, and will not to be funded with additional ALAMEDA CTC ADMINISTERED FUNDS; and
3. PROJECT will be implemented as described in the APPLICATION, AGREEMENT, and in this resolution; and
4. FUND RECIPIENT and the PROJECT will comply with the requirements as set forth in the AGREEMENT; and therefore, be it further

**RESOLVED** that there is no pending or threatened litigation that might in any way adversely affect the APPLICANT ability to implement and deliver the proposed PROJECT; and be it further

**RESOLVED** that FUND RECIPIENT authorizes its General Manager, or designee to execute a funding AGREEMENT with ALAMEDA CTC for ALAMEDA CTC ADMINISTERED FUNDS awarded to the PROJECT as referenced in this resolution; and be it further

**RESOLVED** that a copy of this resolution will be transmitted to ALAMEDA CTC.

Duly passed and adopted by the BART BOARD of Directors at the governing body meeting held on Thursday December 2, 2021 in Oakland, California by the following votes:

**AYES:**

**NOES:**

**ABSTAIN:**

**ABSENT:**

**SIGNED:**

**ATTEST:**

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Mark Foley  
President

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Jacqueline R. Edwards  
District Secretary