



## EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: <i>17 APRIL 2019</i> <i>Robert M. Poon</i>		GENERAL MANAGER ACTION REQ'D: Execute Master Agreement		
DATE: 4/3/2019		BOARD INITIATED ITEM: No		
Originator/Prepared by: Richard Fuentes Dept: Grant Development	General Counsel <i>[Signature]</i>	Controller/Treasurer <i>[Signature]</i>	District Secretary	BARC <i>[Signature]</i>
Signature/Date: <i>[Signature]</i> 4/15/2019	4/15/19 [ ]	4/15/19 [ ]	[ ]	4/15/19 [ ]

### Resolution "In the Matter of Authorizing the General Manager to Execute the Master Agreement, and Program Supplements for State-Funded Transit Projects"

#### PURPOSE:

To obtain General Manager approval of the Master Project Funding Agreement (Master Agreement) between California Department of Transportation and BART. The Master Agreement sets forth the general terms and conditions for receipt of Transit and Intercity Rail Capital Program (TIRCP) funding for BART's Transbay Core Capacity Project.

#### DISCUSSION:

BART's Transbay Core Capacity Project, which consists of multiple project elements and includes many funding partners, has regional and statewide significance in reducing greenhouse gas emissions, providing access to jobs, stimulating the economy, providing mobility, and regional and statewide transportation connections for all residents including those in disadvantaged communities.

Funding provides \$318.6 million for BART's new state-of-the-art, communications-based train control system (CBTC). This project will improve system reliability and greatly enhance the customer experience.

General terms in the Master Agreement include the following: project management, invoicing and reporting requirements, and compliance with applicable state and federal laws and regulations.

Execution of the Master Agreement is a prerequisite for receipt of TIRCP funding for the Transbay Core Capacity Project. Following execution of the Master Agreement BART will be able to proceed forward with an allocation request through the California Transportation Commission.

**FISCAL IMPACT:**

The Master Agreement facilitates an allocation request through the California Transportation Commission for \$318.6 million over two funding cycles of FY19-23 and FY24-28. This funding is included in the total project budget for the CBTC project. This action does not have any Fiscal Impact on unprogrammed District reserves.

**ALTERNATIVES:**

If the Board declines to approve the Resolution "In the Matter of Authorizing the General Manager to Execute the Master Agreement, and Program Supplements for State-Funded Transit Projects," then BART will not be able seek an allocation of TIRCP funds.

**RECOMMENDATION:**

Adoption of the following motion.

**MOTION:**

The BART Board approves adoption of the attached Resolution "In the Matter of Authorizing the General Manager to Execute the Master Agreement, and Program Supplements for State-Funded Transit Projects."

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

**In the Matter of Authorizing the General Manager  
To Execute the Master Agreement, and Program  
Supplements for State-Funded Transit Projects**

Resolution No. \_\_\_\_\_

**AUTHORIZATION FOR THE EXECUTION OF A MASTER AGREEMENT, AND  
PROGRAM SUPPLEMENTS FOR STATE-FUNDED TRANSIT PROJECTS**

**WHEREAS**, the San Francisco Bay Area Rapid Transit District may receive state funding from the California Department of Transportation (Department) now or sometime in the future for transit projects; and

**WHEREAS**, substantial revisions were made to the programming and funding process for the transportation projects programmed in the Transit and Intercity Rail Capital Program, by Chapter 36 (SB 862) of the Statutes of 2014; and

**WHEREAS**, the statutes related to state-funded transit projects require a local or regional implementing agency to execute an agreement with the Department before it can be reimbursed for project expenditures; and

**WHEREAS**, the Department utilizes Master Agreements for State-Funded Transit Projects, along with associated Program Supplements, for the purpose of administering and reimbursing state transit funds to local agencies; and

**WHEREAS**, the San Francisco Bay Area Rapid Transit District wishes to delegate authorization to execute these agreements and any amendments thereto to the General Manager.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the San Francisco Bay Area Rapid Transit District that the fund recipient agrees to comply with all conditions and requirements set forth in this agreement and applicable statutes, regulations and guidelines for all state-funded transit projects.

**NOW THEREFORE, BE IT FURTHER RESOLVED** that the General Manager be authorized to execute the Master Agreement, all Award Agreements, and all Program Supplements for State-Funded Transit Projects and any Amendments thereto with the California Department of Transportation.

**AGENCY BOARD DESIGNEE:**

**BY:** \_\_\_\_\_