



(For Board Meeting of May 11, 2007)

SUMMARY OF RECOMMENDATIONS
MEETING OF THE FINANCE-AUDITING COMMITTEE/
COMMITTEE OF THE WHOLE
THURSDAY, MAY 10, 2007
(CHAIR J. DIETRICH STROEH)

Item No. 1

Authorize entering into a Pass-Through Agreement with the Marin County Transit District for Federal Transit Administration funds available to acquire up to 18 paratransit vans.

Action by the Board – Resolution

Item No. 2

Authorize an amendment to the Pass-Through Agreement with the Metropolitan Transportation Commission for Federal Transit Administration funds for the TransLink® project.

Action by the Board – Resolution



Agenda Item No. 2.a.

To: Finance-Auditing Committee/Committee of the Whole
Meeting of May 10, 2007

From: Gayle S. Prior, Capital and Grant Programs Manager
Joseph M. Wire, Auditor-Controller
Celia G. Kupersmith, General Manager

Subject: **AUTHORIZE ENTERING INTO A PASS-THROUGH AGREEMENT
WITH MARIN COUNTY TRANSIT DISTRICT FOR FEDERAL
TRANSIT ADMINISTRATION FUNDS AVAILABLE TO ACQUIRE
PARATRANSIT VANS**

Recommendation

The Finance-Auditing Committee recommends that the Board of Directors authorize the development and execution of an agreement with the Marin County Transit District (MCTD) to pass through Federal Urbanized Area Formula Program grant funds and related grant requirements for the acquisition of up to 18 paratransit vans for use in the provision of District intercounty and Marin County local paratransit services.

Summary

The Americans with Disabilities Act (ADA) requires that operators of regular fixed-route transit service provide complementary paratransit service to persons whose disabilities preclude them from using fixed-route service. Since its inception in November 1993, District intercounty paratransit service has been provided under an annual agreement with MCTD. MCTD administers the service through its contractor for local Marin paratransit service – Whistlestop Wheels (WSW). Administration of local and intercounty services together in this manner has resulted in the provision of streamlined and coordinated service in Marin and its adjoining counties to the mutual benefit of the District and its patrons.

District staff has consulted with MCTD and WSW staff and has determined that up to 18 vans currently operated by WSW in the provision of local and intercounty paratransit services meet MTC's eligibility requirements for receipt of available federal grant funds. For the provision of intercounty paratransit service under its existing agreement with MCTD, as the only eligible recipient of Federal Urbanized Area Formula Program grant funds in Marin County, it is necessary for the District to act as a conduit for the available paratransit capital funds.

Federal Transit Administration (FTA) regulations permit a grantee to pass FTA funds through to another agency to carry out the purposes of a grant agreement, provided that the recipient enters into a written agreement with the subrecipient passing through the grant requirements to the subrecipient. Consistent with the existing paratransit service agreement, whereby MCTD administers service through its provider on behalf of the District, federal funds could be made available to MCTD on a pass-through basis for the acquisition of paratransit vans that would then be made available to its contractor for the provision of intercounty and intracounty paratransit services. Under a pass-through arrangement, the District would request federal funds for 16 paratransit vans as a part of its annual application for Federal Urbanized Area Formula Program funds. If sufficient funds are available, an additional 2 paratransit vans can be purchased. Once a grant contract is secured, MCTD would have the ability to acquire paratransit vans and receive reimbursement for the 80% federal share through the District. Under this arrangement, MCTD would be required to secure the required 20% local match funds for the procurement. Key to this arrangement would be the development and execution of a pass-through agreement between the District and MCTD, whereby MCTD would accept full responsibility for meeting all federal requirements related to procurement, use, maintenance, and disposition of the acquired vans.

Fiscal Impact

Federal Urbanized Area Formula Program funds are available from the Federal Transit Administration through the Metropolitan Transportation Commission for acquisition of ADA paratransit vans. Making application for these funds would in no way jeopardize the amount of federal funds available to support District capital projects.



Agenda Item No. 2.b.

To: Finance-Auditing Committee/Committee of the Whole
Meeting of May 10, 2007

From: Gayle S. Prior, Capital and Grant Programs Manager
Joseph M. Wire, Auditor-Controller
Celia G. Kupersmith, General Manager

Subject: **AUTHORIZE AN AMENDMENT TO THE PASS-THROUGH AGREEMENT WITH THE METROPOLITAN TRANSPORTATION COMMISSION FOR FEDERAL TRANSIT ADMINISTRATION FUNDS FOR THE TRANSLINK® PROJECT**

Recommendation

The Finance-Auditing Committee recommends that the Board of Directors authorize the General Manager to execute an amendment to the pass-through agreement with the Metropolitan Transportation Commission (MTC) for the TransLink® project.

Summary

Since 1992, District staff has worked with MTC, the lead agency for TransLink, and several other San Francisco Bay Area transit operators in developing and implementing the TransLink regional fare collection project.

In November 1996, the District Board of Directors authorized the District to act as the pass-through agency for federal funds programmed to support the TransLink project, which entailed entering into a pass-through agreement with MTC. As the lead federal grant recipient for TransLink, the District is responsible for federal grant activities such as submitting necessary application materials to the Federal Transit Administration (FTA), executing a contract for federal funds, drawing down federal funds to pass through to MTC and providing quarterly project progress report information to FTA. These responsibilities are specified in the pass-through agreement between MTC and the District for the Translink project. State Transit Assistance funds in the amount of \$7,000 per year were made available to the District to support TransLink-related grant activities. This amount was increased to \$10,000 per year beginning in FY 06/07.

Fiscal Impact

This item authorizes an amendment to the pass-through agreement with MTC for the Translink project to include additional federal funds to be secured through the District's FY 06/07 Federal Urbanized Area Formula Program grant application and to include additional applicable FTA requirements. Funds to support this amendment have been included in the proposed FY 07/08 budget.