



Strategic Planning Committee

Item #18-1-4
Action

December 21, 2017

Approve State of Good Repair Project List

Issue: Should the Board approve the four county transit project list to submit to Caltrans for funding from the new State of Good Repair Program?

Recommendation: That the Strategic Planning Committee recommend that the Board approve the transit project list to submit to Caltrans for State of Good Repair funding.

Discussion: Senate Bill 1 (SB 1), the Road Repair and Accountability Act of 2017, established a new State of Good Repair (SGR) Program. The program will provide approximately \$105 million annually to transit operators in California for eligible transit maintenance, rehabilitation and capital projects. The SGR Program will allocate SB 1 funds through the State Transit Assistance formula, with half allocated by population and half by transit operator revenues per Public Utilities Code Sections 99313 and 99314.

Under Caltrans' draft program guidelines, SACOG is responsible for programming the SGR regional funds to the transit operators in the four county region (Sacramento, Sutter, Yolo, and Yuba). Caltrans requires that SACOG provide Caltrans with the list of FY 2017/18 projects proposed to be funded with both Section 99313 and 99314 SGR funds by January 31, 2018. Because of the short timeline, SACOG and the TCC agreed that funds would be allocated by formula in this round.

In order to meet the deadline, SACOG staff asked the transit operators to work on developing their project lists and obtain any necessary approvals from their individual governing bodies by the end of December 2017. Attachment A provides the list of transit projects submitted by the transit agencies. On November 2, 2017, the Transportation Committee authorized the Strategic Planning Committee to make a recommendation to the Board for its meeting on January 18, 2018, on the final SGR transit project list to submit to Caltrans for funding. Attachment B is the required Board resolution authorizing the list of SGR projects to be funded under each code section.

Approved by:

James Corless
Chief Executive Officer

CP:MC:le

Attachments

Key Staff: Kirk E. Trost, Chief Operating Officer/General Counsel, (916) 340-6210
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STATE OF GOOD REPAIR (SGR) PROJECT LIST FOR SACOG REGION				
Agency	Project Title	2017-18 SGR Costs 99313	2017-18 SGR Cost 99314	Total SGR
City of Elk Grove	Replacement of Bus fleet	\$224,516	\$18,308	\$242,824
Sacramento Regional Transit	Maintenance of Light Rail	\$1,492,830	\$813,358	\$2,306,188
County of Sacramento	Replacement of Bus fleet	\$42,287	\$11,500	\$53,787
Yolo County Transportation District	Replacement of Bus fleet	\$284,713	\$45,166	\$329,879
Davis-Unitrans	Passenger Facilities Modernization	\$0	\$32,086	\$32,086
Yuba-Sutter Transit Authority	Replacement of Bus fleet	\$231,183	\$15,035	\$246,218
City of Folsom	Maintenance of Light Rail	\$103,504	\$6,820	\$110,324
SACOG	Regional Transit Maintenance	\$151,681	\$0	\$151,681
TOTAL		\$2,530,714	\$942,273	\$3,472,987

November 2017
SACRAMENTO AREA COUNCIL OF GOVERNMENTS
 Regional Share of Statewide PUC Allocation: \$3,472,987
 ALLOCATION OF STATE TRANSIT ASSISTANCE FUNDS (STA)-STATE OF GOOD REPAIR-SGR
 FY 2017-18-REVISED
 PUBLIC UTILITY CODE SECTION 99313 & 99314

JURISDICTION	POPULATION ^{1/}	POPULATION AS A % OF TOTAL	ALLOCATION PUC 99313 ^{2/}	ALLOCATION PUC 99314* ^{2/}	STA Total
SACRAMENTO COUNTY					
Unincorporated	575,928	30.94%	\$783,093	\$11,500	\$794,593
Citrus Heights	85,653	4.60%	\$116,463		\$116,463
Elk Grove	165,121	8.87%	\$224,516	\$18,308	\$242,824
Folsom	76,122	4.09%	\$103,504	\$6,820	\$110,324
Galt	25,061	1.35%	\$34,076		\$34,076
Isleton	840	0.05%	\$1,142		\$1,142
Rancho Cordova	70,968	3.81%	\$96,496		\$96,496
Sacramento	482,110	25.90%	\$655,528		\$655,528
Sacramento Regional Transit District	NA	NA	NA	\$813,358	\$813,358
YOLO COUNTY					
Unincorporated	26,885	1.44%	\$36,556		\$36,556
Davis	66,757	3.59%	\$90,770	\$32,086	\$122,856
West Sacramento	51,272	2.75%	\$69,715		\$69,715
Winters	6,954	0.37%	\$9,455		\$9,455
Woodland	57,525	3.09%	\$78,217		\$78,217
Yolo County Transportation District	NA	NA	NA	\$45,166	\$45,166
SUTTER COUNTY					
Unincorporated	21,039	1.13%	\$28,607		\$28,607
Live Oak	8,546	0.46%	\$11,620		\$11,620
Yuba City	66,363	3.57%	\$90,234		\$90,234
YUBA COUNTY					
Unincorporated	58,588	3.15%	\$79,663		\$79,663
Marysville	12,051	0.65%	\$16,386		\$16,386
Wheatland	3,437	0.18%	\$4,673		\$4,673
Yuba-Sutter Transit Authority	NA	NA	NA	\$15,035	\$15,035
TOTAL	1,861,220	100.00%	\$2,530,714	\$942,273	\$3,472,987

		% in RT District	Transfer to SRTD	Sacramento County
County of Sacramento Total	\$783,093	94.6%	\$740,806	\$42,287
Rancho Cordova Total	\$96,496	100.0%	\$96,496	
Sacramento Total	\$655,528	100.0%	\$655,528	
Available to SRTD	\$1,492,830			
Available to County of Sacramento	\$42,287			
Available to Yuba-Sutter Transit Authority	\$246,218			

- Sources: Report E-5, Department of Finance, Demographic Research Unit, 1/1/2015
- Entire amount must be used for transportation planning and mass transportation purposes.
- 94.6% is reserved for Sacramento Regional Transit District.
- 100% is reserved for Sacramento Regional Transit District.
- 100% is reserved for Yuba-Sutter Transit Authority.
- This is the total PUC Section 99313 Allocation to SACOG for the fiscal year



Authorized Agent

The following individual(s) are hereby authorized to execute for and on behalf of the named Regional Entity/Transit Operator, 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, Division of Rail and Mass Transportation. This form is valid at the beginning of Fiscal Year 2017-2018 until the end of the State of Good Repair Program. If there is a change in the authorized agent, the project sponsor must submit a new form. This form is required even when the authorized agent is the executive authority himself.

_____ OR
(Name and Title of Authorized Agent)

_____ OR
(Name and Title of Authorized Agent)

(Name and Title of Authorized Agent)

AS THE _____
(Chief Executive Officer / Director / President / Secretary)

OF THE _____
(Name of County/City Organization)

_____ (Print Name) _____ (Title)

(Signature)

Approved this _____ day of _____, 20_____

State Transit Assistance State of Good Repair Program

Recipient Certifications and Assurances

Recipient: Sacramento Area Council of Governments-(SACOG)

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.

Sacramento Area Council of Governments-SACOG

BY:

James Corless,
Chief Executive Officer

ATTACHMENT I
(INSERT Agency Board Resolution approving this document)



SACRAMENTO AREA COUNCIL OF GOVERNMENTS

RESOLUTION NO. XX– 2018

**AUTHORIZATION FOR THE EXECUTION OF THE
CERTIFICATIONS AND ASSURANCES AND AUTHORIZED AGENT FORMS
FOR THE SENATE BILL 1 - STATE OF GOOD REPAIR PROGRAM**

WHEREAS, on April 28, 2017 Senate bill (SB) 1 also known as the Road Repair and Accountability Act of 2017 was signed into law.

WHEREAS, SB1 will provide approximately \$105 million annually to transit operators in California under the State of Good Repair Program (SGR) for eligible transit maintenance, rehabilitation and capital projects; and

WHEREAS, these funds will be allocated under the State Transit Assistance (STA) Program formula to the Regional Transportation Planning Agencies per PUC Sections 99313 and 99314; and

WHEREAS, SACOG as the project sponsor and Transportation Planning Agency for the four County region (Sacramento, Yolo, Yuba and Sutter) is responsible for receiving and allocating the SGR funds for transit projects; and

WHEREAS, SACOG must assume responsibility and accountability for the use and expenditure of SGR Program funds and must comply with all relevant federal and state laws, regulation, policies and procedures; and

WHEREAS, California Department of Transportation as the administrator of the Program has requested that each potential recipient must submit an Authorized Agent Form as well as Certifications and Assurances.

WHEREAS, SACOG wishes to delegate authorization to execute these documents and any amendments thereto to James Corless, Chief Executive Officer.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the SACOG that the fund recipient agrees to comply with all conditions and requirements set forth in the Certification and Assurances and the Authorized Agent documents and applicable statutes, regulations and guidelines for all SB1 SGR Program funded transit projects.

NOW THEREFORE, BE IT FURTHER RESOLVED that James Corless, Chief Executive Officer be authorized to execute all required documents of the SB1 SGR Program and any Amendments thereto with the California Department of Transportation.

PASSED AND ADOPTED this 18th day of January 2018, by the following vote of the Board of Directors:

AYES:

NOES:

ABSTAIN:

ABSENT:

Brian Veerkamp
Chair

James Corless
Chief Executive Officer