



Council Meeting: February 24, 2009

SUBJECT: Federal Economic Stimulus Surface Transportation Program Funds for Local Streets and Roads Rehabilitation Projects – Resolution of Support
REPORT IN BRIEF

An allocation of an estimated \$2.64 million will be granted to the City through a Metropolitan Transportation Commission (MTC) allocation of Federal Surface Transportation Program funds. These are funds for transportation infrastructure rehabilitation authorized by the American Recovery and Reinvestment Act, otherwise known as the “economic stimulus” package. Staff has determined that the Wolfe Road Caltrain Overcrossing Rehabilitation project is eligible in the time frame for funding. Budgeting of necessary funds for this project would be carried out at the time a grant agreement is approved. The program requires the approval of a resolution of support committing to complete the project and stating the City’s understanding of the funding process. Staff recommends approval of the attached resolution (Attachment A).

BACKGROUND

An allocation of Federal Surface Transportation Program funds may be made to the Bay Area and subsequently Santa Clara County for local street rehabilitation projects. Funding is for projects that are largely ready to be bid for construction and can meet required federal certifications within 60 days of approval of the authorizing legislation. The MTC is overseeing programming of specific projects and allocations to Bay Area counties through county Congestion Management Agencies (CMA’s). The Santa Clara Valley Transportation Authority (VTA), the CMA for Santa Clara County, has approved the use of a previously calculated needs-based on allocation to each Santa Clara County jurisdiction. Sunnyvale’s allocation is \$2,644,800.

Local agencies were required to submit eligible projects for programming in early February, 2009 in a priority order. Projects will be screened for compliance with federal certification requirements by Caltrans and must be able to meet strict deadlines for design completion and award of contracts. Staff determined that the Wolfe Road Caltrain Overcrossing Rehabilitation project best fit the eligibility, timing, and funding requirements.

EXISTING POLICY

Land Use and Transportation Element C3.4, Maintain roadways and traffic control devices in good operating condition.

Fiscal Sub-Element 7.1B.4d; Pursue and use intergovernmental assistance for projects in the Ten-Year Capital Improvement Plan.

DISCUSSION

The Wolfe Road Caltrain Overcrossing Rehabilitation project will replace bridge bearing pads and repair deteriorated concrete on the bridge superstructure. The bearing pads have failed which causes the load of the bridge to be borne by the concrete superstructure. The traffic loads on the bridge are causing the concrete at the bridge hinges to fail.

The project's total cost is estimated at \$3.9 million. Design of the project is complete, and the project is close to being bid ready. This is a critical component of eligibility for the economic stimulus funds. Economic stimulus funding will provide \$2.6 million of the project cost, with the remaining \$1.3 million coming from Proposition 1B transportation infrastructure bond funding.

The MTC requires that a resolution be approved stating the City's understanding of the funding program and its requirements. Staff is recommending approval of the attached resolution (Attachment A).

FISCAL IMPACT

These funds will be added to the 10 Year Resource Allocation Plan in FY 08/09 at such time that a funding agreement is approved. Granting of \$2.64 million in unanticipated revenue constitutes a positive fiscal impact and would allow planned funding to be applied to other Gas Tax eligible projects. This grant will be administered from existing Public Works and Finance operating budgets.

PUBLIC CONTACT

Public contact was made by posting the Council agenda on the City's official-notice bulletin boards outside City Hall, in the Council Chambers lobby, the City Clerk's office, at the Library, Senior Center, Community Center, and Department of Public Safety; posting the agenda and report on the City's Web site; and making the report available at the Library and Office of the City Clerk.

ALTERNATIVES

1. Approve the attached Resolution of Support for Federal Surface Transportation Program Funds for Local Streets and Roads Rehabilitation Projects.
2. Do not take action at this time and forfeit Federal Surface Transportation Program Funds for Local Streets and Roads Rehabilitation Projects.

RECOMMENDATION

Staff recommends Alternative No. 1: Approve the attached Resolution of Support for Federal Surface Transportation Program Funds for Local Streets and Roads Rehabilitation Projects.

Staff recommends approval to allow receipt of unanticipated federal grant revenue to allow the rehabilitation of the Wolfe Road Caltrain Overcrossing.

Reviewed by:

Marvin A. Rose, Director of Public Works
Prepared by: Jack Witthaus, Transportation and Traffic Manager

Approved by:

Gary M. Luebbbers
City Manager

Attachment:

A. Resolution of Support

RESOLUTION NO. _____

RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION FOR FEDERAL AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 (ARRA) FUNDING AND STATE THE ASSURANCE TO COMPLETE THE PROJECT

WHEREAS, the City of Sunnyvale (herein referred as APPLICANT) is submitting an application to the Metropolitan Transportation Commission (MTC) for \$2,644,800 in funding from the federal American Recovery and Reinvestment Act of 2009 (ARRA) for the Wolfe Road Caltrain Overhead Rehabilitation Project (herein referred as PROJECT) for the MTC Regional ARRA Program (MTC Resolution No. 3885) (herein referred as PROGRAM); and

WHEREAS, pursuant to ARRA, and any regulations and/or guidance promulgated thereunder, eligible project sponsors wishing to receive Regional ARRA funds for a project shall submit an application first with the appropriate Metropolitan Planning Organization (MPO) for review and inclusion in the MPO's Transportation Improvement Program (TIP); and

WHEREAS, the Metropolitan Transportation Commission (MTC) is the MPO for the nine counties of the San Francisco Bay region; and

WHEREAS, MTC has adopted a Regional Project Funding Delivery Policy (MTC Resolution No. 3606, revised) applicable to federal ARRA fund delivery and has adopted (or is scheduled to adopt) in MTC Resolution No. 3885 such additional requirements as are necessary or appropriate to meet the obligations/award deadlines in the ARRA; and

WHEREAS, APPLICANT is an eligible project sponsor for ARRA funds; and

WHEREAS, as part of the application for ARRA funding, MTC requires a resolution adopted by the responsible implementing agency stating the following:

- a) that the sponsor understands that the ARRA funding is fixed at the programmed amount, and therefore any cost increase cannot be expected to be funded with additional ARRA or other MTC-programmed funds; and
- b) that PROJECT will comply with the procedures specified in MTC's Regional Project Funding Delivery Policy (MTC Resolution No. 3606, revised) and with all project-specific requirements as set forth in MTC's Regional ARRA Program (MTC Resolution No. 3885); and PROJECT as described in the application, and if approved, as included in MTC's TIP; and
- c) that PROJECT will comply with all the project-specific requirements as set forth in the federal ARRA and appropriate applicable regulations or guidance.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SUNNYVALE THAT:

1. The City of Sunnyvale is authorized to execute and file an application for funding under the American Recovery and Reinvestment Act of 2009 for the Wolfe Road Caltrain Overhead Rehabilitation Project.

2. The APPLICANT, by adopting this resolution, does hereby state that:

- a) APPLICANT understands that the ARRA funding for the project is fixed at the MTC approved programmed amount, and that any cost increases must be funded by the APPLICANT from other funds, and that APPLICANT does not expect any cost increases to be funded with additional ARRA or MTC-programmed funds; and
- b) APPLICANT understands the funding deadlines associated with these funds and will comply with the applicable provisions and requirements of the Regional ARRA Program (MTC Resolution No. 3885) and Regional Project Funding Delivery Policy (MTC Resolution No. 3606, as revised); and
- c) PROJECT will be implemented as described in the complete application and in this resolution and, if approved, for the amount programmed in the MTC federal TIP; and
- d) PROJECT will comply with all the project-specific requirements as set forth in the ARRA and appropriate applicable regulations or guidance.

3. There is no legal impediment to APPLICANT making applications for the funds.

4. There is no pending or threatened litigation that might in any way adversely affect the proposed PROJECT, or the ability of APPLICANT to deliver such PROJECT.

5. APPLICANT authorizes its City Manager, or designee, to execute and file an application with MTC for ARRA funding for the PROJECT as referenced in this resolution.

6. A copy of this resolution will be transmitted to the MTC in conjunction with the filing of the application.

7. The MTC is requested to support the application for the PROJECT described in the resolution and to include the PROJECT, if approved, in MTC's TIP.

Adopted by the City Council at a regular meeting held on _____, 2009, by the following vote:

AYES:
 NOES:
 ABSTAIN:
 ABSENT:

ATTEST:

APPROVED:

 City Clerk
 (SEAL)

 Mayor

APPROVED AS TO FORM AND LEGALITY:

 David E. Kahn, City Attorney