

# REGIONAL TRANSIT ISSUE PAPER

Agenda Item No.	Board Meeting Date	Open/Closed Session	Information/Action Item	Issue Date
10	12/13/10	Open	Action	11/29/10

Subject: Authorizing the Execution of a Master Agreement for State Funded Transit Projects

## ISSUE

Whether or not to approve an updated Master Agreement with the California Department of Transportation for State-funded projects, and to authorize the General Manager/CEO to execute said Master Agreement.

## RECOMMENDED ACTION

Adopt Resolution No. 10-12-\_\_\_\_, Approving a Master Agreement with the California Department of Transportation for State Funded Projects and Delegating Authority to the General Manager/CEO to Sign Program Supplements.

## FISCAL IMPACT

None.

## DISCUSSION

In 2000, the California Department of Transportation (Caltrans) implemented a new approach for the standardized administration of mass transportation projects using State funds. The Regional Transit Board approved RT's first Master Agreement on March 12, 2001. This Caltrans-generated "Master Agreement" contains all of the general state funding requirements which RT implements with each state-funded project. Once a Master Agreement is executed, "program supplements" are generated for each allocation to define any requirements or conditions specific to that allocation.

The latest version of the Master Agreement updates statutory and regulatory references, corrects past errors, clarifies reporting requirements, and requires contractors and sub-recipients to incorporate and comply with the requirements of the Master Agreement, including any applicable federal requirements. The new version also contains several more substantive requirements to facilitate transparency and accountability in the use of State funds, including 1) submittal of an Indirect Cost Rate/Cost Allocation Plan to Caltrans; 2) procedures for depositing advance TCRP payment and the use of interest; 3) clarification of the time period for allowable cost reimbursement; and 4) replaces the prior dispute resolution process (which imposed mandatory arbitration), with an internal Caltrans appeal process.

Staff requests Board authorization to execute the updated Master Agreement.

This agreement and process also allows local agency governing boards to delegate execution of individual program supplements to staff. This delegation of authority is intended to allow transit agencies to expedite the execution of program supplement, and thereby allow funds to be

Approved:

Presented:

FINAL 12/7/10

General Manager/CEO

Chief Financial Officer

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released sooner for reimbursement on project expenditures. Staff requests the Board's delegation of authority to execute individual program supplements to the General Manager/CEO or his/her designee.

Any extraordinary issues, including special conditions, would continue to be brought forward to the RT Board for review and approval.

RESOLUTION NO. 10-12-\_\_\_\_\_

Adopted by the Board of Directors of the Sacramento Regional Transit District on this date:

December 13, 2010

**APPROVING A MASTER AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF TRANSPORTATION FOR ALL STATE FUNDED PROJECTS AND DELEGATING AUTHORITY TO THE GENERAL MANAGER/CEO TO SIGN PROGRAM SUPPLEMENTS**

WHEREAS, the Sacramento Regional Transit District may receive funding from the California Department of Transportation 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 State Transportation Improvement Program, by Chapter 622 (SB 45) of the Statutes of 1997; and

WHEREAS, the Traffic Congestion Relief Act of 2000 (the Act) was established by Chapters 91 (AB 2928) and 92 (SB 496), as amended by SB 1662, of the Statutes of 2000, creating the Traffic Congestion Relief Program (TCRP); and

WHEREAS, these statutes related to state funded transit projects require a local or regional implementing agency to execute a cooperative agreement with Caltrans 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 California Transportation Commission (CTC) TCRP guidelines encourage Caltrans and the implementing agency to maximize the use of existing agreements such as Master Agreements and Program Supplements to expedite development and execution of cooperative agreements; and

WHEREAS, the RT Board of Directors wishes to delegate authorization to the General Manager/CEO or his/her designee to execute certain program supplements and amendments thereto.

BE IT HEREBY RESOLVED BY THE BOARD OF DIRECTORS OF THE SACRAMENTO REGIONAL TRANSIT DISTRICT AS FOLLOWS:

THAT, the Board of Directors of the Sacramento Regional Transit District hereby approves Master Agreement No. 64A0038-A01 with the California Department of Transportation, in which RT agrees to comply with all conditions and requirements set forth in that agreement and applicable statutes, regulations and guidelines for all state-funded transit projects.

THAT, the General Manager/CEO or his/her designee is hereby authorized to sign said Master Agreement and to submit such additional materials as may be required in connection with this action.

THAT, the General Manager/CEO or his/her designee is hereby authorized to sign each Program Supplement for a State Funded Transit Project that incorporates or adopts the terms and conditions of Master Agreement No. 64A0038-A01 with the California Department of Transportation, and any amendments thereto, and to submit such additional materials as may be required in connection with said actions if:

- The RT Board of Directors approved an application for that Program Supplement or amendment, and the Program Supplement or amendment is consistent in all material respects with that application; and
- The Program Supplement or amendment thereto, as applicable, does not alter or add to the terms and conditions set out in Master Agreement No. 64A0038-A1.

\_\_\_\_\_  
STEVE MILLER, Chair

A T T E S T:

MICHAEL R. WILEY, Secretary

By: \_\_\_\_\_  
Cindy Brooks, Assistant Secretary