



CITY OF
HAYWARD
HEART OF THE BAY

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DATE: September 14, 2010
TO: Mayor and City Council
FROM: Director of Public Works
SUBJECT: Local Streets and Roads Arterial Pavement Rehabilitation Federal Funding - Resolution of Local Support

RECOMMENDATION

That Council adopts the attached resolution of local support for Local Streets and Roads Arterial Pavement Rehabilitation Federal funding and committing to providing the required local match.

BACKGROUND

The Metropolitan Transportation Commission (MTC) has adopted policies and criteria for the programming of local streets and roads arterial pavement rehabilitation funding from the future federal Surface Transportation Authorization act. The funding covers fiscal years FY 2010 thru FY 2012. In addition to local streets and roads, funds were made available for other programs.

The funding is being administered and allocated by the Alameda County Transportation Commission (formerly the Alameda County Congestion Management Agency). Hayward's share of this funding is \$1,336,000. The City has identified several eligible streets in need of pavement rehabilitation.

DISCUSSION

On December 16, 2009, MTC approved Cycle I project selection criteria and policy, which will govern the programming of the first three years of the new Federal Transportation Act. Although the new Act has still not been passed by Congress, MTC and the ACTC are choosing to proceed with programming at this time. Funds are being made available through the ongoing resolution currently funding the Federal Transportation Program.

MTC policies also delegated program management and project selection to the ACTC. The ACTC has chosen to proceed with a call for projects for the first three years of the program, FY 2010-FY

2012. The majority of the funding is being targeted for local agencies to address the ongoing local street and road funding shortfall.

Funding is being allocated through the standard formula that has been used historically. The allocation is based on population, existing shortfall, road miles maintained, and maintenance of effort. Hayward's share of these funds is \$1,336,000.

In order to be eligible for this funding, all streets must be on a federal aid system. Engineering and Transportation staff used the City's pavement management system to identify arterials most in need of pavement repairs. These streets are:

- D Street from Second Street east to just east of Seventh Street (City limits)
- Huntwood Avenue from Folsom Street to Tennyson Road
- Industrial Parkway SW from Whipple Road to Industrial Parkway West
- Second Street from E Street to Walpert Street

These routes are illustrated in Attachment II.

As is standard procedure with Federal funding, local jurisdictions receiving these funds must adopt resolutions approving the submittal of an application and committing to providing the required 11.47% local match.

FISCAL IMPACT

This project has the following budget:

Design & Administration	\$ 113,000
Construction Contract	1,412,000
Inspection & Testing	<u>106,000</u>
Total	\$ 1,631,000

The adopted FY 2011 Capital Improvement Program (CIP) includes \$1,469,000 for this project as the Arterial Pavement Rehabilitation - 2011 Project in the Street System Improvements Fund based on an assumed federal funding allocation of \$1,300,000 and local match requirement of \$169,000. After advertisement and at the time of award, an additional appropriation will be requested from the Street System Improvements Fund balance as needed to award and to insure the minimum local match requirement is met.

PUBLIC CONTACT

Property owners and residents along the impacted streets will be notified prior to the beginning of work on their streets, consistent with past practice.

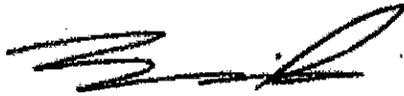
SCHEDULE

Begin Design	September 2010
Complete Design	February 2011
Call for Bids	March 2011
Receive Bids	April 2011
Award Contract	May 2011
Begin Construction	June 2011
Complete Construction	October 2011

Prepared by: Morad Fakhrai, Deputy Director of Public Works

Recommended by: Robert A. Bauman, Director of Public Works

Approved by:



Fran David, City Manager

Attachments:

- Attachment I: Resolution (Resolution of Local Support)
- Attachment II: Location Map

DRAFT

HAYWARD CITY COUNCIL

RESOLUTION NO. 10-_____

Introduced by Council Member _____

**AUTHORIZING THE FILING OF AN APPLICATION
FOR FEDERAL SURFACE TRANSPORTATION
PROGRAM (STP) AND/OR CONGESTION
MITIGATION AND AIR QUALITY IMPROVEMENT
(CMAQ) FUNDING AND COMMITTING THE
NECESSARY NON-FEDERAL MATCH AND
STATING THE ASSURANCE TO COMPLETE THE
PROJECT**

WHEREAS, the City of Hayward (herein referred to as APPLICANT) is submitting an application to the Metropolitan Transportation Commission (MTC) for \$1,336,000 in funding from the federal Surface Transportation Program (STP) and/or Congestion Mitigation and Air Quality Improvement (CMAQ) program for the Arterial Pavement Rehabilitation-2011 Project (herein referred to as PROJECT) for the MTC Resolution, No. 3925, New Federal Surface Transportation Act (FY 2009-10, FY 2010-11 and FY 2011-12) Cycle 1 STP/CMAQ Program: Project Selection Criteria, Policy, Procedures and Programming (herein referred to as PROGRAM); and

WHEREAS, the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA) (Public Law 109-59, August 10, 2005) authorized the Surface Transportation Program (23 U.S.C. § 133) and the Congestion Mitigation and Air Quality Improvement Program (CMAQ) (23 U.S.C. § 149) through September 30, 2009; and

WHEREAS, SAFETEA has been extended through December 31, 2010 pursuant to Public Law 111-147, March 18, 2010 and may be subsequently extended pending enactment of successor legislation for continued funding; and

WHEREAS, pursuant to SAFETEA, and the regulations promulgated thereunder, eligible project sponsors wishing to receive federal Surface Transportation Program and/or Congestion Mitigation and Air Quality Improvement Program (STP/CMAQ) 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) that sets out procedures governing the application and use of STP/CMAQ funds; and

WHEREAS, APPLICANT is an eligible project sponsor for STP/CMAQ funds;
and

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

- 1) the commitment of necessary local matching funds of at least 11.47%; and
- 2) that the sponsor understands that the STP/CMAQ funding is fixed at the programmed amount, and therefore any cost increase cannot be expected to be funded with additional STP/CMAQ funds; and
- 3) that the project will comply with the procedures specified in Regional Project Funding Delivery Policy (MTC Resolution No. 3606, revised); and
- 4) the assurance of the sponsor to complete the project as described in the application, and if approved, as included in MTC's TIP; and
- 5) that the project will comply with all the project-specific requirements as set forth in the PROGRAM.; and
- 6) that the project (transit only) will comply with MTC Resolution No. 3866, which sets forth the requirements of MTC's Transit Coordination Implementation Plan to more efficiently deliver transit projects in the region.

NOW, THEREFORE, BE IT RESOLVED that the APPLICANT is authorized to execute and file an application for funding for the PROJECT under the Surface Transportation Program (STP) and Congestion Mitigation and Air Quality Improvement Program (CMAQ) of SAFETEA, any extensions of SAFETEA or any successor legislation for continued funding ; and

BE IT FURTHER RESOLVED that the APPLICANT by adopting this resolution does hereby state that:

1. APPLICANT will provide \$173,000 in non-federal matching funds; and
2. APPLICANT understands that the STP/CMAQ 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 STP/CMAQ funding; and
3. APPLICANT understands the funding deadlines associated with these funds and will comply with the provisions and requirements of the Regional Project Funding Delivery Policy (MTC Resolution No. 3606, as revised); and
4. 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
5. APPLICANT (for a transit project only) agrees to comply with the requirements of MTC's Transit Coordination Implementation Plan as set forth in MTC Resolution 3866; and
6. APPLICANT and the PROJECT will comply with the requirements as set forth in the program; and therefore,

BE IT FURTHER RESOLVED that APPLICANT is an eligible sponsor of STP/CMAQ funded projects and

BE IT FURTHER RESOLVED that APPLICANT is authorized to submit an application for STP/CMAQ funds for the PROJECT; and

BE IT FURTHER RESOLVED that there is no legal impediment to APPLICANT making applications for the funds; and

BE IT FURTHER RESOLVED that 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; and

BE IT FURTHER RESOLVED that APPLICANT authorizes its Executive Director, General Manager, or designee to execute and file an application with MTC for STP/CMAQ funding for the PROJECT as referenced in this resolution; and

BE IT FURTHER RESOLVED that a copy of this resolution will be transmitted to the MTC in conjunction with the filing of the application; and

BE IT FURTHER RESOLVED that 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.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2010

ADOPTED BY THE FOLLOWING VOTE:

AYES:

NOES:

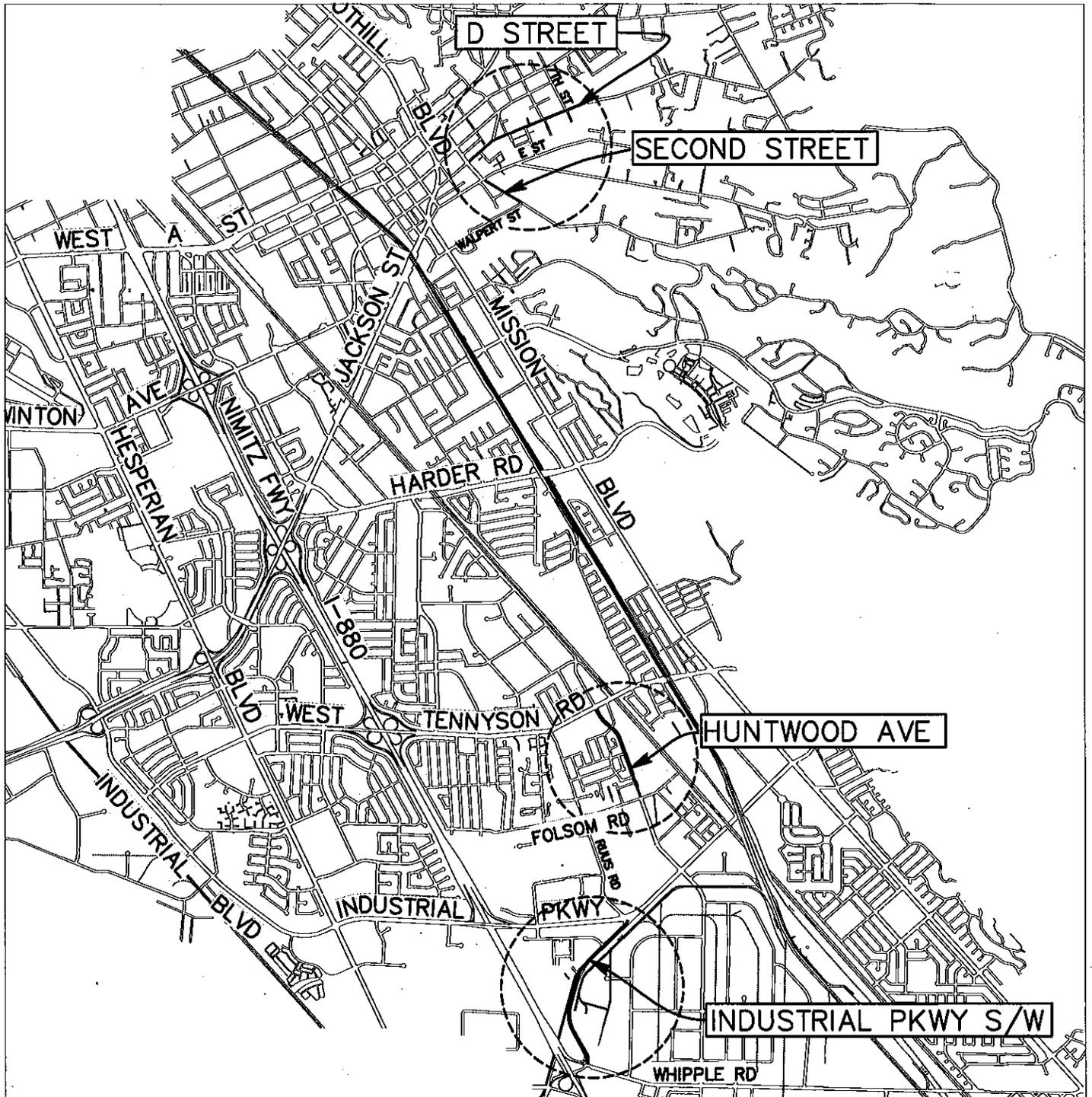
ABSTAIN:

ABSENT:

ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward



PROJECT LOCATION MAP

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