

STAFF REPORT

SUBJECT: Approve Resolution 21-2021 Accepting Funds from the Alameda County Transportation Commission for Atlantis O&M Facility Bridging Documents Project

FROM: Jennifer Yeamans, Senior Grants & Management Specialist

DATE: June 22, 2021

Action Requested

Staff requests that the Finance & Administration Committee refer Resolution 21-2021 to the Board of Directors for approval, accepting funds from the Alameda County Transportation Commission should they be awarded to LAVTA for the Atlantis O&M Facility Bridging Documents Project.

Background

In December 2020, the Alameda County Transportation Commission (Alameda CTC) announced a call for projects for its 2022 Comprehensive Investment Program (CIP), in order to program various local funding sources it administers, including 2000 Measure B, 2010 Vehicle Registration Fee, and Transportation Funds for Clean Air. In accordance with project priorities LAVTA had submitted to Alameda CTC as part of the 2020 Countywide Transportation Plan Update, LAVTA identified a need for additional funding to deliver 100% bridging documents ready to advertise and award a design-build construction contract for LAVTA's Atlantis Operations & Maintenance facility. In February 2021, LAVTA submitted a funding request to Alameda CTC for \$541,000 for the project, representing 60% of the total project cost of \$902,000.

Discussion

Alameda CTC is expected to announce its 2022 CIP programming decisions in July 2021. If awarded funding, LAVTA is required to provide Alameda CTC with a resolution in support of accepting these funds in order to execute a funding Agreement with Alameda CTC for use of the funds. Resolution 21-2021 (Attachment 1) affirms that LAVTA:

1. Commits \$361,000 in other local matching funds to the project (included in the FY22 agency budget)
2. Understands Alameda CTC's funding commitments are capped at the amount programmed by the Commission
3. Shall complete the project as described in the funding application and subsequent funding Agreement with Alameda CTC
4. Shall comply with all other project-specific requirements as set forth by Alameda CTC in the funding agreement.

Fiscal Impact

Funds for the Atlantis O&M Bridging Documents are included in the FY22 agency budget. If Alameda CTC awards CIP funds to the project in the full amount of \$541,000 requested, LAVTA's financial commitment to the project would be reduced from the full project cost of \$902,000, to only the 40% local match of \$361,000.

Next Steps

If Alameda CTC programs CIP funds to LAVTA for the Atlantis O&M Bridging Documents Project, LAVTA would enter into a funding agreement for use of the funds and initiate work on the project via Task Order with LAVTA's On-Call Architecture & Engineering Services Agreement with Kimley-Horn and Associates.

Recommendation

Staff recommends that the Finance & Administration Committee refer Resolution 21-2021 to the Board of Directors for approval, accepting funds from the Alameda County Transportation Commission should they be awarded to LAVTA for the Atlantis O&M Facility Bridging Documents Project.

Attachments:

1. Resolution 21-2021

RESOLUTION NO. 21-2021

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
LIVERMORE AMADOR VALLEY TRANSIT AUTHORITY
ACCEPTING FUNDS FROM THE ALAMEDA COUNTY TRANSPORTATION
COMMISSION FOR THE ATLANTIS O&M FACILITY BRIDGING
DOCUMENTS PROJECT**

WHEREAS, Alameda County Transportation Commission (“Alameda CTC”) administers funding programs consisting of 2000 Measure B, 2010 Vehicle Registration Fee, 2014 Measure BB, and Transportation Fund for Clean Air Programs for projects and programs that benefit the Alameda County transportation system, and such funding is collectively defined as and shall be referenced herein as the “Alameda CTC Administered Funds”; and

WHEREAS, the Livermore Amador Valley Transit Authority (“fund Recipient”) submitted a funding application to the Alameda County Transportation Commission (“Alameda CTC”) requesting \$541,000 funding for Atlantis Operations & Maintenance Facility Bridging Documents (“project”) from the Alameda CTC’s programming and allocation process of Alameda CTC’s administered fund sources; and

WHEREAS, the project will deliver 100% bridging documents ready to advertise and award a design-build construction contract for LAVTA’s Atlantis Operations & Maintenance facility; and

WHEREAS, Alameda CTC may award \$541,000 in Alameda CTC Administered Funds for the implementation and delivery of the project to the Fund Recipient; and

WHEREAS, as part of the requirements to receive Alameda CTC Administered Funds awarded to the Project, Alameda CTC requires a resolution adopted by the responsible funding recipient stating the following:

1. Commitment of Fund Recipient’s matching funds against the awarded Alameda CTC Administered Funds; and
2. Confirmation of Fund Recipient understanding that the amount of Alameda CTC Administered Funds awarded to the Project is capped at the amount awarded by Alameda CTC, and therefore any cost increase cannot be expected to be funded with additional Alameda CTC Administered Funds; and
3. Confirmation Fund Recipient shall complete the project as described in the funding application and the subsequent funding agreement between Alameda CTC and the Fund Recipient; and
4. Confirmation Project will comply with all the project-specific requirements set forth in the Alameda CTC Project Funding Agreement “Agreement”.

NOW, THEREFORE, BE IT RESOLVED that, if awarded, Fund Recipient agrees to accept \$541,000 in Alameda CTC Administered Funds; and be it further

RESOLVED that Fund Recipient, by adopting this resolution, does hereby state that:

1. Fund Recipient will provide \$361,000 in matching funds consisting of other local fund sources; and
2. Fund Recipient understands that the amount of Alameda CTC Administered Funds funding for the project is capped at the amount awarded by Alameda CTC, and that any cost increases will be funded through other means by the Fund Recipient, and will not to be funded with additional Alameda CTC Administered Funds; and
3. Project will be implemented as described in the application, Agreement, and in this resolution; and
4. Fund Recipient and the Project will comply with the requirements as set forth in the Agreement; and therefore, be it further

RESOLVED that there is no pending or threatened litigation that might in any way adversely affect the Applicant ability to implement and deliver the proposed Project; and be it further

RESOLVED that Fund Recipient authorizes its Executive Director or designee to execute a funding Agreement with Alameda CTC for Alameda CTC Administered Funds awarded to the Project as referenced in this resolution; and be it further

RESOLVED that a copy of this resolution will be transmitted to Alameda CTC.

PASSED AND ADOPTED this 12th day of July 2021.

BY _____
Karla Brown, Chair

ATTEST _____
Michael Tree, Executive Director