

State of California  
Business, Transportation and Housing Agency  
Department of Transportation

MASS TRANS FINANCIAL MATTERS  
STIP Intercity Rail Allocations  
Resolution: MFP-01-02

Prepared By:  
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CTC Meeting: July 11-12, 2001

Agenda Item: 2.6a.(2)

*Original Signed By*  
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W. J. EVANS  
Chief Financial Officer  
July 1, 2001

**FINANCIAL ALLOCATION**  
**STATE TRANSPORTATION IMPROVEMENT PROGRAM INTERCITY RAIL PROJECTS**

**RESOLUTION MFP-01-02**

**RECOMMENDATION**

The California Department of Transportation (Department) recommends the California Transportation Commission (Commission) approve the following resolution, allocating a total of \$3,599,000 in State Highway Account (SHA) funds, and/or Public Transportation Account (PTA) funds for two (2) State Transportation Improvement Program (STIP) Intercity Rail projects on the attached Vote List.

**FINANCIAL RESOLUTION**

**Resolved That:**

A total of \$3,599,000 in State Highway Account (SHA) funds, and/or Public Transportation Account (PTA) funds, programmed in the 1998 or 2000 STIP, be allocated to the Recipient(s) for the project(s) on the attached Vote List. The project(s), as component phases or in their entirety, appear on the necessary State capital projects funding list and are entitled to participate in this allocation.

The Recipient(s) is committed to providing any required local matching funds and to fully fund implementation of the project(s) in compliance with grant funding requirements and Commission policy. For acquisitions of rail right-of-way properties, the Recipient(s) has performed, with diligence, the process of identification and remediation of any hazardous waste in the right-of-way, easements and properties, in accordance with the Commission's established "Hazardous Waste Identification and Clean-up Policy" (Resolution G-91-2).

Reimbursement of eligible costs is subject to the policies, restrictions and assurances as set forth in the Commission's policy for allocating, monitoring, and auditing local assistance grant projects, and is governed by the terms and conditions of the Fund Transfer Agreement (FTA), and subsequent amendments to the same if required, as executed between the Recipient(s) and the California Department of Transportation (Department).

The Recipient(s) shall provide the Department with quarterly expenditure plans by category including any proposed changes for the balance of all funded project allocations commencing with the first quarter.

In the event that the recipient(s), or successor public entities, fail or cease to utilize the Project's properties for the intended public transit purposes or sell or transfer title of the Project(s), this Commission shall be entitled to a then present value refund, or credit, at State's option, equivalent to the proportionate funding participation by the State towards the Project(s). The credit due the Commission in each instance, will be measured by the ratio of State and other public funding to that provided from Recipient(s). That ratio will be applied to the fair market value of the Project's property.

The Recipient(s) shall provide the Department with notification of contract award within twelve (12) months from the date of this allocation, and must complete the work to be reimbursed and the actual reimbursement within thirty-six (36) months from award of said contract, unless the Commission authorizes a waiver that extends, if permitted by statute, the period of availability of the funds.

