

Memorandum

To: CHAIR AND COMMISSIONERS

CTC Meeting : November 6-7, 2002

Reference No.: 2.6a.(3)
Action Item

From: ROBERT L. GARCIA
Chief Financial Officer

Prepared by: Robert Sertich
Chief
Division of Budgets

Ref: **FINANCIAL ALLOCATION FOR STATE TRANSPORTATION IMPROVEMENTS
PROGRAM INTERCITY RAIL PROJECT RESOLUTION MFP-02-18**

RECOMMENDATION:

The California Department of Transportation (Department) recommends the California Transportation Commission (Commission) approve the following Resolutions, allocating a total of \$2,475,000 in the State Highway Account (SHA) funds, from Items 2660-301-0042 and 2660-301-0890 of the Budget Act of 2002, for two (2) State Transportation Improvement Program (STIP) Intercity Rail project on the attached Vote List.

FINANCIAL RESOLUTION:

Resolved That:

A total of \$2,475,000 in the State Highway Account (SHA) funds, programmed in the 2002 State Transportation Improvement Program, be allocated to the Recipients for the projects on the attached Vote List.

The Recipients is committed to providing any required local matching funds and to fully fund implementation of the projects in compliance with grant funding requirements and Commission policy. For acquisitions of rail right-of-way properties, the Recipients 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 for the Fund Transfer Agreement (FTA), and subsequent amendments to the same if required, as executed between the Recipients and the Department.

The Recipients 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 Recipients, or successor public entities, fail or cease to utilize the Projects' properties for the intended public transit purposes or sell or transfer title of the Projects, 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 Projects. The credit due the Commission in each instance will be measured by the ratio of State and other public funding to that provided from Recipients. That ratio will be applied to the fair market value of the Project's property.

The Recipients 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.

Or, Funds allocated for local project development or right of way costs must be expended by the end of the second year following the fiscal year in which the funds were allocated. For local grant projects, the local agency must invoice Caltrans for these costs no later than 180 days after the fiscal year in which the final expenditure occurred unless the Commission authorizes a waiver that extends, if permitted by statute, the period of availability of the funds.

Attachment(s)

