

# Memorandum

To: CHAIR AND COMMISSIONERS

Meeting Date: May 12-13, 2004

Reference No.: 2.6c.  
Action Item

From: ROBERT L. GARCIA  
Chief Financial Officer

Prepared by: Larry Barnes  
Acting Division Chief  
Division of Budgets

Ref: **FINANCIAL ALLOCATION AMENDMENT FOR PROPOSITION 116 WATERBORNE  
FERRY PROGRAM PROJECTS  
RESOLUTION BFA-03-02, RESCINDING BFP-97-25 AND AMENDING BFP-97-26**

## **RECOMMENDATION:**

The California Department of Transportation (Department) recommends the California Transportation Commission (Commission) approve the following resolution, de-allocating a total of \$412,249 from two (2) Proposition 116 Waterborne Ferry Program (PUC 99646) projects identified on the attached Vote List.

## **FINANCIAL RESOLUTION:**

### **Resolved That:**

A total of \$412,249 in Proposition 116 bond funds be de-allocated from the project on the attached Vote List.

The Recipient is committed to providing any required local matching funds and to fully fund implementation of the project in compliance with grant funding requirements and Commission policy. For acquisitions of rail right-of-way properties, the Recipient 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 Recipient and the Department.

The Recipient 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, 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, 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. The credit due the Commission in each instance will be measured by the ration of State and other public funding to that provided from Recipient. That ration will be applied to the fair market value of the project's property.

The Recipient 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 reimburses 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 the Department 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

2.6 Mass Transportation Financial Matters

Project # Allocation Amount Recipient RTPA/CTC District-County Legislative Districts	Project Title Project Description Project Funding	EA Dist-PPNO PUC Code Program/Year Prgm'd Amount	Fund Program Code Allocation Amount
<b>2.6c. Allocation Amendments – Proposition 116 Program Projects</b>		<b>Resolution BFA-03-02</b>	
1 <b>BFA-03-02</b> <b>Rescinding</b> <b>BFP-97-25</b> \$0 City of Vallejo MTC 04-Solano Senate: 8 Assembly: 7	<b>Ferry Dock at Fisherman's Wharf in San Francisco</b> Rescind BFP-97-25 to de-allocate \$396,304 from the Ferry Dock at Fisherman's Wharf project. Funds will be reprogrammed at a later date for use on the Baylink Permanent Ferry Maintenance Facility.	P116NT/97-98 30.20.010 PA 98-06 99628 04-8044	
	<u>ALLOCATION</u> <u>ORIGINAL</u> <u>REVISION</u> <u>AMENDED</u>		
	BFP-97-25      \$396,304      (\$396,304)      \$0	\$396,304 \$0	\$0
And <b>Amending</b> <b>BFP-97-26</b> \$287,751 City of Vallejo MTC 04-Solano Senate: 8 Assembly: 7	<b>Baylink Ferry Maintenance Facility</b> Amend BFP-97-26 to de-allocate \$15,945 in cost savings from the Baylink Ferry Maintenance Facility project. Funds will be reprogrammed at a later date for use on the Baylink Permanent Ferry Maintenance Facility.	P116NT/97-98 30.20.010 PA 98-07 99628 04-8045	
	<u>ALLOCATION</u> <u>ORIGINAL</u> <u>REVISION</u> <u>AMENDED</u>		
	BFP-97-26      \$303,696      (\$15,945)      \$287,751	\$303,696 \$287,751	\$287,751