



January 10, 2019

To: Transit Committee

From: Darrell E. Johnson, Chief Executive Officer

Subject: Federal Transit Administration Sections 5307, 5310, 5337, and 5339 Program of Projects for Federal Fiscal Year 2018-19

Overview

The Orange County Transportation Authority annually prepares a program of projects to secure formula Federal Transit Administration grants for capital projects, capital cost of contracting, and preventive maintenance. The federal fiscal year 2018-19 program, including amendments to prior programs, is presented for review and approval. The federal fiscal year 2018-19 program directs \$91.854 million in federal funds to transit projects, of which \$65.457 million is for bus projects and \$26.397 million is for rail projects.

Recommendations

- A. Approve the federal fiscal year 2018-19 Federal Transit Administration Section 5307 Urbanized Area Formula, Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities, Section 5337 State of Good Repair, and Section 5339 Bus and Bus Facilities program of projects, including federal and local funds, and the use of match credit for projects.
- B. Approve the five-year programming plans for Federal Transit Administration Section 5307, Federal Transit Administration Section 5310, Federal Transit Administration Section 5337, and Federal Transit Administration Section 5339.
- C. Authorize staff to adjust individual project funding consistent with final apportionments and eligibility determinations through the Fixing America's Surface Transportation Act, and direct staff to include updated numbers in grant and programming status reports.

- D. Authorize the Chief Executive Officer to submit the federal fiscal year 2018-19 Federal Transit Administration grant applications to the Federal Transit Administration.
- E. Authorize staff to process all necessary amendments to the Federal Transportation Improvement Program and execute or amend all necessary agreements to facilitate the above actions.

Background

The Fixing America's Surface Transportation (FAST) Act provides transportation funding for federal fiscal year (FFY) 2015-16 through FFY 2019-20. Under the FAST Act, the Federal Transit Administration (FTA) makes federal formula funds available through four major funding programs:

- 1) FTA Section 5307 Urbanized Area Formula Program (FTA 5307),
- 2) FTA Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities Program (FTA 5310),
- 3) FTA Section 5337 State of Good Repair Program (FTA 5337), and
- 4) FTA Section 5339 Bus and Bus Facilities Program (FTA 5339).

FTA publishes annual apportionments for these programs, and transit agencies submit grant applications for their respective funds. The Orange County Transportation Authority (OCTA) develops the funding levels for future apportionments based on prior year actual FTA apportionments. The full apportionment for FFY 2018-19 will be released at a later date, and OCTA's funding levels will be adjusted. The selection of projects for FTA funding is based on the current policies outlined in the Capital Programming Policies (Attachment A), federal funding rules and regulations, and OCTA's adopted Comprehensive Business Plan. Project descriptions for the FTA program of projects (POP) are provided in Attachment B.

The FTA requires agencies to have a public participation process for transit POP. OCTA satisfies this requirement through the Southern California Association of Governments' Federal Transportation Improvement Program approval process, which includes a public hearing and meets the FTA requirement.

Discussion

FTA 5307

OCTA expects to receive approximately \$60.534 million in FTA 5307 funds for FFY 2018-19. Staff is proposing the projects/programs listed below for these funds (Attachment C):

- Preventive maintenance (\$22.077 million),
- Capital cost of contracting (\$17.856 million),
- Non-fixed-route paratransit operating assistance (\$12.101 million), and
- Southern California Regional Rail Authority (SCRRA) preventive maintenance (\$8.500 million).

Changes to prior year grants are also reflected in Attachment C. Additionally, OCTA is proposing to utilize 20 percent of the annual FTA 5307 apportionment for non-fixed-route paratransit operating assistance in the FFY 2018-19 POP. Per FTA guidance, a recipient is required to meet two of three conditions in order to increase the use of FTA 5307 from ten percent to 20 percent on non fixed-route paratransit operating assistance. The conditions are as follows:

- Provides an active fixed-route travel training program that is available for riders with disabilities,
- Provides that all fixed-route and paratransit operators participate in a passenger safety, disability awareness, and sensitivity training class on at least a biennial basis, and
- Have memoranda of understanding in place with employers and the American Job Center to increase access to employment opportunities for people with disabilities.

As of FFY 2017-18, OCTA meets the first and second conditions and is; therefore; in compliance with FTA requirements. The five-year programming plan for FTA 5307 projects is provided in Attachment D.

FTA 5310

OCTA expects to receive approximately \$2.176 million in FTA 5310 funds for FFY 2018-19. These funds are recommended to be used for the capital cost of contracting for ACCESS services (Attachment E). In addition, changes to prior year grants are reflected in Attachment E. The five-year programming plan for FTA 5310 projects is provided in Attachment F.

FTA 5337

OCTA expects to receive approximately \$21.728 million in FTA 5337 funds for FFY 2018-19. Staff is proposing the following projects for these funds (Attachment G):

- SCRRRA rehabilitation (\$15.064 million),
- OCTA bus preventive maintenance (\$3.831 million), and
- San Juan Creek Bridge replacement (\$2.833 million),

A five-year programming plan for FTA 5337 projects, focusing on commuter rail projects and OCTA bus preventive maintenance, is provided in Attachment H. In addition, changes to prior year grants are reflected in Attachment G.

The FTA 5337 funds for San Juan Creek Bridge replacement program included in FFY 2016-17 and FFY 2017-18 are increased to replace Trade Corridor Improvement Funds (TCIF) that are no longer available for the project and also to realign funds programmed in prior years to reflect delay in the project. Details and approval of TCIF reprogramming were included in the November 26, 2018 Capital Programming update. OCTA had planned on using \$2.801 million in Proposition 116 funds for the project. However, the Laguna Niguel to San Juan Capistrano Passing Siding Project has an immediate need for additional funds. The Board of Directors (Board) policy for Proposition 116 funds requires these funds go to intercity rail projects on a first come first serve basis. Once final design is complete, OCTA staff will return to the Board with a proposal for an updated funding plan.

FTA 5339

OCTA expects to receive approximately \$7.416 million in FTA 5339 funds for FFY 2018-19. Staff is proposing the following projects for these funds (Attachment I).

- Paratransit Vehicle Replacement Project (\$4.316 million),
- Capital cost of contracting (\$3.100 million).

It should be noted that OCTA's policy for FTA 5339 does not currently include capital cost of contracting, as that type of use was not previously allowed. However, OCTA's priority is to fund transit operations with federal funds whenever possible. An update to the current policy will be proposed to include capital cost of contracting in a future Capital Programming Policy item.

Changes to prior year grants are reflected in Attachment I. A five-year programming plan for FTA 5339 projects, focusing on capital cost of contracting and the paratransit vehicle replacement project, is provided in Attachment J.

FFY 2018-19 FTA POP

The table below summarizes the recommended programming for the FFY 2018-19 FTA POP.

Formula Programs	Bus	Rail	Total
FTA 5307	52,034,009	8,500,000	60,534,009
FTA 5310	2,175,734	-	2,175,734
FTA 5337	3,831,387	17,896,883	21,728,270
FTA 5339	7,415,685	-	7,415,685
Total	\$ 65,456,815	\$ 26,396,883	\$ 91,853,698

Approximately \$4.316 million, or 6.6 percent, of the \$65.457 million in FTA formula funds that is programmed to bus will be used for capital expenses, and \$61.141 million or 93.4 percent will be used for operating expenses.

Next Steps

With Board of Directors (Board) approval, staff will initiate the programming and grant process for the projects included in this report. The changes that are requested in this report have been added to the OCTA Capital Funding Program Report in Attachment K.

Summary

Board approval is necessary to program FTA formula funding for the FFY 2018-19 FTA POP, the five-year programming plan for FTA 5307, 5310, 5337, and 5339, and to make adjustments to prior year programming based on actual apportionments.

Attachments

- A. Capital Programming Policies by Fund Source, May 2017
- B. Orange County Transportation Authority, Federal Transit Administration Program of Projects Description
- C. Program of Projects for FTA Section 5307 Funds (FFY 2017-18 through FFY 2018-19)
- D. Proposed Five-Year Programming Plan for FTA Section 5307 Funds, Urbanized Area Formula Program (FFY 2018-19 through 2022-23)
- E. Program of Projects for FTA Section 5310 Funds (FFY 2017-18 through FFY 2018-19)
- F. Proposed Five-Year Programming Plan for FTA Section 5310 Funds, Enhanced Mobility of Seniors and Individuals with Disabilities Program (FFY 2018-19 through FFY 2022-23)
- G. Program of Projects for FTA Section 5337 Funds (FFY 2016-17 through FFY 2018-19)
- H. Proposed Five-Year Programming Plan for FTA Section 5337 Funds, State of Good Repair Program (FFY 2018-19 through FFY 2022-23)
- I. Program of Projects for FTA Section 5339 Funds (FFY 2017-18 through FFY 2018-19)
- J. Proposed Five-Year Programming Plan for FTA Section 5339 Funds, Bus and Bus Facilities Program (FFY 2018-19 through FFY 2022-23)
- K. Capital Funding Program Report

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