

# MEMORANDUM

DEPARTMENT OF PUBLIC WORKS  
County of Placer

TO: BOARD OF SUPERVISORS

DATE: April 7, 2015

FROM: <sup>100</sup>  
KEN GREHM / WILL GARNER

SUBJECT: **LOW CARBON TRANSIT OPERATIONS PROGRAM (LCTOP)**

---

## **ACTION REQUESTED / RECOMMENDATION**

1. Adopt a Resolution stating that Placer County agrees to comply with all conditions and requirements set forth in the Certifications and Assurances and applicable statutes and guidelines for the Local Carbon Transit Operations Program (LCTOP) funded transit projects; authorizing the Director of Public Works to execute all required documents of the LCTOP program and any amendments thereto with the California Department of Transportation; and authorizing the Director of Public Works to submit applications for the projects listed in Exhibit 1 of the Resolution.

## **BACKGROUND / SUMMARY**

Senate Bill 862 of 2014 created the Low Carbon Transit Operations Program (LCTOP) to provide operating and capital assistance for transit agencies to reduce greenhouse gas emissions and improve mobility by implementing new or expanded transit services statewide. A total of \$25 million has been allocated to the State budget in Fiscal Year 2014-15 and will be available for expenditure by the California Department of Transportation in Fiscal Year 2015-16. Attachment 1 is the Certifications and Assurances that are required to be executed to receive these funds.

The Department of Public Works (DPW) will apply for \$60,842 in funds for three transit operation projects: 1) \$38,608 toward the expansion of the Highway 267 TART route to year round. Implementation of this service will require the Town of Truckee's funding participation as well; 2) \$12,234 from the City of Lincoln's allocation for the addition of Saturday fixed route service in Lincoln; and 3) \$10,000 from the City of Rocklin's allocation for the extension of fixed route service to the Rocklin Commons and Rocklin Crossings shopping centers.

Applications are due to Caltrans on April 15, 2015. If approved by Caltrans, the funds would be available in Fiscal Year 2015-16. Both the Cities of Lincoln and Rocklin have agreed to begin implementation of these route improvements in their respective jurisdictions. DPW is working with the Town of Truckee to implement the Highway 267 route on a year-round basis.

## **ENVIRONMENTAL**

The project is statutorily exempt from CEQA pursuant to section 21080(b)(10), as it is a project to provide passenger service.

## **FISCAL IMPACT**

These funds will be available in Fiscal Year 2015-16. The TART Highway 267 route and the Lincoln Saturday route have been included in the Fiscal Year 2015-16 Proposed Budget. The added service in Rocklin will be added to the Placer County Transit (PCT) Fiscal Year Final Budget.

Attachments: Resolution w/Exhibit 1 & LCTOP Certifications and Assurances

T:\DPW\Transportation\transprt\2015 BOS Memos\LCTOP Funds\LCTOP Funds 2015.docx

223

**Before the Board of Supervisors  
County of Placer, State of California**

In the matter of: A RESOLUTION STATING THAT PLACER COUNTY AGREES TO COMPLY WITH ALL CONDITIONS AND REQUIREMENTS SET FORTH IN THE CERTIFICATIONS AND ASSURANCES AND APPLICABLE STATUTES AND GUIDELINES FOR LCTOP FUNDED TRANSIT PROJECTS; AUTHORIZING THE PUBLIC WORKS DIRECTOR TO EXECUTE ALL REQUIRED DOCUMENTS OF THE LCTOP PROGRAM AND ANY AMENDMENTS THERETO WITH THE CALIFORNIA DEPARTMENT OF TRANSPORTATION; AND AUTHORIZING THE DIRECTOR OF PUBLIC WORKS TO SUBMIT APPLICATIONS FOR THE PROJECTS LISTED IN EXHIBIT 1.

Resol. No:.....

The following RESOLUTION was duly passed by the Board of Supervisors of the County of Placer at a regular meeting held \_\_\_\_\_, by the following vote on roll call:

Ayes:

Noes:

Absent:

Signed and approved by me after its passage

Attest:  
Clerk of said Board

\_\_\_\_\_  
Chair, Board of Supervisors

WHEREAS, Placer County is an eligible project sponsor and may receive state funding from the Low Carbon Transit Operations Program (LCTOP) now or sometime in the future for transit projects; and

WHEREAS, the statutes related to state-funded transit projects require a local or regional implementing agency to abide by various regulations; and

**WHEREAS, Senate Bill 862 (2014) named the California Department of Transportation as the administrative agency for the LCTOP; and**

**WHEREAS, the California Department of Transportation has developed guidelines for the purpose of administering and distributing LCTOP funds to eligible project sponsors (local agencies); and**

**WHEREAS, Placer County wishes to delegate authorization to execute these documents and any amendments thereto to the Director of Public Works**

**NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Placer, State of California, that Placer County agrees to comply with all conditions and requirements set forth in the Certifications and Assurances to this Resolution and applicable statutes, regulations and guidelines for all LCTOP funded transit projects;**

**NOW, THEREFORE, BE IT FURTHER RESOLVED that the Director of Public Works be authorized to execute all required documents of the LCTOP program and any amendments thereto with the California Department of Transportation;**

**NOW, THEREFORE, BE IT FURTHER RESOLVED that the Director of Public Works is authorized to submit applications for LCTOP funds for the projects listed on Exhibit 1 to this Resolution.**

**Exhibit 1**

Low Carbon Transit Operations Program (LCTOP)  
Projects to be submitted by Placer County from FY 2014-15 Allocation

- 1) Implementation of Year-Round Highway 267 Service on Tahoe Area Regional Transit in Fiscal Year 2015-16 - \$38,608 in LCTOP funds
- 2) Implementation of Saturday Fixed Route Service in Lincoln by Placer County Transit in Fiscal Year 2015-16 - \$12,234 in LCTOP funds
- 3) Expansion of Placer County Transit route service to Rocklin Commons and Rocklin Crossings commercial centers in Fiscal Year 2015-16 - \$10,000 in LCTOP funds



**ATTACHMENT 1**

**Low Carbon Transit Operations Program (LCTOP)**

**Certifications and Assurances**

**Project Sponsor:** \_\_\_\_\_

**Agency Name:** \_\_\_\_\_

**Effective Date of this Document:** \_\_\_\_\_

The California Department of Transportation (Department) has adopted the following certifications and assurances for the Low Carbon Transit Operations Program. As a condition of the receipt of LCTOP funds, project sponsors (both Project Lead and Contributing Sponsors) must comply with these terms and conditions.

**A. General**

- (1) The project sponsor agrees to abide by the current LCTOP Guidelines and applicable legal requirements.
- (2) The project sponsor must submit to the Department a signed Authorized Agent form designating the representative who can submit documents on behalf of the project sponsor and a copy of the board resolution appointing the Authorized Agent.

**B. Project Administration**

- (1) The project lead certifies that required environmental documentation is complete before requesting an allocation of LCTOP funds. The project lead assures that projects approved for LCTOP funding comply with Public Resources Code § 21100 and § 21150.
- (2) The project lead certifies that when LCTOP funds are used for a transit capital project, that the project will be completed and remain in operation for its useful life.
- (3) The project lead certifies that it has the legal, financial, and technical capacity to carry out the project, including the safety and security aspects of that project.
- (4) The project lead certifies that they will notify the Department of pending litigation, dispute, or negative audit findings related to the project, before receiving an allocation of funds.
- (5) The project lead must maintain satisfactory continuing control over the use of project equipment and facilities and will adequately maintain project equipment and facilities for the useful life of the project.
- (6) Any interest the project lead earns on LCTOP funds must be used only on approved LCTOP projects.



- (7) The project lead must notify the Department of any changes to the approved project with a Corrective Action Plan (CAP).
- (8) Under extraordinary circumstances, a project lead may terminate a project prior to completion. In the event the project lead terminates a project prior to completion, the project lead must (1) contact the Department in writing and follow-up with a phone call verifying receipt of such notice; (2) pursuant to verification, submit a final report indicating the reason for the termination and demonstrating the expended funds were used on the intended purpose; (3) submit a request to reassign the funds to a new project within 180 days of termination.
- (9) Funds must be encumbered and liquidated within the time allowed.

### C. Reporting

- (1) The project lead must submit the following LCTOP reports:
  - a. Semi-Annual Progress Reports by February 15<sup>th</sup> and August 15<sup>th</sup> each year.
  - b. A Final Report within six months of project completion.
  - c. The annual audit required under the Transportation Development Act (TDA), to verify receipt and appropriate expenditure of LCTOP funds. A copy of the audit report must be submitted to the Department within six months of the close of the year (December 31) each year in which LCTOP funds have been received or expended.
- (2) Other Reporting Requirements: ARAB is developing funding guidelines that will include reporting requirements for all State agencies that receive appropriations from the Greenhouse Gas Reduction Fund. Caltrans and project sponsors will need to submit reporting information in accordance with ARAB's funding guidelines, including reporting on greenhouse gas reductions and benefits to disadvantaged communities.

### D. Cost Principles

- (1) The project lead agrees to comply with Title 2 of the Code of Federal Regulations 225 (2 CFR 225), Cost Principles for State and Local Government, and 49 CFR, Part 18, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments.
- (2) The project lead agrees, and will assure that its contractors and subcontractors will be obligated to agree, that:
  - a. Contract Cost Principles and Procedures, 48 CFR, Federal Acquisition Regulations System, Chapter 1, Part 31, et seq., shall be used to determine the allowability of individual project cost items and
  - b. those parties shall comply with Federal administrative procedures in accordance with 49 CFR, Part 18, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments. Every sub-recipient receiving LCTOP funds as a contractor or sub-contractor shall comply with Federal administrative procedures in accordance with 49

CFR, Part 18, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments.

- (3) Any project cost for which the project lead has received funds that are determined by subsequent audit to be unallowable under 2 CFR 225, 48 CFR, Chapter 1, Part 31 or 49 CFR, Part 18, are subject to repayment by the project lead to the State of California (State). All projects must reduce greenhouse gas emissions, as required under Public Resources Code section 75230, and any project that fails to reduce greenhouse gases shall also have its project costs submit to repayment by the project lead to the State. Should the project lead fail to reimburse moneys due to the State within thirty (30) days of demand, or within such other period as may be agreed in writing between the Parties hereto, the State is authorized to intercept and withhold future payments due the project lead from the State or any third-party source, including but not limited to, the State Treasurer and the State Controller.

#### **E. Record Retention**

- (1) The project lead agrees, and will assure that its contractors and subcontractors shall establish and maintain an accounting system and records that properly accumulate and segregate incurred project costs and matching funds by line item for the project. The accounting system of the project lead, its contractors and all subcontractors shall conform to Generally Accepted Accounting Principles (GAAP), enable the determination of incurred costs at interim points of completion, and provide support for reimbursement payment vouchers or invoices. All accounting records and other supporting papers of the project lead, its contractors and subcontractors connected with LCTOP funding shall be maintained for a minimum of three (3) years from the date of final payment and shall be held open to inspection, copying, and audit by representatives of the State and the California State Auditor. Copies thereof will be furnished by the project lead, its contractors, and subcontractors upon receipt of any request made by the State or its agents. In conducting an audit of the costs claimed, the State will rely to the maximum extent possible on any prior audit of the project lead pursuant to the provisions of federal and State law. In the absence of such an audit, any acceptable audit work performed by the project lead's external and internal auditors may be relied upon and used by the State when planning and conducting additional audits.
- (2) For the purpose of determining compliance with Title 21, California Code of Regulations, Section 2500 et seq., when applicable, and other matters connected with the performance of the project lead's contracts with third parties pursuant to Government Code § 8546.7, the project sponsor, its contractors and subcontractors and the State shall each maintain and make available for inspection all books, documents, papers, accounting records, and other evidence pertaining to the performance of such contracts, including, but not limited to, the costs of administering those various contracts. All of the above referenced parties shall make such materials available at their respective offices at all reasonable times during the entire project period and for three (3) years from the date of final payment. The State, the California State Auditor, or any duly authorized representative of the State, shall each have access to any books, records, and documents that are pertinent to a project for audits, examinations, excerpts, and transactions, and the project lead shall furnish copies thereof if requested.
- (3) The project lead, its contractors and subcontractors will permit access to all records of employment, employment advertisements, employment application forms, and other pertinent data and records by the State Fair Employment Practices and Housing Commission, or any other



agency of the State of California designated by the State, for the purpose of any investigation to ascertain compliance with this document.

**F. Special Situations**

The Department may perform an audit and/or request detailed project information of the project sponsor's LCTOP funded projects at the Department's discretion at any time prior to the completion of the LCTOP.

I certify all of these conditions will be met.

---

AUTHORIZING OFFICER, Title  
Unit/Department/Agency



**ATTACHMENT I**  
(INSERT Agency Board Resolution approving this document)

*See Sample attached*

