REPORT

DATE: April 3, 2008

TO: Regional Council and Administrative Committee

FROM: Bob Huddy, Transportation Program Manager, 213-236-1972, huddy@scag.ca.gov

SUBJECT: MOU between SCAG, SANBAG, and RCTC regarding the JARC and New Freedom Grant Programs

EXECUTIVE DIRECTOR'S APPROVAL:

RECOMMENDED ACTION:

Authorize the Executive Director to enter into and execute a Memorandum of Understanding (MOU) between the Southern California Association of Governments (SCAG), San Bernardino Associated Governments (SANBAG) and Riverside County Transportation Commission (RCTC) for the federal Job Access Reverse Commute (JARC) and New Freedom grant programs.

SUMMARY:

SCAG acts as the designated recipient of the Federal Transit Administration (FTA) JARC and New Freedom grant funds under 49 USC Sections 5316 and 5317, for the large urbanized areas of Riverside and San Bernardino Counties. SCAG seeks to enter an MOU with SANBAG and RCTC, acting as subrecipients of such grant funds in fiscal year (FY) 2008-09, to set forth respective roles and responsibilities. The MOU would incorporate a program management plan agreed upon by the parties to ensure compliance with the grant requirements.

SCAG will be responsible for managing grant distribution and oversight for subrecipients receiving funds under these programs. SANBAG and RCTC are the lead agencies in their respective counties responsible for development of a coordinated Public Transit-Human Services Transportation Plan, in accordance with 49 USC Sections 5316 and 5317 and FTA Circulars C 9050.1 and C 9045.1. Under the MOU, SANBAG and RCTC will be responsible for the following actions, as a condition of receiving the grant funds:

1) Administering and conducting an area-wide Competitive Selection process;

2) Certifying a fair and equitable distribution of funds resulting from the competitive selection process;

3) Certifying that each project selected was derived from a locally developed, coordinated Public Transit-Human Services Transportation Plan;

4) Certifying that local plans are developed through a process that included representatives of public, private, and non-profit transportation and human services providers and participation by the public; and

5) Submitting reports as required by FTA.

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BACKGROUND:

The Safe Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) (Pub.L. 109-059; enacted August 10, 2005) changed the JARC and New Freedom programs from discretionary to formula grant programs and set forth new requirements, under 49 USC 5316 and 5317. On May 1, 2007, FTA issued new circulars which provide guidance for receiving funds under these programs. SCAG staff has been working with SANBAG and RCTC staff to coordinate compliance with the new requirements.

The JARC program is for projects relating to the development and maintenance of transportation services designed to transport welfare recipients and eligible low-income individuals to and from jobs and activities related to their employment, and for public transportation projects designed to transport residents of urbanized areas and nonurbanized areas to suburban employment opportunities (49 USC §5316). The New Freedom program is for new public transportation services and public transportation alternatives beyond those required by the Americans with Disabilities Act of 1990 (42 USC 12101 et seq.) that assist individuals with disabilities with transportation, including transportation to and from jobs and employment support services (49 USC §5317).

On January 9, 2008, SANBAG approved a final report regarding the "Public Transit-Human Services Transportation Coordination Plan for San Bernardino County." RCTC has scheduled consideration of their plan for April 11, 2008.

Regional Council action is needed at this time to assure that the requested MOU is in place and grant requirements are satisfied in time for funds to be programmed in the 2008 Regional Transportation Improvement Program.

FISCAL IMPACT:

SCAG, as the Designated Recipient, is eligible for recovery of appropriate administrative costs, it is anticipated that those administrative costs would be recovered, and stipulated in the final MOU.

Reviewed by:

Division Manager

Reviewed by:

Department Director

Reviewed by:

Chief Financial Officer

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