

# City of Las Cruces®

PEOPLE HELPING PEOPLE

## Council Action and Executive Summary

Item # 2

Ordinance/Resolution# 13-052

For Meeting of \_\_\_\_\_  
(Ordinance First Reading Date)

For Meeting of October 15, 2012  
(Adoption Date)

Please check box that applies to this item:

QUASI JUDICIAL

LEGISLATIVE

ADMINISTRATIVE

**TITLE:** A RESOLUTION AUTHORIZING THE CITY OF LAS CRUCES TO ACCEPT SECTION 5307 FORMULA FUNDING FROM THE FEDERAL TRANSIT ADMINISTRATION IN THE AMOUNT OF \$1,297,105.00 WITH A MATCH REQUIREMENT OF \$1,261,098.00 FOR TRANSIT OPERATIONAL COSTS.

**PURPOSE(S) OF ACTION:**

To accept grant.

<b>COUNCIL DISTRICT:</b> All		
<b>Drafter/Staff Contact:</b> Elizabeth Vega	<b>Department/Section:</b> Finance/Grants	<b>Phone:</b> 575-541-2717
<b>City Manager Signature:</b> 		

**BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS:**

The Federal Transit Administration section 5307 funds will be used for FY 2013 transit operating assistance including staff salaries and for the purchase of vehicle parts such as tires, vehicle servicing and cleaning, bus shelter cleaning, bus schedule printing, janitorial services, uniforms for drivers, minor office equipment and supplies, and minor tools for vehicle maintenance. It will also be used to acquire security cameras for RoadRUNNER Transit buildings.

This is an annual formula apportionment from the Federal Transit Administration (FTA) that offsets operational costs in the adopted FY 2013 budget. The total FTA grant award is \$1,297,105.00 and the total local match is \$1,261,098.00 for a total grant project of \$2,558,203.00. This total project has two components: an operating project requiring a 50% local share and a capital project requiring a 20% local share. The total operating project is \$2,498,190.00, of which this FTA grant and the local match each contributes 50% (or \$1,249,095.00). The total capital project (shop equipment and security cameras) is \$60,013.00, of which this FTA grant contributes 80% (or \$48,010.00) and the local match contributes 20% (or \$12,003.00). The required local match is already in the approved FY 2013 Transit budget.

**SUPPORT INFORMATION:**

1. Resolution.
2. Exhibit "A", Application Agreement, NM-90-X109-00.

**SOURCE OF FUNDING:**

<b>Is this action already budgeted?</b>	Yes	<input checked="" type="checkbox"/>	See fund summary below
	No	<input type="checkbox"/>	If No, then check one below:
	<i>Budget Adjustment Attached</i>	<input type="checkbox"/>	Expense reallocated from: _____
	<input type="checkbox"/>	Proposed funding is from a new revenue source (i.e. grant; see details below)	
<input type="checkbox"/>	Proposed funding is from fund balance in the _____ Fund.		
<b>Does this action create any revenue?</b>	Yes	<input checked="" type="checkbox"/>	Funds will be deposited into this fund: <u>5920 Transit Fund</u> in the amount of <u>\$1,297,105.00</u> for FY 2013.
	No	<input type="checkbox"/>	There is no new revenue generated by this action.

**BUDGET NARRATIVE**

The City of Las Cruces has been awarded \$1,297,105.00 from the Federal Transit Administration. The funds will be received into the Transit Fund (#5920) to be used to offset operational costs on a reimbursement basis. Expenditures will not be adjusted because budgeted operating costs are higher than the required match.

**FUND EXPENDITURE SUMMARY:**

Fund Name(s)	Account Number(s)	Expenditure Proposed	Available Budgeted Funds Current FY	Remaining Funds	Purpose for Remaining Funds
Transit Fund	593230XX- VARIOUS- 24113	\$1,297,105.00	\$1,297,105.00	\$0.00	N/A
Transit Fund (match)	5920- 921000	\$1,261,098.00	\$1,383,944.00	\$122,846.00	Budgeted matches for other FTA grants

**OPTIONS / ALTERNATIVES:**

1. Vote "Yes"; this will authorize the City of Las Cruces to accept the grant award from FTA.
2. Vote "No"; this will prevent the City of Las Cruces from receiving funds to offset operational costs of the Transit section.

(Continue on additional sheets as required)

3. Vote to "Amend"; this could affect the agreement between the City and the FTA.
4. Vote to "Table"; this not an option, as funding has already been allocated and needs to begin the draw-down process.

**REFERENCE INFORMATION:**

N/A

RESOLUTION NO. 13-052

**A RESOLUTION AUTHORIZING THE CITY OF LAS CRUCES TO ACCEPT SECTION 5307 FORMULA FUNDING FROM THE FEDERAL TRANSIT ADMINISTRATION IN THE AMOUNT OF \$1,297,105.00 WITH A MATCH REQUIREMENT OF \$1,261,098.00 FOR TRANSIT OPERATIONAL COSTS.**

The City Council is informed that:

**WHEREAS**, the Federal Transit Administration (FTA) has awarded the City of Las Cruces a grant in the amount of \$1,297,105.00 as cited in Exhibit "A"; and

**WHEREAS**, the grant requires a match in the amount of \$1,261,098.00 which will be covered through the annual transfer of funds from the General Fund already budgeted; and

**WHEREAS**, the grant funds will be used to offset Transit operational costs; and

**WHEREAS**, the City of Las Cruces receives annual apportionments of transit funding through the Section 5307 (formula) funding program as authorized by Congress.

**NOW, THEREFORE**, Be it resolved by the governing body of the City of Las Cruces:

**(I)**

**THAT** the City of Las Cruces is authorized to accept the awarded grant agreement from the Federal Transit Administration for a total of \$1,297,105.00 with a City match requirement of \$1,261,098.00.

**(II)**

**THAT** City staff is hereby authorized to do all deeds as necessary in the accomplishment of the herein above.

**DONE AND APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

APPROVED:

\_\_\_\_\_  
Mayor

ATTEST:

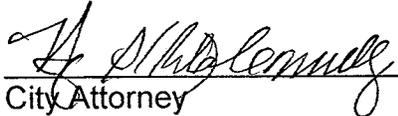
\_\_\_\_\_  
City Clerk

(SEAL)

Moved by \_\_\_\_\_

Seconded by \_\_\_\_\_

APPROVED AS TO FORM:

  
\_\_\_\_\_  
City Attorney

VOTE:

Mayor Miyagishima: \_\_\_\_\_

Councillor Silva: \_\_\_\_\_

Councillor Smith: \_\_\_\_\_

Councillor Pedroza: \_\_\_\_\_

Councillor Small: \_\_\_\_\_

Councillor Sorg: \_\_\_\_\_

Councillor Thomas: \_\_\_\_\_

DOT



FTA

U.S. Department of Transportation

Federal Transit Administration

Application

Recipient ID:	1580
Recipient Name:	CITY OF LAS CRUCES
Project ID:	NM-90-X109-00
Budget Number:	1 - Budget Pending Approval
Project Information:	5307 funds to be used for City FY13

Part 1: Recipient Information

Project Number:	NM-90-X109-00
Recipient ID:	1580
Recipient Name:	CITY OF LAS CRUCES
Address:	700 N Main St , LAS CRUCES, NM 88001 3512
Telephone:	(575) 541-2500
Facsimile:	(575) 541-2545

Union Information

Recipient ID:	1580
Union Name:	STEELWORKERS UNION
Address 1:	
Address 2:	
City:	, 00000 0000
Contact Name:	
Telephone:	() -
Facsimile:	() 0-0000
E-mail:	
Website:	

Recipient ID:	1580
Union Name:	UNITED STEELWORKERS OF AMERICA, AFL-CIO/CLC
Address 1:	1880 N. Solano
Address 2:	

City:	Las Cruces, NM 88001
Contact Name:	David Carrillo
Telephone:	(505) -52-3-94
Facsimile:	
E-mail:	dlcarrillo@las-cruces.org
Website:	

## Part 2: Project Information

Project Type:	Grant	Gross Project Cost:	\$2,558,203
Project Number:	NM-90-X109-00	Adjustment Amt:	\$0
Project Description:	5307 funds to be used for City FY13	Total Eligible Cost:	\$2,558,203
Recipient Type:	City	Total FTA Amt:	\$1,297,105
FTA Project Mgr:	Tony Ogboli 817-978-0566	Total State Amt:	\$0
Recipient Contact:	Michael Bartholomew	Total Local Amt:	\$1,261,098
New/Amendment:	None Specified	Other Federal Amt:	\$0
Amend Reason:	Initial Application	Special Cond Amt:	\$0
Fed Dom Asst. #:	20507	Special Condition:	None Specified
Sec. of Statute:	5307-2	S.C. Tgt. Date:	None Specified
State Appl. ID:	None Specified	S.C. Eff. Date:	None Specified
Start/End Date:	Jul. 01, 2012 - Jun. 06, 2013	Est. Oblig Date:	None Specified
Recvd. By State:	Aug. 16, 2012	Pre-Award Authority?:	Yes
EO 12372 Rev:	Not Applicable	Fed. Debt Authority?:	No
Review Date:	None Specified	Final Budget?:	No
Planning Grant?:	NO		
Program Date (STIP/UPWP/FTA Prm Plan) :	Jul. 03, 2012		
Program Page:	2		
Application Type:	Electronic		
Supp. Agreement?:	Yes		
Debt. Delinq. Details:			

### Urbanized Areas

UZA ID	UZA Name
353520	LAS CRUCES, NM

**Congressional Districts**

State ID	District Code	District Official
35	2	Harry Teague

**Project Details**

The City of Las Cruces would like to obligate \$1,297,105 of FY12 5307 apportionment for use in transit operations. The City intends to use most of this project for operating assistance with a very small project to acquire major shop equipment and a small project to acquire some security cameras for RoadRUNNER Transit buildings.

Operating assistance will be used for the City fiscal budget year of July 1, 2012 to June 30, 2013.

A copy of the current New Mexico STIP is attached to this request in TEAM.

The bulk of operating expenses go to staff salaries and benefits. However, there are potential contracting opportunities that would involve this grant as noted below (total estimated cost for FY13), This information is also provided as an attachment to this grant request:

- Fuel - \$550,000 (part of a larger Citywide contract)
- Vehicle Parts (includes tires) - \$225,000
- Major vehicle servicing - \$50,000
- Vehicle Cleaning Contract - \$80,000
- Bus Shelter Cleaning Contract -\$45,000 (although we are strongly considering taking this in house in FY12).
- Bus Schedule Printing - \$12,000
- Janitorial Services (part of a larger City contract) - \$16,000
- Uniforms for drivers - \$14,000
- Minor office equipment and supplies - \$14,000
- Minor tools for vehicle maintenance (floor jacks, compressors, etc.)

-- Mike Bartholomew

**Earmarks**

**No information found.**

**Security**

Yes – We will expend 1% or more of the 5307 funds in this grant application for security purposes. Please list security-related projects in the project budget and summarize them in the non-add scope code 991.

**Part 3: Budget****Project Budget**

	Quantity	FTA Amount	Tot. Elig. Cost
<b>SCOPE</b>			
114-00 BUS: SUPPORT EQUIP AND FACILITIES	0	\$48,010.00	\$60,013.00
<b>ACTIVITY</b>			
11.42.06 ACQUIRE - SHOP EQUIPMENT	0	\$34,800.00	\$43,500.00

11.32.07 ACQUIRE - SURVEIL/SECURITY EQUIP	0	\$13,210.00	\$16,513.00
<u>SCOPE</u>			
300-00 OPERATING ASSISTANCE	0	\$1,249,095.00	\$2,498,190.00
<u>ACTIVITY</u>			
30.09.01 UP TO 50% FEDERAL SHARE	0	\$1,249,095.00	\$2,498,190.00
<b>Estimated Total Eligible Cost:</b>			<b>\$2,558,203.00</b>
<b>Federal Share:</b>			<b>\$1,297,105.00</b>
<b>Local Share:</b>			<b>\$1,261,098.00</b>

OTHER (Scopes and Activities not included in Project Budget Totals)

	<u>Quantity</u>	<u>FTA Amount</u>	<u>Tot. Elig. Cost</u>
<u>SCOPE</u>			
114-00 BUS: SUPPORT EQUIP AND FACILITIES	0	\$13,210.00	\$16,513.00
<u>ACTIVITY</u>			
11.32.07 ACQUIRE - SURVEIL/SECURITY EQUIP	0	\$13,210.00	\$16,513.00

**No Amendment Funding Source information is available for the selected project**

Alternative Fuel Codes

Extended Budget Descriptions

11.42.06	ACQUIRE - SHOP EQUIPMENT	0	\$34,800.00	\$43,500.00
This project will be for acquiring equipment for the maintenance shop.				
11.32.07	ACQUIRE - SURVEIL/SECURITY EQUIP	0	\$13,210.00	\$16,513.00
This project is to acquire security cameras for transit buildings. This reflects the 1% using of this funding for security projects.				
30.09.01	UP TO 50% FEDERAL SHARE	0	\$1,249,095.00	\$2,498,190.00

Operating funding for the City's FY2013.				
11.32.07	ACQUIRE - SURVEIL/SECURITY EQUIP	0	\$13,210.00	\$16,513.00
This project is to acquire security cameras for transit buildings. This reflects the 1% using of this funding for security projects.				

**Changes since the Prior Budget**

No information found.

**Part 4. Milestones**

11.42.06 ACQUIRE - SHOP EQUIPMENT 0 \$34,800 \$43,500

	Milestone Description	Est. Comp. Date
1.	RFP/IFB Issued This will be used to acquire equipment for the transit maintenance shop.	Dec. 31, 2012
2.	Contract Award	Mar. 01, 2013
3.	Contract Complete	Jun. 30, 2013

11.32.07 ACQUIRE - SURVEIL/SECURITY EQUIP 0 \$13,210 \$16,513

	Milestone Description	Est. Comp. Date
1.	RFP/IFB Issued This project will be fore security cameras for the transit buildings. It reflects a use of 1% of this funding for security projects.	Dec. 31, 2012
2.	Contract Award	Mar. 01, 2013
3.	Contract Complete	Jun. 30, 2013

30.09.01 UP TO 50% FEDERAL SHARE 0 \$1,249,095 \$2,498,190

	Milestone Description	Est. Comp. Date
1.	Final Expenditure Operating funding for city FY2013.	Jun. 30, 2013

11.32.07 ACQUIRE - SURVEIL/SECURITY EQUIP 0 \$13,210 \$16,513

	Milestone Description	Est. Comp. Date
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1.	RFP/IFB Issued	Dec. 31, 2012
	This project will be fore security cameras for the transit buildings. It reflects a use of 1% of this funding for security projects.	
2.	Contract Award	Mar. 01, 2013
3.	Contract Complete	Jun. 30, 2013

## Part 5. Environmental Findings

30000 OPERATING ASSISTANCE 0 \$1,249,095 \$2,498,190

### Finding No. 1 - Class II(c)

#### C16 - Program Admin. & Operating Assistance

Program administration, technical assistance activities, and operating assistance to transit authorities to continue existing service or increase service to meet routine changes in demand.

300901 UP TO 50% FEDERAL SHARE 0 \$1,249,095 \$2,498,190

### Finding No. 1 - Class II(c)

#### C16 - Program Admin. & Operating Assistance

Program administration, technical assistance activities, and operating assistance to transit authorities to continue existing service or increase service to meet routine changes in demand.

11400 BUS: SUPPORT EQUIP AND FACILITIES 0 \$48,010 \$60,013

### Finding No. 1 - Class II(c)

#### C19 - Install purchase maintenance equipment

Purchase and installation of operating or maintenance equipment to be located within the transit facility and with no significant impacts off the site.

114206 ACQUIRE - SHOP EQUIPMENT 0 \$34,800 \$43,500

### Finding No. 1 - Class II(c)

#### C19 - Install purchase maintenance equipment

Purchase and installation of operating or maintenance equipment to be located within the transit facility and with no significant impacts off the site.

<b>113207 ACQUIRE - SURVEIL/SECURITY EQUIP</b>	0	\$13,210	\$16,513
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Finding No. 1 - Class II(c)**C19 - Install purchase maintenance equipment**

Purchase and installation of operating or maintenance equipment to be located within the transit facility and with no significant impacts off the site.

<b>11400 BUS: SUPPORT EQUIP AND FACILITIES</b>	0	\$13,210	\$16,513
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Finding No. 1 - Class II(c)**C19 - Install purchase maintenance equipment**

Purchase and installation of operating or maintenance equipment to be located within the transit facility and with no significant impacts off the site.

<b>113207 ACQUIRE - SURVEIL/SECURITY EQUIP</b>	0	\$13,210	\$16,513
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Finding No. 1 - Class II(c)**C19 - Install purchase maintenance equipment**

Purchase and installation of operating or maintenance equipment to be located within the transit facility and with no significant impacts off the site.

**Part 6: Fleet Status**

No information found.

**Part 7. FTA Comments**General Review

Comment Title:	New Comment
Comment By:	Tony Ogboli
Date Created:	Aug. 14, 2012
Date Updated:	None Specified

Ref Section:	Unknown
Comment:	This grant meets all planning and environmental requirements.

### Comments to DOL

Comment Title:	New Comment
Comment By:	Tony Ogboli
Date Created:	Aug. 14, 2012
Date Updated:	None Specified
Ref Section:	Unknown
Comment:	<p>The Federal Transit Administration's (FTA) projected timetable for acting upon the subject grant is 35 days from the date of this application. In order to meet the timetable, Department of Labor certification is requested not later than two weeks prior to that date. Please establish a time schedule for negotiations pursuant to 29 DFR 215.3(d). Based on the time deadlines in the 12/7/95, DOL guidelines, please advise us of the 49 USC sec 5333(b) terms and conditions for inclusion in the grant contract.</p> <p>Person to notify at FTA: Tony Ogboli, Community Planner 819 Taylor Street Room 8A36 Forth Worth, TX 79102 Phone 817-978-0566 tony.ogboli@dot.gov</p> <p>Grantee Contact: Mike Bartholomew, RoadRUNNER Transit Administrator City of Las Cruces, NM Phone (575) 541-2500 MBartholomew@las-cruces.org</p>

## Part 8: Results of Reviews

The reviewer did not find any errors

## Part 9: Agreement

**UNITED STATES OF AMERICA  
DEPARTMENT OF TRANSPORTATION  
FEDERAL TRANSIT ADMINISTRATION**

**GRANT AGREEMENT  
(FTA G-18, October 1, 2011)**

On the date the authorized U.S. Department of Transportation, Federal Transit Administration (FTA) official's electronic signature is entered for this Grant Agreement, FTA has Awarded Federal assistance in support of the Project described below. Upon Execution of this Grant Agreement by the Grantee named below, the Grantee affirms this FTA Award, and enters into this Grant Agreement with FTA. The following documents are incorporated by reference and made part of this Grant Agreement:

- (1) "Federal Transit Administration Master Agreement," FTA MA(18), October 1, 2011,  
<http://www.fta.dot.gov/documents/18-Master.pdf>
- (2) The Certifications and Assurances applicable to the Project that the Grantee has selected and provided to FTA, and
- (3) Any Award notification containing special conditions or requirements, if issued.

FTA OR THE FEDERAL GOVERNMENT MAY WITHDRAW ITS OBLIGATION TO PROVIDE FEDERAL ASSISTANCE IF THE GRANTEE DOES NOT EXECUTE THIS GRANT AGREEMENT WITHIN 90 DAYS FOLLOWING THE DATE OF THIS FTA AWARD SET FORTH HEREIN.

#### FTA AWARD

FTA hereby awards a Federal grant as follows:

Project No: NM-90-X109-00

Grantee: CITY OF LAS CRUCES

Citation of Statute(s) Authorizing Project: 49 USC 5307 - Urbanized Area Formula (FY2006 forward)

Estimated Total Eligible Cost (in U.S. Dollars): \$2,558,203

Maximum FTA Amount Awarded [Including All Amendments] (in U.S. Dollars): \$1,297,105

Amount of This FTA Award (in U.S. Dollars): \$1,297,105

Maximum Percentage(s) of FTA Participation:

Percentages of Federal participation are based on amounts included in the Approved Project Budget, modified as set forth in the text following the Project Description.

U.S. Department of Labor Certification of Public Transportation Employee Protective Arrangements:

Original Project Certification Date:

Project Description:

5307 funds to be used for City FY13

The Project Description includes information describing the Project within the Project Application submitted to FTA, and the Approved Project Budget, modified by any additional statements displayed in this Grant Agreement, and, to the extent FTA concurs, statements in other documents including Attachments entered into TEAM-Web.

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**UNITED STATES OF AMERICA  
DEPARTMENT OF TRANSPORTATION  
FEDERAL TRANSIT ADMINISTRATION**

**SUPPLEMENTAL AGREEMENT  
(Attachment to FTA G-18, October 1, 2011)**

It is the practice of the Federal Transit Administration to enter into a formal agreement with the Designated Recipient for projects that the Designated Recipient does not carry out directly. Under this Grant Agreement, the Grant Recipient is not the Designated Recipient. Therefore, the Designated Recipient hereby agrees to permit the Grant Recipient under this Grant Agreement to receive and dispense the Federal assistance funds described in this Grant Agreement. The Designated Recipient further agrees that the Grant Recipient shall assume all responsibilities set forth in this Grant Agreement.

The Federal Government and the Grant Recipient under this Grant Agreement hereby agree that the Designated Recipient is not in any manner subject to or responsible for the terms and conditions of this Grant Agreement and is a party to this Grant Agreement only to assign the right to receive and dispense Federal funds to the Grant

Recipient as described above.