

STAFF REPORT

SUBJECT: Approval of Resolutions Authorizing LAVTA to Apply for Alameda County Transportation Commission 2026 Comprehensive Investment Program (CIP) Funding for the Atlantis Facility Construction and Rutan Facility Security Gate Replacement Project

FROM: Jennifer Yeamans, Senior Grants & Management Specialist

DATE: October 7, 2024

**Action Requested**

Approval of Resolutions 28-2024 and 29-2024, authorizing LAVTA to apply for 2026 Comprehensive Investment Program (CIP) funding for the Atlantis Facility Construction Project and the Rutan Facility Security Gate Replacement Project. These resolutions are required to submit with the funding applications to the Alameda County Transportation Commission (Alameda CTC).

**Background**

The Alameda County Transportation Commission’s Comprehensive Investment Program (CIP) is a multi-year capital improvement program of multi-modal transportation projects funded with revenues from Measure BB and other countywide funding sources administered by Alameda CTC. In May, the Alameda CTC approved its programming guidelines and schedule for the 2026 CIP. Alameda CTC’s fund estimate anticipates approximately \$100 million of new programming capacity for Alameda County for projects in the five-year horizon of FY2026 through FY2030, of which \$20 million in new programming is available countywide for discretionary transit projects. The minimum capital grant request size is \$500,000, the maximum is \$2 million. A minimum 25 percent local match is required for capital requests.

Eligible projects must be identified in Alameda CTC’s 2020 Countywide Transportation Plan, which Alameda CTC intends to prioritize in the 2026 CIP based on the following weighted criteria:

- 40% Project Readiness
- 50% Need and Benefits (including general benefits, access improvements, and safety benefits)
- 10% Matching Funds

**Discussion**

LAVTA staff have identified two transit infrastructure priorities to apply for:

1. Atlantis Facility Construction (\$2,000,000)
2. Rutan Facility Security Gate Replacement (\$671,250)

LAVTA’s Atlantis Facility project is included in ACTC’s 2020 Countywide Transportation Plan on its 10-Year Priority Project List (Project #59) and received \$3 million in new Discretionary Transit Program funding in the 2024 CIP programmed in 2022. Consistent with and continuing recent focused efforts, LAVTA staff intends to continue advancing the high-priority Atlantis Facility Construction project by increasing the amount and share of local funding commitments to leverage toward highly competitive large state and federal programming opportunities that remain unsecured but which will be needed to complete the project scope, as detailed further below.

Additionally, LAVTA staff has identified an emergent need to replace the bus entry/exit security gate at the Rutan facility. The automatic gate is currently failing and requires a full replacement including reconstruction of part of the reinforced-concrete driveway to ensure continued safety, security, and efficient operations and service delivery out of LAVTA’s existing Rutan facility.

Of the \$20 million Alameda CTC estimates will be available for countywide programming to transit projects, LAVTA is requesting a total of \$2,671,250 to advance the two funding plans shown below, including the provision of the required local match.

**Fiscal Impact**

The funding requests for the two projects including required local match are as follows:

***Atlantis Facility Construction***

Status	Source	Funding (\$000s)	
		\$	%
Committed Funding	TDA 4.0 (LAVTA FY25 budget)	\$12,873	15%
	ACTC 2024 CIP	\$3,000	6%
	2024 State Transportation Improvement Program (STIP)	\$5,180	4%
	<i>Subtotal Committed</i>	<i>\$20,933</i>	<i>25%</i>
Under Consideration	FY23-24 Low Carbon Transportation Operations Program (LCTOP)	\$670	1%
	Cycle 7 State Transit and Intercity Rail Capital Program (TIRCP)	\$43,140	52%
	ACTC 2026 CIP (Current request)	\$2,000	2%
	<i>Subtotal Under Consideration</i>	<i>\$45,810</i>	<i>55%</i>
Future/Unsecured	All sources (federal, state, local discretionary)	\$16,383	20%
	<i>Subtotal Future/Unsecured</i>	<i>\$16,383</i>	<i>20%</i>
All Sources	<b>Total</b>	<b>\$83,126</b>	<b>100%</b>

***Rutan Facility Security Gate Replacement***

Fund Source	Amount	%
Alameda CTC 2026 CIP	\$671,250	75%
TDA	\$223,750	25%
<b>Total</b>	<b>\$895,000</b>	<b>100%</b>

**Recommendation**

The Finance & Administration Committee recommends the Board of Directors approve Resolutions 28-2024 and 29-2024, authorizing LAVTA to apply to for Alameda CTC 2026 CIP funding for the Atlantis Facility Construction Project and the Rutan Facility Security Gate Replacement Project.

**Attachments:**

1. Resolution 28-2024 Authorizing the Filing of an Application for Alameda County Transportation Commission Administered Funding for the Atlantis Facility Construction Project and Committing Any Necessary Matching Funds and Stating Assurances to Complete the Project
2. Resolution 29-2024 Authorizing the Filing of an Application for Alameda County Transportation Commission Administered Funding for the Rutan Facility Security Gate Replacement Project and Committing Any Necessary Matching Funds and Stating Assurances to Complete the Project

**RESOLUTION NO. 28-2024**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE  
LIVERMORE AMADOR VALLEY TRANSIT AUTHORITY  
AUTHORIZING THE FILING OF AN APPLICATION FOR ALAMEDA  
COUNTY TRANSPORTATION COMMISSION ADMINISTERED FUNDING  
FOR THE ATLANTIS FACILITY CONSTRUCTION PROJECT AND  
COMMITTING ANY NECESSARY MATCHING FUNDS AND STATING  
ASSURANCES TO COMPLETE THE PROJECT**

**WHEREAS**, the Alameda County Transportation Commission (“Alameda CTC”) administers funding programs for projects and programs that benefit the Alameda County transportation system, consisting of 2000 Measure B, 2010 Vehicle Registration Fee (“VRF”), 2014 Measure BB, Congestion Management Agency Transportation Improvement Program (CMA-TIP), and Transportation Fund for Clean Air Programs, and such funding is collectively defined as and shall be referenced herein as the “Alameda CTC Administered Funds”; and

**WHEREAS**, the Alameda CTC adopted 2026 Comprehensive Investment Plan (“CIP”) Guidelines at its Commission meeting on May 23, 2024 which includes procedures governing the 2026 CIP application process, programming guidelines, and eligible uses of Alameda CTC Administered Funds; and

**WHEREAS**, the Livermore Amador Valley Transit Authority (LAVTA or (“Applicant”) is the project sponsor for the Atlantis Facility Construction Project (“Project”)]; and

**WHEREAS**, the Project will construct necessary facility improvements at 875 Atlantis Court, known as LAVTA’s Atlantis Maintenance Facility, to replace existing aging, insufficient facilities at the end of their useful life and accommodate its transition to and future expansion of a 100% Fuel Cell Electric Bus (FCEB) fleet, which will include a 34,000-square-foot maintenance building, a 22,000-square-foot administration and operations building, related sitework and electrical improvements, and landscaping; and

**WHEREAS**, as the Project Sponsor, Applicant has the legal authority to apply for funding for Project and plans to submit a 2026 CIP application (“Application”) to Alameda CTC for \$2,000,000; and

**WHEREAS**, there are no legal impediments to Applicant applying for funding and there is no active, pending or threatened litigation that may adversely affect the proposed Project or the ability of Applicant to deliver such Project; and

**WHEREAS**, Applicant authorizes its Executive Director or designee to execute and file an application with Alameda CTC for discretionary Alameda CTC Administered Funds for the Project as referenced in this Resolution; and

**WHEREAS**, as part of the requirements to apply and receive Alameda CTC Administered Funds, Alameda CTC requires a resolution adopted by the responsible implementing agency stating the following:

1. Applicant will implement the Project as described in the Application; and
2. Applicant will have adequate staffing resources to deliver and complete the Project within the time period identified in the Application; and
3. Applicant understands it will enter into a Project Funding Agreement (“Agreement”) with Alameda CTC, and will comply with the Agreement’s requirements, including adherence to the agreed upon project scope, project delivery milestones, funding deadlines, project reporting and deliverable deadlines; and
4. Applicant is committed to deliver the Project consistently with the Commission approved CIP Programming Guidelines and CIP policies, as they may change, for the funds awarded by the Commission to the Project; and
5. Applicant is committed to secure matching funds as proposed in the Application required for awarded Alameda CTC Administered Funds, by phase; and
6. Applicant is committed to provide any additional funding that may be required beyond the original proposed Application match amount to deliver the phase of the Project that is awarded with Alameda CTC Administered Funds; and
7. Applicant understands that Alameda CTC Administered Funds awarded to the Project is limited to the Commission approved programmed amount by phase, and therefore any cost increases or unexpected funding shortfalls cannot be expected to be funded by shifting funds between phases, or by requesting additional Alameda CTC Administered Funds; and
8. Applicant understands that any cost savings in the Alameda CTC-funded phase(s) will be shared proportionally between Applicant and Alameda CTC; and
9. Applicant is committed to comply with the applicable requirements set forth in Alameda CTC’s Local Business Contract Equity (“LBCE”) Program and related exhibits, as applicable, for professional services and construction contracts funded with Measure B, Measure BB, and/or VRF funds, such as including LBCE Program goal(s) and provisions in applicable solicitations and resulting contracts, providing timely notification to Alameda CTC of applicable solicitations prior to advertisement, and adhering to reporting requirements.

**NOW, THEREFORE, BE IT RESOLVED** that Applicant is authorized to file an Application to Alameda CTC for funding for the Project; and be it further

**RESOLVED** that Applicant hereby confirms that there is no pending or threatened litigation that might in any way adversely affect Applicant’s ability to implement and deliver the proposed Project; and be it further

**RESOLVED** that Applicant authorizes its Executive Director or designee to execute the funding Agreement with Alameda CTC; and be it further

**RESOLVED** that Applicant shall provide Alameda CTC with a fully-executed copy of this Resolution concurrently with submittal of the Application; and be it further

**RESOLVED** that the Board of Directors of Applicant, by adopting this resolution, hereby confirms that:

1. Applicant will commit to implementing the Project as described in the Application; and
2. Applicant will have adequate staffing resources to deliver and complete the Project within the time period identified in the application; and
3. Applicant understands it will enter into an Agreement with Alameda CTC, and will comply with the Agreement 's requirements, including adherence to the completion of the agreed upon project scope, project delivery milestones, funding deadlines, project reporting and deliverable deadlines; and
4. Applicant commits to delivering the Project consistently with the Commission approved CIP Programming Guidelines and CIP policies, as they may change, for the funds awarded by the Commission to the Project; and
5. Applicant will commit matching funds as proposed in the Application against the awarded Alameda CTC Administered Funds by phase in the amount(s) of \$666,667, anticipated to be from federal, state and/or local source(s); and
6. Applicant will provide any additional funding that may be required beyond the original proposed Application match amount to deliver the phase of the Project that is awarded with Alameda CTC Administered Funds; and
7. Applicant understands that Alameda CTC Administered Funds awarded to the Project are limited to the Commission approved programmed amount by phase, and therefore any cost increases or unexpected funding shortfalls cannot be expected to be funded by shifting funds between phases, or by requesting additional Alameda CTC Administered Funds; and
8. Applicant understands that any cost savings in the Alameda CTC-funded phase(s) will be shared proportionally between Applicant and Alameda CTC; and
9. Applicant will comply with the applicable requirements set forth in Alameda CTC's Local Business Contract Equity ("LBCE") Program and related exhibits, as applicable, for professional services and construction contracts funded with Measure B, Measure BB, and/or VRF funds, such as including LBCE Program goal(s) and provisions in applicable solicitations and resulting contracts, providing timely notification to Alameda CTC of applicable solicitations prior to advertisement, and adhering to reporting requirements.

**PASSED AND ADOPTED THIS 7th DAY OF OCTOBER 2024.**

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Evan Branning, Vice Chair

APPROVE AS TO FORM

ATTEST

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Michael Conneran, Legal Counsel

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Christy Wegener, Executive Director

**RESOLUTION NO. 29-2024**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE  
LIVERMORE AMADOR VALLEY TRANSIT AUTHORITY  
AUTHORIZING THE FILING OF AN APPLICATION FOR ALAMEDA  
COUNTY TRANSPORTATION COMMISSION ADMINISTERED FUNDING  
FOR THE RUTAN FACILITY SECURITY GATE REPLACEMENT PROJECT  
AND COMMITTING ANY NECESSARY MATCHING FUNDS AND STATING  
ASSURANCES TO COMPLETE THE PROJECT**

**WHEREAS**, the Alameda County Transportation Commission (“Alameda CTC”) administers funding programs for projects and programs that benefit the Alameda County transportation system, consisting of 2000 Measure B, 2010 Vehicle Registration Fee (“VRF”), 2014 Measure BB, Congestion Management Agency Transportation Improvement Program (CMA-TIP), and Transportation Fund for Clean Air Programs, and such funding is collectively defined as and shall be referenced herein as the “Alameda CTC Administered Funds”; and

**WHEREAS**, the Alameda CTC adopted 2026 Comprehensive Investment Plan (“CIP”) Guidelines at its Commission meeting on May 23, 2024 which includes procedures governing the 2026 CIP application process, programming guidelines, and eligible uses of Alameda CTC Administered Funds; and

**WHEREAS**, the Livermore Amador Valley Transit Authority (LAVTA or (“Applicant”) is the project sponsor for the Atlantis Facility Construction Project (“Project”)]; and

**WHEREAS**, the Project will replace the failing security gate at LAVTA’s Rutan maintenance facility; and

**WHEREAS**, as the Project Sponsor, Applicant has the legal authority to apply for funding for Project and plans to submit a 2026 CIP application (“Application”) to Alameda CTC for \$671,250; and

**WHEREAS**, there are no legal impediments to Applicant applying for funding and there is no active, pending or threatened litigation that may adversely affect the proposed Project or the ability of Applicant to deliver such Project; and

**WHEREAS**, Applicant authorizes its Executive Director or designee to execute and file an application with Alameda CTC for discretionary Alameda CTC Administered Funds for the Project as referenced in this Resolution; and

**WHEREAS**, as part of the requirements to apply and receive Alameda CTC Administered Funds, Alameda CTC requires a resolution adopted by the responsible implementing agency stating the following:



1. Applicant will implement the Project as described in the Application; and
2. Applicant will have adequate staffing resources to deliver and complete the Project within the time period identified in the Application; and
3. Applicant understands it will enter into a Project Funding Agreement (“Agreement”) with Alameda CTC, and will comply with the Agreement’s requirements, including adherence to the agreed upon project scope, project delivery milestones, funding deadlines, project reporting and deliverable deadlines; and
4. Applicant is committed to deliver the Project consistently with the Commission approved CIP Programming Guidelines and CIP policies, as they may change, for the funds awarded by the Commission to the Project; and
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4. Applicant commits to delivering the Project consistently with the Commission approved CIP Programming Guidelines and CIP policies, as they may change, for the funds awarded by the Commission to the Project; and
5. Applicant will commit matching funds as proposed in the Application against the awarded Alameda CTC Administered Funds by phase in the amount(s) of \$223,750, anticipated to be from local sources; and
6. Applicant will provide any additional funding that may be required beyond the original proposed Application match amount to deliver the phase of the Project that is awarded with Alameda CTC Administered Funds; and
7. Applicant understands that Alameda CTC Administered Funds awarded to the Project are limited to the Commission approved programmed amount by phase, and therefore any cost increases or unexpected funding shortfalls cannot be expected to be funded by shifting funds between phases, or by requesting additional Alameda CTC Administered Funds; and
8. Applicant understands that any cost savings in the Alameda CTC-funded phase(s) will be shared proportionally between Applicant and Alameda CTC; and
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**PASSED AND ADOPTED THIS 7th DAY OF OCTOBER 2024.**

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Evan Branning, Vice Chair

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