



**RESOURCE
MANAGEMENT AGENCY
COUNTY OF TULARE
AGENDA ITEM**

BOARD OF SUPERVISORS

KUYLER CROCKER
District One

PETE VANDER POEL
District Two

AMY SHUKLIAN
District Three

EDDIE VALERO
District Four

DENNIS TOWNSEND
District Five

AGENDA DATE: December 17, 2019

Public Hearing Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Scheduled Public Hearing w/Clerk	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Published Notice Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Advertised Published Notice	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Meet & Confer Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Electronic file(s) has been sent	Yes	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Budget Transfer (Aud 308) attached	Yes	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Personnel Resolution attached	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Agreements are attached and signature line for Chairman is marked with tab(s)/flag(s)	Yes	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
CONTACT PERSON: Celeste Perez PHONE: (559) 624-7010				

SUBJECT: Measure R Program Supplement Agreement with the Tulare County Association of Governments for Matching Funds to Purchase Buses

REQUEST(S):
That the Board of Supervisors:

1. Approve the Measure R Program Supplement to Cooperative Agreement between the County of Tulare and the Tulare County Association of Governments to partially fund the purchase of three (3) buses in an amount not to exceed \$671,538; and
2. Authorize the Chairman of the Board of Supervisors to sign the Measure R Program Supplement on behalf of Tulare County; and
3. Approve the necessary budget adjustments per the attached AUD 308 (4/5ths vote required).

SUMMARY:
On May 22, 2007, Tulare County entered into an updated agreement (Tulare County Agreement No. 23149) with the Tulare County Association of Governments (TCAG) to utilize revenue collected under Measure R for local and regional transportation projects. The application of these funds to a particular project requires a Program Supplement agreement between the County and TCAG.

The proposed Program Supplement would provide for \$671,538 to be used as a local match for the purchase of buses under the FTA Section 5339 program, for which the County was previously awarded a competitive grant.

Section 5339 of the Federal Transit Act provides for a competitive federal grant, here administered through the California Department of Transportation (Caltrans), for public transportation projects, such as funding to replace, rehabilitate and

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DATE: December 17, 2019

purchase buses, vans, and related equipment and to construct bus-related facilities. On May 23, 2017, your Board approved a grant application under this program for the purchase of three buses to replace Buses 7121, 7122, & 7124 that have reached their useful life as part of the transit fleet (Resolution 2017-0386). In the grant application, the three (3) buses were to be replaced with one (1) 35-ft CNG bus for \$465,213 and two (2) <30-ft CNG cutaway type buses for \$195,638 each for a total of \$856,489. Staff also requested the use of Toll Credits to cover the local match of 11.47%.

After award, the County entered into TC Agreement No. 28867, which also was labeled State Agreement No. 64GC17-00486, to provide for reimbursement for the purchase of the buses as originally intended. This agreement provided for \$728,015 of 5339 funds and \$128,474 of toll credits for a total of \$856,489 and has since expired.

While working through the CalACT/MBTA cooperative ordering process, the County was informed that the two cutaway type buses would no longer be available as the manufacturer had discontinued the necessary chassis. Staff then worked with the State, who agreed to make the same grant award, including toll credits, available for the purchase of three (3) replacement 35-ft CNG bus if the County could provide for the additional costs of the more expensive buses. The three (3) replacement 35-ft CNG buses are now quoted at \$465,585 each plus taxes and fees, for a total of \$1,528,027. As such, the County would need to provide for an additional \$671,538 to cover the purchase of these items, which the proposed Program Supplement would provide using Measure R Capital funds. Approximately \$1.2 million in Measure R Capital funds are available to the County for the purchase of five (5) new buses, which may also be used as a local match for the purchase of buses using grant funds.

Caltrans has since issued a new agreement, which is also labeled State Agreement No. 64GC17-00486, to allow for the purchase of three (3) replacement 35-ft CNG buses while still providing a maximum of \$856,489, which consists of \$728,015 of 5339 funds and \$128,474 of toll credits. This agreement was approved by Resolution 2019-0990 and is TC Agreement No. 29496.

The buses will be procured through the CalACT/MBTA bus purchase cooperative. Delivery of the buses is expected to take 6-8 months.

FISCAL IMPACT/FINANCING:

There will be No Net County Cost to the General Fund.

This is a Program Supplement with TCAG to reimburse the County for up to \$671,538 of transit capital expenses incurred for the purchase of three buses. These funds will be used for the purchase of three (3) replacement 35-ft CNG buses for \$1,511,987 total including tax. Federal and state reimbursement under TC Agreement No. 29496 with Caltrans will provide a total of \$856,489.

SUBJECT: Measure R Program Supplement Agreement with the Tulare County Association of Governments for Matching Funds to Purchase Buses

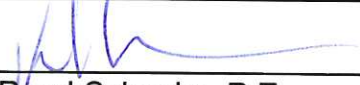
DATE: December 17, 2019

An AUD308 has been attached, as the budget originally did not anticipate the County needing or receiving Measure R Capital funds during this fiscal year.

LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:

This program links to Strategic Initiative 1: Safety and Security includes the goal of improving and maintaining adequate transportation infrastructure. The proposed action meets this initiative by allowing receipt of federal funds for use in providing public transportation.

ADMINISTRATIVE SIGN-OFF:



Reed Schenke, P.E.
Director

Cc: County Administrative Office

Attachment(s): (A) Measure R Program Supplement for funds towards the purchase of three buses
(B) AUD 308

**BEFORE THE BOARD OF SUPERVISORS
COUNTY OF TULARE, STATE OF CALIFORNIA**

IN THE MATTER OF MEASURE R)
PROGRAM SUPPLEMENT AGREEMENT) Resolution No. _____
WITH THE TULARE COUNTY) Agreement No. _____
ASSOCIATION OF GOVERNMENTS FOR)
MATCHING FUNDS TO PURCHASE BUSES)

UPON MOTION OF SUPERVISOR _____, SECONDED BY
SUPERVISOR _____, THE FOLLOWING WAS ADOPTED BY THE
BOARD OF SUPERVISORS, AT AN OFFICIAL MEETING HELD DECEMBER 17,
2019, BY THE FOLLOWING VOTE:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST: JASON T. BRITT
COUNTY ADMINISTRATIVE OFFICER/
CLERK, BOARD OF SUPERVISORS

BY: _____
Deputy Clerk

* * * * *

1. Approved the Measure R Program Supplement to Cooperative Agreement between the County of Tulare and the Tulare County Association of Governments to partially fund the purchase of three (3) buses in an amount not to exceed \$671,538; and
2. Authorized the Chairman of the Board of Supervisors to sign the Measure R Program Supplement on behalf of Tulare County; and
3. Approved the necessary budget adjustments per the attached AUD 308 (4/5ths vote required).

Attachment “A”

Measure R Program Supplement for funds towards the purchase of three buses

MEASURE R PROGRAM SUPPLEMENT TO COOPERATIVE AGREEMENT

AUTHORITY Agreement No. _____

This Program Supplement is made and entered into on _____, by and between the County of Tulare (SPONSOR) and the Tulare County Association of Governments, acting as the Local Transportation Authority (AUTHORITY).

This Program Supplement hereby incorporates the “Measure R Cooperative Agreement” (Tulare County Agreement No. 23149) for Measure R Expenditures which was entered into between the SPONSOR and AUTHORITY on May 22, 2007 and is subject to all terms and conditions thereof.

This Program Supplement is executed under authority of Resolution No. _____, dated _____.

This Program Supplement is sought in order to fund a portion of the purchase of (3) three CNG Buses with additional funds from the Federal Transit Administration (FTA) Section 5339 grant program and toll credits. The project cost to the Authority for this agreement is not to exceed \$671,538.

Project scope, costs, and schedule are incorporated herein as Attachment “A” and agreed upon by Sponsor and Authority for Project: Purchase of (3) three CNG Buses.

Tulare County Agreement No. _____

Covenants of SPONSOR

- 1.1 This Program Supplemental agrees that it will only proceed with work authorized for specific phase(s) with written “Authorization to Proceed” or AUTHORITY action and will not proceed with future phase(s) of this project(s) prior to receiving a written “Authorization to Proceed” or AUTHORITY Action.
- 1.2 The SPONSOR will advertise, award, and administer the project(s) in accordance with SPONSOR standards, which may include participation in the CalACT/MBTA Purchasing Cooperative.
- 1.3 Award information shall be submitted by the SPONSOR to the AUTHORITY with 60 days after the project contract award.
- 1.4 Failure to submit award information in accordance with section 1.3 will cause a delay (without interest or penalties) in AUTHORITY processing invoices for the purchase.
- 1.5 If no costs have been invoiced for a six month period, SPONSOR agrees to submit for each phase a written explanation of the absence of project(s) activity along with target billing date and target billing amount.

AUTHORITY Agreement No. _____

IN WITNESS WHEREOF, the undersigned parties have executed this Agreement on the day and year first written above.

Tulare County Association of
Governments/Local Transportation Authority

ATTEST: Secretary/Clerk
Tulare County Association of
Government/Local Transportation
Authority

By: _____
Executive Director

By: _____


COUNTY OF TULARE

ATTEST: JASON T. BRITT
County Administrative Officer/Clerk
of the Board of Supervisors

By: _____
Chairman
Tulare County Board of Supervisors

By: _____
Deputy Clerk

APPROVED AS TO FORM
COUNTY COUNSEL

By:  _____
Deputy
20191827

Tulare County Agreement No. _____

MEASURE R PROGRAM SUPPLEMENT TO COOPERATIVE AGREEMENT

AUTHORITY Agreement No. _____

Attachment A

Project Name: Purchase of (3) three CNG Buses

Project Scope

The scope of work for this project will be the procurement of (3) 35 foot, CNG large buses. The cost of the large bus is \$509,342 including taxes and fees and the total purchase cost will be \$1,528,027. Federal reimbursement will be \$728,015. Caltrans will be providing Toll Credits of \$128,474 to cover this local match. Staff will be utilizing Measure R capital for the remainder of the \$671,538.

Project Schedule

Procurement of these buses may take between 9 months to 1 year after receiving an executed standard agreement from Caltrans. Project completion is estimated for the end of 2020.

Sources and Use of Funds

5339 Federal Funds	Toll Credits	Measure R Funds	Total Funds
\$728,015	\$128,474	\$671,538	\$1,528,027

**Budgets are approximate. Total project cost to AUTHORITY shall not exceed \$671,538.*

Tulare County Agreement No. _____

Attachment “B”

AUD 308

County of Tulare — Auditor Controller Budget Adjustment Form

11:28 AM

11/26/19							6/20	2020		
Date				Document ID Number			Accounting Period	Budget Fiscal Year		
				TRANSIT			SHERMAN DIX	624-7000		
				Agency Name			Contact Person	Phone	Extension	
Action** A,C,D	Fund	Dept	Appr #	LEVEL 1 Finish Here			Current Amount	Revised Amount	Inc / Dec Amt	
C	040	220	220CAP				856,489	1,531,489	675,000	
									-	
									-	
									-	
									-	
									-	
									-	
									-	
									-	
									-	
Appropriations Total				<i>Need Not Equal Zero</i>			856,489	1,531,489	675,000	
Action** A,C,D	Fund	Dept	Appr #	Unit	Object	Rev	LEVEL 2 Start Here	Current Amt	Revised Amount	Inc / Dec Amt
C	040	220	220CAP	2100	8345			856,489	1,531,489	675,000
C	040	220		2100		4041		741,000	1,416,000	(675,000)
										-
										-
										-
										-
										-
										-
										-
										-
										-
										-
										-
										-
										-
										-
Line Total				<i>Must Equal Zero</i>				\$ 1,597,489	\$ 2,947,489	\$ -

Reason for Adjustment (To Avoid Correspondence, State Reason in Detail)

Previously budgeted CNG buses are no longer manufactured. Additional funding was found to cover the cost of newer and larger buses, but budget adjustment was necessary.



_____ Affected Dept Head Signature

_____ Other Affected Dept Head Signature

Checked By: _____
 County Executive Office Action: No. _____ Date: _____
 () Approved () Disapproved

Entered By: _____
 Date: _____
 Distribution: 1: BOS/CAO/Auditor

By: _____
 Board of Supervisors Action: No. _____ Date: _____

**** Action Codes: A=Add, C=Change, D=Deactivate**
 * Whenever a 93XX account budget is adjusted, a corresponding 94XX account budget must be adjusted in the billing agency, **except for ISFs**
 * Whenever a 95XX account budget is adjusted, a corresponding 96XX account budget must be adjusted in the billing agency, and vice versa
 * Whenever a 97XX account budget is adjusted, a corresponding 98XX account budget must be adjusted in the billing agency, and vice versa