

**ALAMEDA-CONTRA COSTA TRANSIT DISTRICT
RESOLUTION NO. 23-047**

**A RESOLUTION AUTHORIZING THE GENERAL MANAGER OR HIS DESIGNEE TO ACCEPT
FUNDING FROM THE ALAMEDA COUNTY TRANSPORTATION COMMISSION FOR THE
FRUITVALE CORRIDOR TRANSIT SIGNAL PRIORITY 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, 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-Contra Costa Transit District (District) submitted a funding application (Application) to Alameda County Transportation Commission (Alameda CTC) for the Fruitvale Corridor Transit Signal Priority (TSP) (Project); and

WHEREAS, the Project will install TSP signal improvements and associated controllers, radios, phase selectors, cable and other associated equipment at every signalized intersection along Fruitvale Avenue between MacArthur Blvd and E 9th as well as San Leandro Street leading into Fruitvale BART, and E 12th Street into 29th Avenue; and

WHEREAS, by action of the Alameda CTC Commission at its meeting held on May 25, 2023, Alameda CTC awarded \$1,723,000 in Alameda CTC Administered Funds to the District for the implementation and delivery of the planning, preliminary engineering, final design and construction phases (Awarded Phases) of the Project; and

WHEREAS, prior to receipt of any Alameda CTC Administered Funds, the District shall be required to enter into a Project Funding Agreement with Alameda CTC for the Project (Agreement) based on Alameda CTC’s form, which Agreement shall set forth certain project-specific requirements applicable to the Project; and

WHEREAS, as part of the requirements to receive Alameda CTC Administered Funds awarded to the Project, Alameda CTC requires a resolution accepting the awarded funding to be adopted by the District’s governing body confirming the following:

1. The District’s commitment to secure matching funds against the awarded Alameda CTC Administered Funds; and
2. The District’s commitment to provide any additional funding required to deliver the Awarded Phases of Project with an understanding the same shall not be funded with additional Alameda CTC Administered Funds; and
3. The District’s commitment to implement the Awarded Phases of Project as described in the funding application and the subsequent funding agreement between Alameda CTC and the District; and
4. The District’s commitment to comply with the Agreement; and
5. The District’s commitment to comply with the applicable requirements set forth in Alameda

CTC's Local Business Contract Equity (LBCE) Program for professional services and construction contracts funded with Measure B, Measure BB, and/or VRF funds, and abide by the LBCE procedures in the applicable solicitations and contracts.

NOW THEREFORE, the Board of Directors of the Alameda-Contra Costa Transit District does resolve as follows:

Section 1. The District will provide a minimum of \$3,244,000 in matching funds for the Project anticipated to be from Federal and Local sources.

Section 2. The District understands that the District shall be responsible to provide any additional funding required to deliver the Awarded Phases of the Project and the same shall not be funded with additional Alameda CTC Administered Funds.

Section 3. The Awarded Phases of the Project will be implemented as described in the Application, Agreement, and in this resolution.

Section 4. The District will comply with the Agreement.

Section 5. The District will comply with the applicable requirements set forth in the Alameda CTC's LBCE Program.

Section 6. The District confirms that there is no pending or threatened litigation that might in any way adversely affect the District's ability to implement and deliver the proposed Project.

Section 7. The District authorizes its General Manager, or designee to execute the agreement.

Section 8. The District shall provide Alameda CTC with a fully executed copy of this resolution.

Section 9. This resolution shall become effective immediately upon its passage by four affirmative votes of the Board of Directors.

PASSED AND ADOPTED this 13th day of December 2023.

Joel B. Young
President

Attest:

Linda A. Nemeroff
Board Administrative Officer/District Secretary

I, Linda A. Nemeroff, District Secretary for the Alameda-Contra Costa Transit District, do hereby certify that the foregoing Resolution was passed and adopted at a regular meeting of the Board of Directors held on the 13th day of December, 2023, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Linda A. Nemeroff
Board Administrative Officer/District Secretary

Approved as to Form and Content:

Jill Sprague
General Counsel/Chief Legal Officer