

**Alameda County Transportation Commission
Implementation Guidelines for
the Mass Transit Program Funded through
Measure B and Vehicle Registration Fees**
(Adopted December 16, 2011)

Section 1. Purpose

- A. To delineate eligible uses of Mass Transit funds authorized under Alameda County Transportation Commission Master Program Funding Agreements, these implementation guidelines have been developed to specify the requirements that local jurisdictions must follow in their use of Measure B pass-through funds and Measure B and Vehicle Registration Fees (VRF) discretionary funds. These guidelines are incorporated by reference in the Master Program Funding Agreements. All other terms and conditions for programs are contained in the agreements themselves. The intent of the implementation guidelines is to:
1. Provide guidance on Mass Transit funds eligible uses and expenditures.
 2. Define the terms in the Master Program Funding Agreements.
 3. Guide Mass Transit Program implementation.

Section 2. Authority

- A. These Implementation Guidelines have been adopted by the Alameda County Transportation Commission and set forth eligible uses and expenditures for the Mass Transit funds. The Alameda CTC may update these guidelines on an as-needed basis and will do so with involvement of its technical and community advisory committees (as applicable). Exceptions to these guidelines must be requested in writing and be approved by the Alameda CTC Board.

Section 3. Background

- A. Alameda CTC developed Implementation Guidelines for the Mass Transit funds to clarify eligible fund uses and expenditures in association with new, 10-year Master Program Funding Agreements for the November 2000 voter-approved Measure B pass-through funds. The Expenditure Plan allocates 21.92 percent overall of Measure B funds for Mass Transit programs and projects. The original program funding agreements for Measure B pass-through funds expired in spring 2012, and Alameda CTC put in place the new Master Program Funding Agreements to continue fund allocations for the remaining term of Measure B funds allocations through June 2022. In addition, the Master Program Funding Agreements include a new local, voter-approved revenue stream, the Vehicle Registration Fee (VRF), which will provide approximately \$11 million per year for transportation improvements throughout the County. The VRF includes 25 percent of net revenues for a Mass Transit Program. These Implementation Guidelines define the eligible uses and allocation process for the Measure B and VRF Mass Transit funds and reflect new policies approved by the Alameda CTC.

Section 4. Definition of Terms

- A. **Alameda CTC:** The Alameda County Transportation Commission is a Joint Powers Authority created by the merger of the Alameda County Congestion Management Agency, which performed long-range planning and funding for countywide transportation projects and programs, and the Alameda County Transportation Improvement Authority, which administered the voter-approved, half-cent transportation sales taxes in Alameda County (the Measure B sales tax programs approved in 1986 and 2000).
- B. **Capital project:** A capital investment that typically requires the following phases: planning/feasibility, scoping, environmental clearance, design, right-of-way, construction, and completion.
- C. **Construction:** Construction of a new capital project, including development of preliminary engineering and construction documents, including plans, specifications, and estimates (PS&E).
- D. **Cost Allocation Plans (CAPs):** CAPs and indirect cost (IDC) rate proposals are plans that provide a systematic manner to identify, accumulate, and distribute allowable direct and indirect costs to Mass Transit programs funded through the Alameda CTC Master Program Funding Agreements.
- E. **Direct cost:** A cost completely attributed to the provision of a service, operations, a program, a capital cost, or a product. These costs include documented hourly project staff labor charges (salaries, wages, and benefits) that are directly and solely related to the implementation of Alameda CTC-funded Mass Transit projects, consultants, and materials. These funds may be used for travel or training if they are directly related to the implementation of the Mass Transit funds.
- F. **Education and promotion:** Marketing, education, information, outreach, and promotional campaigns and programs.
- G. **Environmental documents:** Preparation of environmental documents, such as those related to the California Environmental Quality Act (CEQA) or the National Environmental Policy Act (NEPA), or permits required by state or federal permitting agencies.
- H. **Equipment and new vehicles:** Purchase or lease of vehicles. Equipment for service improvements, such as information dissemination, fare collection, etc.
- I. **Express bus service:** Either of these types of rapid bus service:
 - 1. Service within zones with a defined pick-up area, nonstop express bus service, and a defined drop-off zone.
 - 2. Service that provides a simple route layout, has frequent service and fewer stops than regular fixed route service, and may include level boarding, bus priority at traffic signals, signature identification of the rapid buses such as color-coded buses and stops, and enhanced stations.

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- J. **Grants:** Funding for plans, programs, or projects based on a competitive call for projects; evaluated based on adopted evaluation criteria; and allocated based on a reimbursement basis.
- K. **Indirect cost:** Also known as “overhead,” any cost of doing business other than direct costs. These costs include utilities, rent, administrative staff, officers’ salaries, accounting department costs, and personnel department costs, which are requisite for general operation of the organization but are not directly allocable to a particular service or product.
- L. **Maintenance:** Repairs, renovation, or upgrade of existing facility or infrastructure.
- M. **Measure B:** Alameda County’s half-cent transportation sales tax, originally approved in 1986, and reauthorized by voters in November 2000. Collection of the sales tax began on April 1, 2002. Administered by the Alameda CTC, Measure B funds four types of programs in 20 local jurisdictions: bicycle and pedestrian, local streets and roads, mass transit, and paratransit.
- N. **Operations:** Provision of services that operate transportation facilities and programs. Operations costs do not include the costs to operate community outreach or other programs not directly related to a specific transportation service, program, or product.
- O. **Pass-through funds:** Funds allocated based on a funding formula (such as population, registered vehicles, roadmiles, or a combination thereof) defined in a voter-approved measure and provided to eligible jurisdictions on a regularly scheduled basis (such as a regular monthly payment).
- P. **Planning:** Identification of project and program current conditions and needs and development of strategies and plans to address the identified needs.
- Q. **Planning area:** Four geographical sub-areas of the county (Planning Areas 1, 2, 3, and 4). The sub-areas of the county are defined by the Alameda CTC as follows:
 - 1. Planning Area 1 – North Area: Cities of Alameda, Albany, Berkeley, Emeryville, Oakland and Piedmont
 - 2. Planning Area 2 – Central Area: Cities of Hayward and San Leandro, and the unincorporated areas of Castro Valley and San Lorenzo, as well as other unincorporated lands in that area
 - 3. Planning Area 3 – South Area: Cities of Fremont, Newark, and Union City
 - 4. Planning Area 4 – East Area: Cities of Dublin, Livermore, and Pleasanton, and all unincorporated lands in that area
- R. **Project completion/closeout:** Inspection/project acceptance, final invoicing, final reporting, and the processes for closing out a project.
- S. **Safety improvements:** Safety or security improvements for operators, passengers, service users, facilities, and infrastructure or property.
- T. **Scoping and project feasibility:** Early capital project phases that identify project needs, costs, and implementation feasibility.

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- U. **Vehicle Registration Fee (VRF):** Measure F, Alameda County's VRF Program, approved by the voters in November 2010 with 63 percent of the vote. It will generate approximately \$11 million per year through a \$10 per year vehicle registration fee. Administered by the Alameda CTC, the VRF funds four main types of programs and the distribution percentage is as follows: local streets and roads (60 percent); transit (25 percent); local transportation technology (10 percent); and bicycle and pedestrian projects (5 percent).
- V. **Welfare to Work:** Transit services to enhance transportation opportunities for persons making the transition from welfare to work.

Section 5. Mass Transit Fund Allocations

- A. These Implementation Guidelines provide guidance on the Mass Transit Fund allocation process for Measure B pass-through funds and Measure B Express Bus Services Grant Program and VRF Transit for Congestion Relief Program funds.
 - 1. Measure B Mass Transit Pass-through Funds
 - a. *General:* Alameda CTC distributes Measure B Mass Transit Pass-through Funds to transit operators in Alameda County to be spent on maintenance of transit services, restoration of service cuts, expansion of transit services, and passenger safety and security. Transit operators in Alameda County receive their proportional share of mass transit pass-through funds based on percentages of net revenues generated by the Measure B sales and use tax (which share shall be adjusted annually as described in the Master Program Funding Agreement). These funds are allocated on a monthly basis directly to each transit operator.
 - b. *Eligible Uses:* The Measure B Mass Transit pass-through funds may be used for capital projects, programs, maintenance, or operations that directly improve mass transit services. Eligible uses for these funds include, but are not necessarily limited to:
 - 1) Capital projects, including:
 - a) All phases of capital projects, including feasibility studies, planning, and environmental
 - b) Upgrades to or expansions to bus, ferry, rail, and shuttle infrastructure
 - c) Purchase or lease of equipment or new vehicles for transit services
 - 2) Mass transit system operations and services, including commuter rail; express, local, and feeder bus; and ferry
 - 3) Paratransit services
 - 4) Welfare to Work services
 - 5) Direct staff and consultant costs to develop, plan, implement, operate and maintain transit projects and programs

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- 6) Direct staff and consultant costs that support eligible activities, including the end-of-year compliance report
 - 7) Direct staff training costs directly related to implementation of projects or programs implemented with the Mass Transit Funds
 - c. *Ineligible Uses:* The following is a list of ineligible uses of Measure B Mass Transit pass-through funds:
 - 1) Non-transportation projects such as fees charged to capital construction projects for services or amenities not related to transportation
 - 2) Capital projects, programs, maintenances, or operations that does not directly improve mass transit services
 - 3) Projects or programs that exclusively serve city/county staff
 - 4) Indirect costs, unless the RECIPIENT submits an independently audited/approved Indirect Cost Allocation Plan.
2. Measure B Express Bus Services Grant Program Funds
 - a. The Measure B Expenditure Plan dedicates 0.7 percent of net revenues for the Countywide Express Bus Service fund for express bus service projects. The Alameda CTC will administer a Measure B Countywide Express Bus Services discretionary grant program. The Alameda CTC will adopt *Grant Program Guidelines* before each grant cycle that will establish the guiding policies for that grant cycle, and will widely publicize each grant funding cycle.
 - b. Two agencies are eligible to receive express bus services grant funds:
 - 1) Alameda-Contra Costa Transit District (AC Transit)
 - 2) Livermore Amador Valley Transit Authority (LAVTA)Fund recipients must enter into a separate agreement with Alameda CTC.
3. VRF Transit for Congestion Relief Program Funds
 - a. The VRF Expenditure Plan dedicates 25 percent of net revenues for transit projects that provide congestion relief. Alameda CTC awards VRF Transit for Congestion Relief Grant Program funds on a discretionary basis. These funds are intended to make it easier for drivers to use public transportation, make the existing transit system more efficient and effective, and improve access to schools and jobs. The goal of this program is to decrease automobile usage and thereby reduce both localized and area-wide congestion and air pollution. Fund recipients must enter into a separate agreement with Alameda CTC.
 - b. *Eligible Uses:* VRF Transit for Congestion Relief Grant Program Guidelines provide program eligibility and fund usage guidelines and

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requirements, definitions of terms, evaluation criteria, award details, and monitoring requirements.

Section 6. Advancement of Pass-through Funds

- A. The Alameda CTC may consider advancing future year pass-through funds, with the goal of seeing improvements made in the near term. If a jurisdiction is interested in this option, a written request to the Alameda CTC Director of Finance and a copy to the Deputy Director of Projects and Programs, indicating the amount of funds requested and the projects on which the funds will be spent, is required. Requests will be considered on an individual basis.

Section 7. Adoption of Implementation Guidelines

- A. Implementation Guidelines are adopted by the Alameda CTC on an as-needed basis. Changes to Implementation Guidelines will be brought through the Alameda CTC's Technical Advisory Committee for review and comment, as well as any other Alameda CTC committees as necessary, before changes are adopted by the Alameda CTC Board.