

**POTOMAC AND RAPPAHANNOCK
TRANSPORTATION COMMISSION**

RESOLUTION

MOTION: _____

**RESOLUTION NO. 09-05-____
OFFICIAL COMMISSION MEETING
MAY 7, 2009**

SECOND: _____

**RE: MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF
FREDERICKSBURG AND THE POTOMAC AND RAPPAHANNOCK
TRANSPORTATION COMMISSION REGARDING FEDERAL ECONOMIC
STIMULUS FUNDING**

WHEREAS, the City of Fredericksburg (“the City”) is entitled to the receipt of \$113,519 of American Recovery and Reinvestment Act funding (“ARRA” or “stimulus funding”) designated for transit in the Washington, D.C. urbanized area, by virtue of the bus service the City operates in North Stafford under contract to Stafford County; and

WHEREAS, the Fredericksburg City Manager has expressed a preference for the Potomac and Rappahannock Transportation Commission (PRTC) to apply for this funding on the City’s behalf rather than the City applying for it directly; and

WHEREAS, PRTC will be applying for stimulus funding that PRTC and VRE are slated to receive, such that the inclusion of the City’s entitlement can be readily done with no administrative difficulty; and

WHEREAS, to this end, a Memorandum of Understanding (MOU) has been drafted providing for PRTC to apply for and pass through stimulus funding, for purposes that would be the City’s to decide, and calling for the City to comply with all the requirements of the ARRA.

NOW, THEREFORE, BE IT RESOLVED that the Potomac and Rappahannock Transportation Commission does hereby authorize the Executive Director to execute the MOU and proceed accordingly, subject to a finding by PRTC’s Legal Counsel that the MOU is legally conforming and a companion approval by the City of Fredericksburg City Council.

May 7, 2009

TO: Chairman May and Commissioners

FROM: Alfred H. Harf *mm*
Executive Director

RE: Memorandum of Understanding (MOU) Between the City of Fredericksburg and the Potomac and Rappahannock Transportation Commission Regarding Federal Economic Stimulus Funding

Recommendation:

Authorize the execution of the subject Memorandum of Understanding (MOU) providing for the Potomac and Rappahannock Transportation Commission (PRTC) to apply for and pass through federal economic stimulus formula funding that the City of Fredericksburg has earned by virtue of its bus service in the North Stafford portion of the Washington, D.C. urbanized area.

Background:

Among the programs in the American Recovery and Reinvestment Act ("ARRA" or "stimulus funding") is transit formula funding that is awarded directly to transit operators in urbanized areas larger than 200,000 and to the states for rural areas and urbanized areas smaller than 200,000, mirroring the way the Federal Transit Administration (FTA) Section 5307 formula funding is awarded. In the Washington, D.C. urbanized area, the FTA apportionment notice pertaining to stimulus funding is an aggregate sum for the whole area derived by applying the FTA Section 5307 formula, which accounts for a variety of numerical factors including service and usage statistics. Statistics associated with all the service providers in the Washington D.C. urbanized area drive the aggregate apportionment, which must then be subdivided to reflect each provider's contribution to the whole. That subdivision is communicated to FTA in what is called a "split letter", so that FTA can then award grants to the individual providers knowing that there is a regional consensus about the split.

The northernmost portion of Stafford County is in the Washington, D.C. urbanized area, and thus the bus service operated by the City of Fredericksburg under contract to Stafford County in the that area contributes to the area's "stimulus funding" earnings. Thus, the City's "stimulus funding" – \$113,519 – is acknowledged in the "split letter", as part of the PRTC entry

Chairman May and Commissioners

May 7, 2009

Page 2

in the “split letter” because PRTC is a grant recipient in the urbanized area whereas the City of Fredericksburg is not. While it would be plausible for the City to apply for this funding directly, in the interest of administrative simplicity, PRTC can readily apply for this funding on the City’s behalf and pass it through to the City, since PRTC will need to apply for its own “stimulus funding” in any event. PRTC management discussed these options with the City and the City expressed a preference for PRTC serving as the applicant.

To that end, the attached MOU has been drafted providing for PRTC to apply for and pass through stimulus funding to which the City of Fredericksburg is entitled because of its North Stafford bus service. Assuming the Commission assents to this, the Fredericksburg City Council will need to authorize the City to execute the MOU as well. The MOU stipulates that the City bears responsibility for selecting what projects it wishes to fund with this money and to comply with the requirements of the ARRA.

Fiscal Impact:

Not applicable.

Attachment: As stated

ATTACHMENT

MEMORANDUM OF UNDERSTANDING
BETWEEN
POTOMAC RAPPHANNOCK TRANSPORTATION COMMISSION
AND THE
CITY OF FREDRICKSBURG, VIRGINIA

THIS MEMORANDUM OF UNDERSTANDING entered into the day of _____ of _____
2009, by and between the POTOMAC AND RAPPHANNOCK TRANSPORTATION
COMMISSION ("PRTC") and the CITY OF FREDERICKSBURG, VIRGINIA ("the City").

WITNESSETH:

WHEREAS, PRTC is an eligible recipient of federal transportation grant monies distributed by the Federal Transit Administration (FTA) and, in particular, is anticipating the receipt of FTA American Recovery and Reinvestment Act funds (the "Stimulus Funds") under the FTA Section 5307 Urbanized Area Formula funds from the Washington, DC – MD – VA urbanized area; and

WHEREAS, FREDERICKSBURG REGIONAL TRANSIT (the "FRED"), because of their submittal of National Transit Database statistics, qualifies for \$113,519 in Stimulus Funds ("FRED Stimulus Funds") and the City plans to use the FRED Stimulus Funds to enhance bus stops with new signage that includes FRED's telephone number and website, bus shelters, and bus route information (the "Project"); and

WHEREAS, PRTC and the City wish to work cooperatively in an effort to launch the Project; and

WHEREAS, PRTC and the City desire to set forth their mutual understandings with regard to the Project, and their respective undertakings pertaining hereto.

NOW, THEREFORE, in consideration of their mutual commitments, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, PRTC and the City agree as follows:

1. PRTC will make timely application for the Stimulus Funds, which application shall include an application for FRED Stimulus Funds and, as grant recipient, shall make those funds granted as FRED Stimulus Funds available to fund the Project in accordance with all requirements imposed by the Federal Government as a condition of making the grant.
2. The City will work cooperatively with PRTC to prepare the grant request to FTA.
3. The City shall implement the Project with due dispatch.
4. The City shall invoice PRTC for all compliant Project expenses and such invoice shall be in an agreed upon form. PRTC shall reimburse the City, within thirty days of the receipt of said invoice, with the appropriate amount of Stimulus Funds granted as FRED Stimulus Funds up to a total amount not to exceed \$113,519.
5. All Project work funded with Stimulus Funds must comply with all grant conditions, including, in particular, all requirements of the FTA Master Agreement dated October 1, 2008, and any further amendment thereto. As grant recipient, PRTC shall remain responsible for ensuring compliance with all grant conditions. However, to the extent Project work is completed with or by the City, the City shall ensure that all such grant conditions are satisfied.
6. The City shall assist PRTC with the additional reporting requirements required for ARRA funds, which includes among other requirements having a DUNS number and registering with CCR (Central Contractor Registration), by providing requested information in a timely matter.

IN WITNESS WHEREOF, the parties hereto have executed this Memorandum of Understanding on the date and year aforementioned.

CITY OF FREDERICKSBURG

CITY MANAGER

Attest:

DATE

POTOMAC RAPPAHANCOCK
TRANSPORTATION COMMISSION

CHAIRMAN

Attest:

DATE