

County Council Of Howard County, Maryland

2018 Legislative Session

Legislative Day No. 10

Resolution No. 115 -2018

Introduced by: The Chairperson at the request of the County Executive

A RESOLUTION endorsing a Howard County application with the Maryland Transit Administration of the Maryland Department of Transportation for certain grants under the Federal Transit Act.

Introduced and read first time July 2, 2018.

By order Jessica Feldmark
Jessica Feldmark, Administrator

Read for a second time at a public hearing on July 16, 2018.

By order Jessica Feldmark
Jessica Feldmark, Administrator

This Resolution was read the third time and was Adopted , Adopted with amendments___, Failed___, Withdrawn___, by the County Council on July 27, 2018.

Certified By Jessica Feldmark
Jessica Feldmark, Administrator

Approved by the County Executive Aug 6, 2018

Allan H. Kittleman
Allan H. Kittleman, County Executive

NOTE: [[text in brackets]] indicates deletions from existing law; TEXT IN SMALL CAPITALS indicates additions to existing law; ~~Strike-out~~ indicates material deleted by amendment; Underlining indicates material added by amendment.

1 **WHEREAS**, the Maryland Transit Administration is the designated recipient in
2 Maryland for grants under the Federal Transit Act; and

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4 **WHEREAS**, the Administrator of the Maryland Transit Administration of the
5 Maryland Department of Transportation is authorized to make grants to counties and to
6 local governments for a mass transportation program of projects; and

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8 **WHEREAS**, such grants are awarded through a contract for financial assistance
9 that will impose certain obligations upon the County, including the provision by the
10 County of the local share of the project costs in the program; and

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12 **WHEREAS**, the County will file an application for Operational and Capital
13 funding assistance with the MTA for some or all of the following grants under the
14 Federal Transit Act: Metropolitan & Statewide Planning and Non-Metropolitan
15 Transportation Planning grants (Sections 5303, 5304 and 5305); Urbanized Area Formula
16 Program grants (Section 5307/Large Urban); Bus and Bus Facilities grants (Section
17 5309); Enhanced Mobility for Seniors and Individuals with Disabilities (Section 5310);
18 Formula Grants for Other than Urbanized Areas grants (Section 5311); and the State
19 Special Transportation Assistance Program (SSTAP); and

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21 **WHEREAS**, in accordance with the provisions of Title VI of the Civil Rights Act
22 of 1964, it is required by the United States Department of Transportation that in
23 connection with the filing of an application for assistance under the Federal Transit Act,
24 the applicant give an assurance that it will comply with Title VI of the Civil Rights Act of
25 1964 and the United States Department of Transportation requirements thereunder; and

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27 **WHEREAS**, the County's goal is that minority business enterprise be utilized to
28 the fullest extent possible in connection with these projects and programs, and definite
29 procedures shall be established and administered to ensure that minority business shall
30 have the maximum construction contracts, supplies, equipment contracts or consultants
31 and other services.

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NOW, THEREFORE, BE IT RESOLVED by the County Council of Howard County, Maryland this 27th day of July, 2018 that the County's application for a grant under the Federal Transit Act be endorsed.

AND BE IT FURTHER RESOLVED by the County Council of Howard County, Maryland that the County Executive is hereby requested to endorse this resolution, thereby indicating approval thereof.

AND BE IT FURTHER RESOLVED by the County Council of Howard County, Maryland that copies of the Resolution be sent to the Maryland Transit Administration of the Maryland Department of Transportation.



HOWARD COUNTY OFFICE OF TRANSPORTATION

3430 Courthouse Drive ■ Ellicott City, Maryland 21043 ■ 410-313-0702

Clive Graham, Administrator

cgraham@howardcountymd.gov

FAX 410-313-3467

TDD 410-313-2323

Memorandum

To: Lonnie Robbins, Chief Administrative Officer, Department of County Administration
From: Clive Graham
Date: June 4, 2018
Subject: Testimony in support of County Council resolution endorsing the FY 2019 Annual Transportation Plan Application

Each fiscal year, on behalf of Howard County, the Office of Transportation (OOT) prepares an Annual Transportation Plan for submission to the Maryland Transit Administration (MTA) of the Maryland Department of Transportation. Through the application the OOT requests funding for operating and capital grant funds. The grants allow the County to use federal and state funds to subsidize Howard County's portion of the expenses for the Regional Transportation Agency of Central Maryland (RTA), which provides the County's local bus and paratransit service.

The contract for financial assistance imposes certain obligations upon the County, including the provision of the local share of the project costs in the transit program. Therefore, the MTA requires that the Annual Transportation Plan application include an authorizing resolution endorsing the application.

A summary of the application is as follows. The required matching funds have been included in the County's FY 2019 Adopted Operating Budget.

Section I. General Information:

Title: FY 2019 ATP Application
Funding Agency: Maryland State Department of Transportation (MDOT)
Application Request: \$9,583,818 Federal and State Grant Funds
Purpose of Grant: Howard County Transportation Plan for FY 2019 Operating Assistance and Capital Assistance including facilities.

Section II. Funding:

Operating Grant

Federal/State Funds: \$5,699,418

Local Match:

Howard County: \$5,787,225

Source of Cash Match: Office of Transportation

Fund: 1400000000

Business Area: 3220

Revenue (Farebox, advertising) \$911,887

Fund 2150000000

Business Area 3220

Capital Grant Funds (replacement buses, equipment, electronic fareboxes, preventive maintenance):

Federal/State Funds: \$3,884,400

Local Match:

Howard County \$431,600

Total: \$4,316,000



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Memorandum

To: County Council Chair Sigaty
From: Clive Graham
Date: July 23, 2018

RE: CR 115-2018 Howard County Annual Transportation Plan Grant Application response to question at Council Public Hearing 7-16-18

This memo responds to Councilmember Ball's question at the hearing regarding the Disadvantaged Business Enterprise (DBE) requirements of the County's contracts with First Transit and Transit Management of Central Maryland (dba RTA) for transit services.

In accordance with federal regulation, the Maryland Department of Transportation (MDOT) establishes an Overall DBE Goal for the State Highway Administration (SHA), the Maryland Aviation Administration (MAA), the Maryland Transit Administration (MTA), and the Maryland Department of Transportation-Office of Planning in three-year intervals. The overall DBE Goals are based on a Disparity Study.

To meet the overall Disadvantaged Business Enterprise (DBE) procurement goals, State agencies set goals on those contracts that have subcontracting opportunities; thus, not every contract will have a DBE participation goal. SHA, MAA, and MTA each establish DBE goals for their individual contracts.

For transportation contracts that include State funds, the County follows guidance from the State related to the setting of a Disadvantaged Business Enterprise (DBE) contract goal. The DBE goal is set by a State Procurement Review Group (PRG) on a contract by contract basis. Some of the factors that the PRG take into consideration when setting the DBE goals include, but are not limited to, the type of work involved; estimated dollar value of work items; estimated percentage of these work items on the contract; NAICS codes, total number of certified and available DBE firms; location of the project; locations of DBE firms that are currently certified by MDOT; and the availability of DBE firms.

For the 2014 solicitation, the State had determined areas for potential vendors to seek DBE participation which included the opportunities listed below and the State felt that a 7% participation goal was appropriate.

Howard County Request for Proposals (RFP) 04-2014 contained the following language (pages 31-32):

10.14 The Contractor shall meet all federal and state Disadvantage Business Enterprise (DBE) requirements (Document K). The DBE percentage has been established by the State at 7% with the opportunities as follows:

10.14.1 Printing

10.14.2 Office Supplies

10.14.3 Computer Support

10.14.4 Uniforms

10.14.5 Fuel (diesel)

10.14.6 Fuel (gasoline)

First Transit, in its RFP response, proposed to subcontract 7.84% to DBE businesses. The RTA is currently finalizing a utilization report for State review, but I understand that they are achieving closer to 8%.

Even though the RTA is exceeding the State goal, we will continue to look to increase the RTA's DBE subcontracting performance.

cc: Council members



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