



Memorandum

AGENDA ITEM 5

DATE: April 18, 2024
TO: Treasure Island Mobility Management Agency Committee
FROM: Cynthia Fong - Deputy Director for Finance and Administration
SUBJECT: 04/23/24 Committee Meeting: Recommend Adoption of Caltrans Local Assistance Procedures Manual Chapter 10: Consultant Selection

<p>RECOMMENDATION <input type="checkbox"/> Information <input checked="" type="checkbox"/> Action</p> <p>Recommend Adoption of Caltrans Local Assistance Procedures Manual Chapter 10: Consultant Selection.</p> <p>SUMMARY</p> <p>In March 2023, the California Department of Transportation (Caltrans) awarded a \$3 million federal Ferry Boat Discretionary grant to the Treasure Island Mobility Management Agency (TIMMA) for preliminary engineering and construction activities for the Treasure Island Ferry Terminal Enhancements project. In order to comply with federal and Caltrans requirements, TIMMA is required to adopt Caltrans Local Assistance Procedures Manual Chapter 10: Consultant Selection through a Board resolution. Chapter 10 of the Caltrans manual contains standards for procuring and administering architectural and engineering contracts in accordance with applicable federal and state laws and regulations.</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Fund Allocation <input type="checkbox"/> Fund Programming <input checked="" type="checkbox"/> Policy/Legislation <input type="checkbox"/> Plan/Study <input type="checkbox"/> Capital Project Oversight/Delivery <input type="checkbox"/> Budget/Finance <input type="checkbox"/> Contract/Agreement <input type="checkbox"/> Other: _____
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BACKGROUND

The Treasure Island Ferry Terminal Enhancements project (Project) consists of transit shelters, located near the main ferry terminal shelter structure; men's, women's, and family/all gender restrooms; and associated exterior work. These elements are an integral component of the larger ferry terminal. They were designed by Treasure Island Community Development as part of the broader ferry terminal project and will be constructed by TIMMA using both federal and local grants. This ferry terminal is



the multimodal transfer point for Treasure Island, with ferry service to San Francisco, bus service to the East Bay and San Francisco, and shuttle service around the island. The project will be fully ADA-accessible. We anticipate that the Project will be substantially completed by Fall 2025 and open to the public by the end of calendar year 2025.

According to federal grant regulations, local public agencies are required to adopt written policies and procedures prescribed by Caltrans. As such, TIMMA must adopt Caltrans Local Assistance Procedures Manual Chapter 10: Consultant Selection through a Board resolution in order to access the Ferry Boat Discretionary grant.

Caltrans has developed the Local Assistance Procedures Manual Chapter 10: Consultant Selection, which sets forth policies and procedures to be utilized by local public agencies in the procurement and management of architectural and engineering contracts on state and federal funded transportation projects to ensure compliance with applicable federal and state laws and regulations and to maintain eligibility for federal-aid reimbursement.

DISCUSSION

As a recipient of federal funds, TIMMA as a local public agency, is responsible for providing the resources necessary for the procurement, management, and administration of engineering and design related consultant services, reimbursed in whole or in part with Federal-Aid Highway Administration (FHWA) funding. Federal regulations set forth standards for procuring and administering architectural and engineering contracts. The Brooks Act (40 U.S.C. 1101-1104) requires local public agencies to award federally funded engineering and design-related contracts based on fair and open competitive negotiations, demonstrated competence, and professional qualifications at a fair and reasonable price. In the procurement of contracts for engineering services by consulting firms using FHWA funds, TIMMA must take all the steps necessary to prevent fraud, waste, and abuse, including the prevention of conflicts of interest. TIMMA's request for federal funds to reimburse architectural and engineering consultants must follow the selection and contracting procedures detailed in Caltrans Local Assistance Procedures Manual Chapter 10: Consultant Selection.



FINANCIAL IMPACT

Approval of the recommended action will comply with federal and Caltrans regulations and enable TIMMA to seek reimbursement of \$3 million in federal grant funds administered by Caltrans for the project. Funding for this project is included in the proposed FY 2023/24 Budget Amendment, which is a concurrent action item. We will bring procurements to be funded by this grant, where applicable, to the Board for approval as part of future agenda items.