Date: January 28, 2015
W.I.: 1511
Referred by: PAC
Revised: 09/23/15-C 01/27/16-C
12/21/16-C 03/22/17-C
12/20/17-C 06/27/18-C
01/23/19-C 05/22/19-C
09/25/19-C 07/22/20-C
04/28/21-C 06/23/21-C
07/28/21-C 03/23/22-C
05/25/22-C 06/22/22-C
09/28/22-C 06/28/23-C
04/24/24-C 05/22/24-C
06/25/25-C 10/22/25-C
06/24/26-C

ABSTRACT

Resolution No. 4169, Revised

This resolution establishes the program of projects for BATA Project Savings and allocates these funds to eligible projects.

The following attachment is provided with this resolution:

Attachment A – Program of Projects
Attachment B – Allocations

This resolution was revised on September 23, 2015 to update the conditions associated with the programming of $84 million of BATA project savings to SFMTA's Light Rail Vehicle purchase (LRV) project, in order to reflect the updated amount of AB 664 funds programmed to the project.

This resolution was revised on January 27, 2016 to program and allocate $24,922,916 in BATA Project Savings towards AC Transit's Fleet Replacement consistent with the Core Capacity Challenge Grant Program funding plan.

This resolution was revised on December 21, 2016 to de-program $23,014,657 in BATA Project Savings funds from SFMTA's LRV project due to receipt of TIRCP funding of the same amount in FY2015-16 and update the conditions associated with the programming to reflect the updated amount of AB 664 and BATA Project Savings funds programmed to the project.

This resolution was revised on March 22, 2017 to program and allocate $5,248,522 in BATA Project Savings funds to AC Transit and program $23,040,236 and allocate $4,649,495 in BATA Project Savings funds to SFMTA towards their Fleet Replacement projects.
This resolution was revised on December 20, 2017 program and allocate $20,167,986 in BATA Project Savings funds to AC Transit and program $83,921,695 and allocate $8,091,805 in BATA Project Savings funds to SFMTA toward their Fleet Replacement projects.

This resolution was revised on June 27, 2018 to allocate $37,270,041 in BATA Project Savings funds to SFMTA toward their Fleet Replacement projects, consistent with the commitments of the Core Capacity Challenge Grant Program, and de-program $26,867,000 in BATA Project Savings funds from SFMTA's LRV project due to receipt of TIRCP funding of the same amount in FY2017-18 and update the conditions associated with the programming to reflect the updated amount of BATA Project Savings funds programmed to the project.

This resolution was revised on January 23, 2019 to update the programming conditions on SFMTA's LRV Expansion programming from FY2014-15, program an additional $24,999,671 and allocate $59,118,014 to SFMTA's LRV Expansion, and program $5 million for SFMTA projects to execute a funding exchange for their Central Subway project.

This resolution was revised on May 22, 2019 to deprogram $5 million and remove a project from SFMTA's programming to reflect changes made in the Transit Capital Priorities Program.

This resolution was revised on September 25, 2019 to allocate $45,729,959 in BATA Project Savings funds to SFMTA toward their Fleet Replacement projects, consistent with the commitments of the Core Capacity Challenge Grant Program, and remove a funding condition related to financing.

This resolution was revised on July 22, 2020 to revise AC Transit's FY2016-17 through FY2019-20 BATA Project Savings programming to match their updated fleet plan, and allocate a total of $7,890,353 in BATA Project Savings funds to AC Transit ($3,607,227) and SFMTA ($4,283,126) toward their Fleet Replacement projects, consistent with the commitments of the Core Capacity Challenge Grant Program, and remove funding conditions on SFMTA programming related to financing.

This resolution was revised on April 28, 2021 to program and allocate a total of $10,904,715 in BATA Project Savings funds to AC Transit ($4,912,063) and SFMTA ($5,992,652) toward their Fleet Replacement projects, consistent with the commitments of the Core Capacity Challenge Grant Program.

This resolution was revised on June 23, 2021 to extend $5,248,522 in BATA Project Savings funds to AC Transit for Fleet Replacement projects, consistent with the commitments of the Core Capacity Challenge Grant Program and the Timely Use of Funds policy outlined in MTC Resolution No. 4015.

This resolution was revised on July 28, 2021 to program and allocate $1,845,000 to Solano Transportation Authority for Design Services During Construction on the Solano 80 Express Lanes Project, and to program and allocate $2,822,000 to BAIFA for the Toll System on the Solano 80 Express Lanes Project, as part of a funding exchange.

This resolution was revised on March 23, 2022 to program and allocate a total of $34,160,576 in BATA Project Savings funds to AC Transit ($29,160,576) and SFMTA ($5,000,000) toward their Fleet Replacement projects, consistent with the commitments of the Core Capacity Challenge Grant Program.

This resolution was revised on May 25, 2022 to correct AC Transit's FY 2021-22 allocation, de-allocating $4,667,000, to reflect a July 2021 funding exchange with the OBAG 2 program.

This resolution was revised on June 22, 2022 to extend $21,809,281 in BATA Project Savings funds to AC Transit for Fleet Replacement projects, consistent with the commitments of the Core Capacity Challenge Grant Program and the Timely Use of Funds policy outlined in MTC Resolution No. 4015.

This resolution was revised on September 28, 2022 to correct AC Transit's FY 2021-22 allocation, de-allocating $1,412,063 to be replaced by FTA formula funds, consistent with the commitments of the Core Capacity Challenge Grant Program.

This resolution was revised on June 28, 2023 to extend $21,809,281 in BATA Project Savings funds to AC Transit for Fleet Replacement projects, consistent with the commitments of the Core

Capacity Challenge Grant Program and the Timely Use of Funds policy outlined in MTC Resolution No. 4015.

This resolution was revised on April 24, 2024 to reprogram $9,472,750 in BATA Project Savings funds in AC Transit Fleet Replacement projects, reflecting the change in programming from purchasing 17 BEBs and 25 FCEBs to purchasing 42 FCEBs.

This resolution was revised on May 22, 2024 to extend $4,912,063 in BATA Project Savings funds to AC Transit for Fleet Replacement projects and $50,013,085 in BATA Project Savings funds to SFMTA for Fleet Replacement projects, consistent with the commitments of the Core Capacity Challenge Grant Program and the Timely Use of Funds policy outlined in MTC Resolution No. 4015.

This resolution was revised on June 25, 2025 to extend $50,013,085 in BATA Project Savings funds to SFMTA for Fleet Replacement projects, consistent with the commitments of the Core Capacity Challenge Grant Program and the Timely Use of Funds policy outlined in MTC Resolution No. 4015.

This resolution was revised on October 22, 2025 to re-allocate $2,071,770 in BATA Project Savings funds to AC Transit between Fleet Replacement projects, consistent with the commitments of the Core Capacity Challenge Grant Program.

This resolution was revised on June 24, 2026 to extend BATA Project Savings funds allocations to SFMTA and AC Transit, consistent with the commitments of the Core Capacity Challenge Grant Program and the Timely Use of Funds policy outlined in MTC Resolution No. 4015.

Further discussion of this action is contained in the MTC Programming and Allocations Committee summary sheet dated January 14, 2015, September 9, 2015, January 13, 2016, December 14, 2016, March 8, 2017, December 13, 2017, June 13, 2018, January 9, 2019, May 8, 2019, September 4, 2019, July 8, 2020, April 14, 2021, June 9, 2021, July 14, 2021, March 9, 2022, May 11, 2022, June 8, 2022, September 14, 2022, June 14, 2023, April 10, 2024, May 8, 2024, June 11, 2025, October 8, 2025, and June 10, 2026.

Date: January 28, 2015
W.I.: 1511
Referred by: PAC

RE: Programming and allocation of BATA Project Savings

METROPOLITAN TRANSPORTATION COMMISSION
RESOLUTION NO. 4169

WHEREAS, the Metropolitan Transportation Commission (MTC) is the regional transportation planning agency for the San Francisco Bay Area pursuant to Government Code Section 66500 *et seq*.; and

WHEREAS, Streets and Highways Code Sections 30950 et seq. created the Bay Area Toll Authority ("BATA") which is a public instrumentality governed by the same board as that governing MTC; and

WHEREAS, pursuant to Streets and Highways Code (SHC) Section 31010(b), funds generated in excess of those needed to meet the toll commitments as specified by paragraph (4) of subdivision (b) of Section 188.5 of the SHC shall be available to BATA for funding projects consistent with SHC Sections 30913 and 30914; and

WHEREAS, the BATA Project Savings are bridge toll funds made available from project and financing savings on BATA's Regional Measure 1 and Toll Bridge Seismic Retrofit programs; and

WHEREAS, MTC adopted Resolution No. 4123, Revised, which established an investment plan for MTC's Transit Core Capacity Challenge Grant Program that targets federal, state, and regional funds to high-priority transit capital projects between FY2014-15 and FY2029-30, and as part of this investment plan, BATA Project Savings were assigned to certain projects; and

WHEREAS, BATA staff has determined that the Transit Core Capacity Challenge Grant Program is a bridge improvement project that improves the operations of the state-owned toll bridges; and

WHEREAS, BATA has adopted BATA Resolution No. 111, Revised, to amend the BATA budget to include the Transit Core Capacity Challenge Grant Program; and

WHEREAS, BATA has adopted BATA Resolution No. 72, Revised, to amend the BATA Long Range Plan to include the Transit Core Capacity Challenge Grant Program; now, therefore, be it

RESOLVED, that MTC approves the program of projects for BATA Project Savings, for the purposes, and subject to the conditions listed on Attachment A to this resolution, attached hereto and incorporated herein as though set forth at length; and, be it further

RESOLVED, that MTC approves the allocation and reimbursement of BATA Project Savings in accordance with the amount, conditions and reimbursement schedule for the phase, and activities as set forth in Attachment B; and, be it further

RESOLVED, that should the allocation of BATA Project Savings be conditioned on the execution of a funding agreement, that the Executive Director or his designee is authorized to negotiate and enter into a funding agreement with claimant that includes the provisions contained in Attachment A and B.

METROPOLITAN TRANSPORTATION COMMISSION

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Amy Rein Worth, Chair

The above resolution was entered into by the
Metropolitan Transportation Commission
at a regular meeting of the Commission held
in Oakland, California, on January 28, 2015.

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Attachment A
Resolution No. 4169

PROGRAM OF BATA PROJECT SAVINGS FUND PROJECTS

FY2014-15 Program of Projects

Operator	Project	Amount	Conditions
SFMTA	Fleet Expansion - LRV Purchase	34,118,343	This programming counts toward MTC share of replacment LRVs.
Total FY2014-15 Programming:		**34,118,343**	

FY2015-16 Program of Projects

Operator	Project	Amount	Conditions
AC Transit Projects			
	Replace 29 40-ft Artic Urban buses		
	Purchase 10 40-ft urban buses - Zero-Emission Fuel Cell		
	Purchase 10 double-decker diesel buses		
	Total AC Transit Programming	*24,922,916*	
Total FY2015-16 Programming:		**24,922,916**	

FY2016-17 Program of Projects

Operator	Project	Amount	Conditions
AC Transit Projects			
	Purchase 36 Coach Buses (MCIs)		
	Total AC Transit Programming	*5,248,522*	
SFMTA Projects			
	Replacement of 60' Trolley Coaches		
	Total SFMTA Programming	*12,967,639*	
Total FY2016-17 Programming:		**18,216,161**	

FY2017-18 Program of Projects

Operator	Project	Amount	Conditions
AC Transit Projects			
	Purchase 40-ft Urban Buses		
	Total AC Transit Programming	*14,488,989*	
SFMTA Projects			
	Replacement of 40-ft Trolley Coaches		
	Replacement of 60-ft Motor Coaches		
	Replacement of 30-ft Motor Coaches		
	Total SFMTA Programming	*79,638,569*	
Total FY2017-18 Programming:		**94,127,558**	

PROGRAM OF BATA PROJECT SAVINGS FUND PROJECTS

FY2018-19 Program of Projects

Operator	Project	Amount	Conditions
AC Transit Projects			
	Replace 50 40-ft buses		
	Total AC Transit Programming	*2,321,181*	
SFMTA Projects			
	Fleet Expansion - LRV Purchase		Note: $24,999,671 programmed in January 2019. Programming counts toward MTC share of replacement LRVs.
	40-ft Motor Coach Midlife Overhaul		
	Replace 35 Paratransit Cutaway Vans		
	Total SFMTA Programming	*27,452,111*	
	Total FY2018-19 Programming:	**29,773,292**	

FY2019-20 Program of Projects

Operator	Project	Amount	Conditions
AC Transit Projects			
	Preventive Maintenance		
	Total AC Transit Programming	*1,286,046*	
SFMTA Projects			
	Muni Rail Replacment		
	40-ft Motor Coach Midlife Overhaul		
	Total SFMTA Programming	*1,830,686*	
	Total FY2019-20 Programming:	**3,116,732**	

FY2020-21 Program of Projects

Operator	Project	Amount	Conditions
AC Transit Projects			
	Replace (50) 40ft Urban Buses - Diesel		
	Total AC Transit Programming	*4,912,063*	
SFMTA Projects			
	Light Rail Vehicle Replacement Procurements		
	Total SFMTA Programming	*5,992,652*	
	Total FY2020-21 Programming:	**10,904,715**	

PROGRAM OF BATA PROJECT SAVINGS FUND PROJECTS

FY2021-22 Program of Projects

Operator	Project	Amount	Conditions
Solano Transportation Authority			
	Solano 80 Express Lanes - Design Services During Construction		Note: The programming is a part of the exchange of federal funds originally earmarked for the I-80 Managed Lanes project in Solano County.
	Total STA Programming	*1,845,000*	
BAIFA			
	Solano 80 Express Lanes - Toll System		Note: The programming is a part of the exchange of federal funds originally earmarked for the I-80 Managed Lanes project in Solano County.
	Total BAIFA Programming	*2,822,000*	
AC Transit Projects			
	Replace (42) Urban Buses - Fuel Cell	21,453,064	
	Replace (23) 40ft Urban Buses - Diesel	1,628,449	
	Total AC Transit Programming	*23,081,513*	
SFMTA Projects			
	Light Rail Vehicle Replacement Procurements		
	Total SFMTA Programming	*5,000,000*	
	Total FY2021-22 Programming:	**32,748,513**	

FY2025-26 Program of Projects

Operator	Project	Amount	Conditions
AC Transit Projects			
	Replace 10 35' Diesel Buses with BEBs		
	Total AC Transit Programming	*2,071,770*	

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06/22/22-C 09/28/22-C
06/28/23-C 05/22/24-C
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06/24/26-C

Attachment B
Resolution No. 4169
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ALLOCATIONS TO BATA PROJECT SAVINGS FUNDED PROJECTS

Operator	Project	Date	Amount	Allocation No.	Notes
AC Transit	Projects Listed on Attachment A	1/27/2016	24,922,916	16-4169-01	See Notes below
AC Transit	Projects Listed on Attachment A	3/22/2017	5,248,522	17-4169-01	See Notes below
SFMTA	Projects Listed on Attachment A	3/22/2017	4,649,495	17-4169-02	See Notes below
AC Transit	Projects Listed on Attachment A	12/20/2017	14,488,989	18-4169-01	See Notes below
SFMTA	Projects Listed on Attachment A	12/20/2017	4,956,713	18-4169-02	See Notes below
SFMTA	Projects Listed on Attachment A	6/27/2018	37,270,041	18-4169-03	See Notes below
SFMTA	Projects Listed on Attachment A	1/23/2019	59,118,014	19-4169-01	See Notes below
SFMTA	Projects Listed on Attachment A	9/25/2019	45,729,959	20-4169-01	See Notes below
AC Transit	Projects Listed on Attachment A	7/22/2020	3,607,227	21-4169-01	See Notes below
SFMTA	Projects Listed on Attachment A	7/22/2020	4,283,126	21-4169-02	See Notes below
SFMTA	Light Rail Vehicle Replacement	4/28/2021	5,992,652	21-4169-03	See Notes below
AC Transit	Replace (50) 40ft Urban Buses -Diesel	4/28/2021	4,912,063	21-4169-04	See Notes below
STA	Solano 80 Express Lanes - DSDC	7/28/2021	1,845,000	22-4169-01	See Notes below
BAIFA	Solano 80 Express Lanes - Toll System	7/28/2021	2,822,000	22-4169-02	See Notes below
AC Transit	FY22 Projects Listed on Attachment A	3/23/2022	23,081,513	22-4169-03	See Notes below
SFMTA	Light Rail Vehicle Replacement	3/23/2022	5,000,000	22-4169-04	See Notes below
AC Transit	Replace 10 35' Diesel Buses with BEBs	10/22/2025	2,071,770	26-4169-01	See Notes below
	Total Allocations:		**250,000,000**		

Notes:

1 Acceptance of allocations requires operator agreement to comply with the provisions of the AB 664 Net Bridge Toll Revenues section of MTC Resolution No. 4015 and that any BATA Project Savings funds received shall be subject to MTC Resolution No. 4015, unless otherwise agreed to herein.

2 Allocation 17-4169-01 shall be extended to 6/30/2022 in accordance with the Timely Use of Funds policy in MTC Resolution No. 4015. See PAC memo dated June 9, 2021 for detail.

3 Allocations 22-4169-01 and 22-4169-02 are a part of the exchange of federal funds originally earmarked for the I-80 Managed Lanes project in Solano County. See PAC memo dated July 14, 2021 for more detail.

4 Technical correction made on 8/12/2021 to correct amounts to match Attachment A which were transposed in Attachment B for allocations 21-4169-03 and 21-4169-04.

5 Allocations 17-4169-01 and 18-4169-01 shall be extended to 6/30/2023 in accordance with the Timely Use of Funds policy in MTC Resolution No. 4015. See PAC memo dated June 8, 2022 for detail.

6 Allocations 17-4169-01 and 18-4169-01 shall be extended to 6/30/2025 in accordance with the Timely Use of Funds policy in MTC Resolution No. 4015. See PAC memo dated June 14, 2023 for detail.

7 Allocation 21-4169-04 shall be extended to 6/30/2026 in accordance with the Timely Use of Funds policy in MTC Resolution No. 4015. See PAC memo dated May 8, 2024 for detail.

8 Allocations 20-4169-01 and 21-4169-02 shall be extended to 6/30/2025 in accordance with the Timely Use of Funds policy in MTC Resolution No. 4015. See PAC memo dated May 8, 2024 for detail.

9 Allocations 20-4169-01 and 21-4169-02 shall be extended to 6/30/2026 in accordance with the Timely Use of Funds policy in MTC Resolution No. 4015. See PAC memo dated June 11, 2025 for detail.

10 Allocation 26-4169-01 contains 2,071,770 that has lapsed and been rescinded from 18-4169-01. See PAC memo dated October 8, 2025 for detail.

11 Allocations 20-4169-01 and 21-4169-02 (SFMTA) shall be extended to 6/30/2028, and Allocation 22-4169-03 (AC Transit) shall be extended to 6/30/2029, in accordance with the Timely Use of Funds policy in MTC Resolution No. 4015. See PAC memo dated June 10, 2026 for detail.