

Metrorail Safety Commission
May 22, 2018

Agenda Item # 3 – Informational

Staff Report

Background Updates and reports on ongoing activities following the May 8, 2018
Metrorail Safety Commission Board Meeting.

Issues None

Staff
Recommendation Receive staff report

From: [Ouellette, Audra \(FTA\)](#)
To: pwiedefeld@wmata.com
Cc: [Garcia Crews, Terry \(FTA\)](#)
Subject: Notification Re: 5% Withholding of Urbanized Area Formula Funds in Absence of Certified State Safety Oversight Program (SSOP) for Washington Metropolitan Area Transit Authority (Metrorail)
Date: Wednesday, May 09, 2018 9:47:10 AM
Attachments: [FTA Fact Sheet on Withholding of Full FFY18 Funds DC-MD-VA.pdf](#)

Good Morning, Mr. Wiedefeld:

As explained in our letter dated February 10, 2017, the Federal Transit Administration (FTA) is withholding the full five percent (5%) of your Urbanized Area Formula Funds until a certified State Safety Oversight Program (SSOP) for Washington Metropolitan Area Transit Authority (Metrorail) is in place. As a result, FTA is immediately withholding five percent of fiscal-year 2018 Section 5307 Urbanized Area Formula Funds to transit systems in Maryland, Virginia, and the District of Columbia. The amount to be withheld from all three jurisdictions totals approximately \$16.1 million. Formula funds withheld from your State's Urbanized Areas are shown on the attached spreadsheet.

Federal law requires that states with federally-funded rail transit agencies establish a State Safety Oversight Agency (SSOA) responsible for safety oversight of those agencies pursuant to an SSOP. In the absence of a certified SSOP, future appropriations will also be subject to withholding. It is important to note the formula funds are being withheld and not forfeited. The funds will once again be available when FTA certifies an SSOP for Metrorail. Please note that Maryland, Virginia, and the District of Columbia have established the Metrorail Safety Commission (MSC); however, the work of the MSC must result in a certified SSOP. Upon certification, all of the withheld funds will be released.

If you have any questions, please feel free to contact me.

Sincerely,

Theresa "Terry" Garcia Crews

Regional Administrator

United States Department of Transportation

Federal Transit Administration-Region III

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Philadelphia, PA 19103

Telephone: 215.656.7263

Cell phone: 267.353.4970 (Telework contact due to inclement weather)

FTA funds withheld from DC-MD-VA due to the absence of a State Safety Oversight Program

Amounts based on funding authorized under The Fixing America's Surface Transportation Act (FAST) and The Further Extension of Continuing Appropriations Act, 2018 (Public Law 115-123).

State	Urbanized Area	Designated Recipients	Urbanized Area Grant Program Apportionment	Amount Withheld (5%)	Amount available to Urbanized Areas after withholding	Notes
DC	Washington, DC-VA-MD	Washington Metropolitan Area Transit Authority (WMATA); Maryland Transit Administration (MTA); Potomac and Rappahannock Transportation Commission (PRTC)	\$185,196,406	\$9,259,820	\$175,936,586	The funds are apportioned by FTA to the entire urbanized area. The three designated recipients listed have a local agreement that determines the amount each recipient will receive.
MD	Baltimore, MD	Maryland Transit Administration (MTA)	\$71,114,985	\$3,555,749	\$67,559,236	
MD	Aberdeen-Bel Air South-Bel Air North, MD	Maryland Transit Administration (MTA)	\$3,356,863	\$167,843	\$3,189,020	
MD	MD Statewide Apportionment	Maryland Transit Administration (MTA)	\$13,550,765	\$677,538	\$12,873,227	The small urbanized areas in Maryland are listed below.
VA	Virginia Beach, VA	Hampton Roads Transit (HRT)	\$18,593,655	\$929,683	\$17,663,972	
VA	Richmond, VA	Greater Richmond Transit Company (GRTC) and the City of Petersburg	\$12,271,785	\$613,589	\$11,658,196	The funds are apportioned by FTA to the entire urbanized area. The two designated recipients listed have a local agreement that determines the amount each recipient will receive.
VA	Roanoke, VA	Greater Roanoke Transit Company (GRTC)	\$2,806,372	\$140,319	\$2,666,053	
VA	VA Statewide Apportionment	Virginia Department of Rail and Public Transportation (VDRPT)	\$14,269,492	\$713,475	\$13,556,017	The small urbanized areas in Virginia are listed below.
TOTAL			\$321,160,323	\$16,058,016	\$305,102,307	

Statewide Apportionment Detail Information

Urbanized Areas in Maryland Statewide Apportionment	\$13,550,765	\$677,538	\$12,873,227	The state governor determines how the statewide apportionment is distributed among the urbanized areas listed. These are urbanized areas with population greater than 50,000 and less than 200,000.
Cumberland, MD-WV-PA Frederick, MD Hagerstown, MD-WV-PA Lexington Park-California-Chesapeake Ranch Estates, MD Salisbury, MD-DE Waldorf, MD Westminster-Eldersburg, MD				
Urbanized Areas in Virginia Statewide Apportionment	\$14,269,492	\$713,475	\$13,556,017	The state governor determines how the statewide apportionment is distributed among the urbanized areas listed. These are urbanized areas with population greater than 50,000 and less than 200,000.
Blacksburg, VA Bristol-Bristol, TN-VA Charlottesville, VA Fredericksburg, VA Harrisonburg, VA Kingsport, TN-VA Lynchburg, VA Staunton-Waynesboro, VA Williamsburg, VA Winchester, VA				

Metrorail Safety Commission

MEMORANDUM

To: Metrorail Safety Commission Board
From: Nicholas Ramfos, COG
Date: May 22, 2018
RE: MSC CEO Employment Agreement and Offer Letter Status

The MSC CEO offer letter and Employment Agreement sent to David Mayer was accepted and signed on May 10, 2018. Dr. Mayer's official start date with the MSC will be June 4, 2018. COG staff will be working on developing an MSC "briefing book" and will set up a series of meetings as part of the on-boarding process. These activities will assist in bringing Dr. Mayer up to speed with the latest status of mobilizing the MSC and work still needed to submit the MSC's certification application to the FTA for review and approval by September 30, 2018.

Metrorail Safety Commission

MEMORANDUM

To: Metrorail Safety Commission Board
From: Nicholas Ramfos, COG
Date: May 22, 2018
RE: CLA and KKR Management Administration and Legal Services
Contract Extension

The current contracts between COG, CliftonLarsenAllen (CLA) for MSC Management Administrative Services and Kaplan, Kirsch and Rockwell (KKR) for MSC Legal Services will be extended to June 30, 2019. The current contracts expire on June 30, 2018.

The total value of the contract extension for CLA will not exceed \$2,700,000. These costs include administrative (\$230,000), FTE Payroll for 14 FTE's (\$2,300,000), Insurance (\$85,000) and PEO Services (\$70,000).

The total value of the contract extension for KKR will not exceed \$370,000.