

Metrorail Safety Commission

September 10, 2018

Agenda Item #4 – Informational

Staff Report

Background	Updates and reports on ongoing activities following the June 5, 2018 Metrorail Safety Commission Board Meeting.
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Issues	None
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Staff Recommendation	Receive staff report
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U.S. Department
of Transportation

**Federal Transit
Administration**

Executive Director

1200 New Jersey Avenue, SE
Washington, DC 20590

AUG 13 2018

The Honorable Muriel Bowser
Mayor of the District of Columbia
1350 Pennsylvania Ave. NW
Washington, DC 20004

The Honorable Larry Hogan
Governor of Maryland
100 State Circle
Annapolis, MD 21401

The Honorable Ralph Northam
Governor of Virginia
P.O. Box 1475
Richmond, VA 23218

Dear Mayor and Governors:

I am writing as a follow-up to my previous letters urging Maryland, Virginia and the District of Columbia to promptly complete the process for establishing a federally compliant State Safety Oversight (SSO) program for the Washington Metropolitan Area Transit Authority (WMATA) Metrorail system. The Federal Transit Administration (FTA) has advised States to submit certification applications as soon as possible and no later than September 30, 2018. Failure to submit an application by September 30, 2018 jeopardizes the three jurisdictions' ability to obtain certification by the April 15, 2019 statutory deadline.

To date, Maryland, Virginia and the District of Columbia have advanced through three of four stages of the certification process for the WMATA Metrorail system and have additional work to complete. By law, the statutory deadline cannot be waived or extended. If the deadline is missed, FTA is prohibited by law from awarding any new federal transit funds to transit agencies within the three jurisdictions until SSO program certification is achieved. In Fiscal Year 2019, FTA is projected to grant approximately \$638,233,977 in federal transit program formula funds (49 U.S.C. 5338) to the three jurisdictions. Without a certified SSO program, FTA would be prohibited from obligating these and other federal transit funds until a SSO program certification is complete.

FTA has been in regular communication with your representatives and representatives of the newly created Metrorail Safety Commission (MSC) and the Metropolitan Washington Council of Governments (MWCOC), the recipient of the FTA SSO funding for this effort, to discuss the required SSO program certification application. FTA has met with the jurisdictions and MWCOC monthly to discuss draft documents and provide technical assistance as needed. The

new Chief Executive Officer of the MSC has recently started attending these monthly meetings. In addition, FTA has hosted training workshops and distributed guidance on SSO program requirements and the certification process.

As a reminder, the MSC must be adequately staffed with a suitable mix of employees and contractors before an SSO program certification application is submitted to FTA. Federal transit safety law requires the MSC to determine, in consultation with FTA, an appropriate staffing level commensurate with the size and complexity of the Metrorail system.

Once MSC submits its final application and FTA approves it, transition will begin. Due to full federal assumption of safety oversight of Metrorail, FTA must validate during the transition period that the MSC is capable of carrying out its safety oversight responsibilities pursuant to federal transit law and its own program standard.

Safety is FTA's top priority, and we are committed to partnering with States to help them fulfill their safety responsibilities and completing this important task.

If you need additional information or assistance, please feel free to contact me at (202) 366-4040, or Henrika Buchanan, FTA's Acting Associate Administrator for the Office of Transit Safety and Oversight, at (202) 366-1783 or henrika.buchanan@dot.gov. She will be happy to assist you.

Sincerely,



Matthew J. Welbes

cc: The Honorable Chris Van Hollen, United States Senator
The Honorable Ben Cardin, United States Senator
The Honorable Mark Warner, United States Senator
The Honorable Tim Kaine, United States Senator
The Honorable Eleanor Holmes Norton, United States Congresswoman
Dr. David Mayer, Chief Executive Officer, MSC
Mr. Christopher Hart, Chair, MSC
Mr. Mark Rosenker, Vice Chair, MSC
Ms. Debra Farrar-Dyke, Secretary-Treasurer, MSC
Ms. Allison Fultz, MSC Legal Counsel
Mr. Charles Spitulnik, MSC Legal Counsel
Mr. Chuck Bean, Executive Director, MWCOG
Mr. Kanathur Srikanth, Director, Department of Transportation Planning, MWCOG
Mr. Nicholas Ramfos, Program Director, Transportation Operations Programs, MWCOG
Ms. Sharmila Samarasinghe, Chair, Tri-State Oversight Committee (TOC)
Mr. Bud Frank, TOC Policy Group Member for the State of Maryland
Mr. Todd McIntyre, TOC Policy Group Member for the District of Columbia
Ms. Jennifer Mitchell, TOC Policy Group Member for the Commonwealth of Virginia

Metrorail Safety Commission

MEMORANDUM

To: Metrorail Safety Commission Board
From: Nicholas Ramfos, COG
Date: September 10, 2018
RE: MSC Banking Services Status

As reported to the Board on June 5th, an RFQ had been released by COG on May 31st to select a reputable financial institution to manage the MSC's core banking services. One proposal was received by the June 13th qualifications submission deadline. A technical selection committee comprised of COG staff and MSC procurement staff from CLA reviewed the proposal and selected Wells Fargo to provide banking services for payroll purposes and full banking services once the MSC receives funding from the state funding agencies and is fully certified and can directly receive federal funding. The MSC's payroll is now being paid through the new bank account.