

Safe Routes to BART (SR2B)

Grant Program: Cycle 3 Guidelines

Applications must be submitted through Submittable
(<https://xbart.submittable.com/submit>) no later than
Thursday, December 14, 2023, by 5:00 PM (PST)

Hard copies will not be accepted and late applications will not be reviewed.

This grant program is funded by Measure RR and open to public agencies within
Alameda, Contra Costa and San Francisco Counties.

SR2B anticipated award announcements: Anticipated no later than January, 2024

San Francisco Bay Area Rapid Transit District (BART)
2150 Webster Street
Oakland, CA 94612
Call for Projects: October 11, 2023 at 10:00 AM (PST)

For more information, visit www.bart.gov/SR2B or email or email sr2b@bart.gov



1 BACKGROUND

1.1 SAFE ROUTES TO BART (SR2B) OVERVIEW

Safe Routes to BART (SR2B) is a Measure RR-funded grant program targeting improved active access to BART stations. SR2B grants assist local jurisdictions and partner agencies in delivering near term, active access infrastructure in the form of transportation capital projects primarily off of BART's property. Projects selected for funding will support BART's 2016 Station Access Policy goals, expand station access choices and improve the overall customer experience to access the BART system.

1.2 MEASURE RR GENERAL OBLIGATION BOND

Approved by voters in 2016, Measure RR authorized BART to issue bonds for \$3.5 billion to rebuild the aging BART system through capital improvements. The General Obligation (GO) Bond includes \$135 million (4% of the \$3.5 billion bond) to deliver capital projects to expand opportunities to safely access BART stations. Seventy-seven million dollars (\$77M) of this amount has been tentatively allocated for the development and construction of active access (walking and bicycling) projects.

1.3 THE OPPORTUNITY

Recognizing the potential of local jurisdictions to improve active access through infrastructure improvements to municipal facilities that demonstrate a clear nexus to BART station access, BART has set aside \$25 million of the \$77 million allocated to active access for the Safe Routes to BART (SR2B) Grant Program. BART has awarded a total of \$5.84 million for Cycles 1 and 2.

1.4 AWARD AMOUNT MINIMUM AND MAXIMUMS

Approximately \$16 million in Measure RR funds will be made available for SR2B's final grant cycle 3 with funding disbursements ranging between approximately \$500,000 and \$3.0 million per agreement. SR2B provides grant funding for construction only (which may include construction management).

2 APPLICATION AND AWARD SCHEDULE*

Activity	Date/Time
Call for projects released	October 11, 2023, at 10:00 AM
Application webinar	October 23, 2023, 2:00-3:30 PM
Deadline for application questions	November 6, 2023
Deadline for applications	December 14, 2023, by 5:00 PM*
Notice of award	Anticipated in January, 2024**
Execute funding agreements	Within 2 months after award **

* Date subject to change. For most current schedule, please visit www.BART.gov/SR2B.

** Specific dates will be provided at a later time.

3 APPLICATION WEBINAR

BART will host an application webinar to review the program with potential applicants and answer questions about the program and the application process. The webinar will cover program requirements, applicant eligibility, project eligibility, the application process, and application evaluation criteria. The proceedings will be recorded and made available on the [SR2B Call for Projects](#) page of BART's website for reference.

4 APPLICATION REQUIREMENTS

Proposed Projects are subject to the Measure RR General Obligation Bond rules and BART's commitments to the public. Appendix A: Eligibility and Evaluation Criteria provides full eligibility requirements, screening and evaluation criteria, but a summary is provided here. For a project to be considered for SR2B funding, applicant agencies and Proposed Projects must meet all eligibility requirements.

For any questions or clarifications needed on any of the application and eligibility requirements, jurisdictions will need to reach out to BART.

4.1 ELIGIBLE APPLICANT CRITERIA

Applicant agencies must:

- be a public agency within Alameda, Contra Costa or San Francisco counties leading a Proposed Project that meets the eligible project criteria;
- have authority (directly or with written permission from the owner) over the elements of the Proposed Project requesting SR2B funds, including right-of-way and maintenance and operations. Must provide proof of authority through title to property, surveyor report or written right-of way agreements (such as encroachment permits, joint-use agreements, easements, rights of entry, possession of utility relocation, letter from property owner indicating ROW process is underway, etc.) over the elements of the Proposed Project requesting SR2B funds, including right-of-way and ability to perform maintenance and operations;

- c. commit to provide at least 30% in matching funds of the total Proposed Project cost (planning, design, environmental, right-of-way, construction and construction management) that has been secured from a non-BART source, not including staff time;
- d. provide a letter of verification of programmed and proposed funding detailed in in Appendix B: Cost Estimate, Funding Plan, Budget Narrative (for example, proof of CIP allocation, grant awards, grant applications);
- e. have a funding plan based on an engineering estimate of the most current design review construction documents. All funds required to deliver the Proposed Project must be secured or have a realistic plan in place to secure the funding. Applicants should provide an estimate based on the most detailed level of design completed; and
- f. demonstrate municipal support and commitment to project delivery within the specified timeframe with, at a minimum, a letter from the City Manager or other executive authority.
- g. demonstrate community support for the Proposed Project by a Citizen Committee or Advocacy Organization. Where operative, Bicyclist and/or Pedestrian Advisory Committees (or equivalent) will be required to provide a letter of support for the Proposed Project. Otherwise, a letter of support from a pedestrian or bicycle advocacy group, such as Bike East Bay, will be required.

4.2 ELIGIBLE PROJECT CRITERIA

To be eligible for this program, Proposed Projects must:

- a. be entirely located within Alameda, Contra Costa, and San Francisco Counties;
- b. deliver near term, enduring, active access infrastructure improvements that demonstrate a clear nexus to access a BART station by walking and/or biking;
- c. maintain or improve safe and comfortable access for BART's customers, including those with disabilities, consistent with the SR2B grant program goals;
- d. have a delivery timeframe (including closeout) of up to three and a half years of the award date by the BART Board of Directors (per milestones outlined in section 7 Project Implementation below); and
- e. have design review construction documents for the Proposed Project that have been completed to 35% or greater. If construction documents are not being used for the Proposed Project (i.e., plans to use in-house labor for project implementation), applicants will need to explain how the design assures project feasibility and enables engineering-level cost estimates.

Proposed Projects may be part of a larger project that does not meet these requirements, but the elements that utilize SR2B funds must meet all stated grant criteria above.

SR2B C3 funds cannot be used to fill funding gaps of previously awarded SR2B projects.

4.3 NUMBER OF APPLICATIONS AND APPLICANTS

Each Eligible applicant may submit only one application per BART station per funding cycle. If applicant submits applications for multiple BART stations, applicant will be required to confirm that jurisdiction has enough resources to advance more than one project if awarded. There are no limits on the number of eligible applicants submitting for an individual station. However, Proposed Projects that demonstrate inter-agency coordination will be prioritized.

Eligible applicants may co-sponsor a Proposed Project with multiple agencies, as long as the eligible applicant is the lead applicant. Applicants may also substitute one station specific application for a multi- station intervention type (systemic improvements such as lighting, high-visibility crosswalks, etc.).

5 APPLICATION PROCESS

BART has made every effort to create as user-friendly an application process as possible, while ensuring that the grant program meets the agency's own requirements for quality, efficiency and transparency.

Before diving into the application process, BART encourages potential applicants to review all of the materials in the Application Materials section of the grant's [Call for Projects](#) web page. Doing so will give applicants a good sense of what resources and talent the application will require.

The SR2B grant program supports BART's goals beyond the simple movement of customers. The program includes goals related to equity, and complete communities, as well as customer experience, safety and security. While we anticipate each Eligible Applicant's Public Works or Transportation departments will generally take the lead on SR2B application development, the application process may require support from an applicant's Planning, Land Use and/or Housing departments.

5.1 APPLICATION INSTRUCTIONS

Eligible Applicants are required to submit their application via the *Submittable* application website, www.xbart.submittable.com. Applicants will be required to sign up for a free *Submittable* account. Technical assistance is available from *Submittable* via phone, email and chat. Contact info is listed on the first page of the SR2B submission page. Applicants must provide enough detail about the Proposed Project in the application so that the review committee has all the Information required to score without doing additional research (e.g., looking up plans and studies, clicking on links, etc.). The quality of application is considered throughout the scoring process.

In addition to the online form, applicants will be asked to upload the following materials.

5.1.1 Proposed Project Description, Drawings and Map(s):

- a. **Summary description** (250 words or less) of the current issues and how the Proposed Project improves bike/ped access to the target BART station(s). If the SR2B funds requested for a particular scope or segment of a larger project, provide the broader project context.
- b. **Easy to read map** showing the Proposed Project area including city streets and project limits as appropriate. For linear projects, please identify the start and end point of locations. If multiple bikeway types are proposed (e.g. cycle track, bike lane), clearly indicate the limits of each bikeway type. Map should also include:
 - Existing facilities, as applicable (e.g. bikeways, sidewalks, crosswalks, traffic signals, etc.). If the Proposed Project is closing a gap, clearly illustrate how the Proposed Project achieves this. Relationship to existing bike or ped plan (as appropriate).
 - Nearby BART station(s) and other transit facilities, activity centers, other locations of interest and regional connections.
 - Map elements: scale, legend, north arrow and clear documentation of items above.
- c. **Most current design drawings.** The most current construction design set (minimum 35%) of no more than five (5) 11"x17" drawings (as PDFs) including plan views and cross sections and any supporting renderings that provide an overview of the Proposed Project scope.

5.1.2 Cost Estimate, Funding Plan, Budget Narrative and Schedule

Applicants must provide their estimate based on an engineer's estimate based on engineer's estimates of the most detailed design review construction documents completed, which should be 35% or higher. Applicants must use the forms provided in Appendix B. If more detailed budgets have been prepared, Applicants are encouraged to provide that information.

5.1.3 Letters of Commitment or Resolution

Provide a signed Letter of Commitment from the applicant's authorized representative (e.g., Chief Executive, Executive Director, or City Manager) or Resolution from the governing body (e.g., City Council, Board of Supervisors, or Board of Directors) that authorizes the submittal of the application; identifies the individual authorized to submit and carry out the proposal; and commits the sponsoring agency to provide all necessary funds to undertake the Proposed Project including matching funds.

A signed letter from the head of the department/division will be required to indicate that the project will be completed within the timeframe provided in the application

5.1.4 Letter of Support for the Proposed Project from a Citizen Committee or Advocacy Organization

Where operative, Bicyclist and/or Pedestrian Advisory Committees (or equivalent) will be required to provide a letter of support for the Proposed Project. Otherwise, a letter of support from a pedestrian or bicycle advocacy group, such as Bike East Bay, will be required.

5.1.5 Letter of Funding Verification

A Letter of Verification outlining available documentation of programmed and proposed matching funding noted in Appendix B (for example, proof of CIP allocation, grant awards, grant applications).

5.1.6 Right of Way Control

Proof of authority through title to property, surveyor report or written right-of way agreements (such as encroachment permits, joint-use agreements, easements, rights of entry, possession of utility relocation, letter from property owner indicating ROW process is underway, etc.) over the elements of the Proposed Project requesting SR2B funds, including right-of-way and ability to perform maintenance and operations.

5.1.7 Environmental Approval

If applicable, proof of completed CEQA documentation, either a copy of exemption by lead agency, applicable negative declaration, or environmental impact report.

5.1.8 Plan

If any part of the Proposed Project is required as part of a plan, please include a copy of the relevant text from the plan and a link to the document if it's available online.

5.1.9 Letters of Support

If available, provide letters of support from other stakeholders, in addition to required Letter of Commitment.

5.1.10 Additional Information

Any additional, clarifying information or important permits secured that support project readiness.

Table A: Application Checklist

Application questions (input into https://xbart.submittable.com/ required)	<input type="checkbox"/>
Map(s) of project area (upload required; PDF, GIF, JPG, or PNG format only; limit five (5) files)	<input type="checkbox"/>
The most current construction design set (minimum 35%) (upload required, PDF format only, limit five (5) files)	<input type="checkbox"/>
Other relevant project graphics and photographs (upload optional; PDF, GIF, JPG, or PNG format only; limit five (5) files)	<input type="checkbox"/>
Letters of Commitment or Resolution (upload required)	<input type="checkbox"/>
Letter of support from a Citizen's Committee or Advocacy Organization (upload required, PDF only).	<input type="checkbox"/>
Letter of funding verification (upload required, PDF only)	<input type="checkbox"/>
Proof of authority over right of way control (upload required, PDF only)	<input type="checkbox"/>
Environmental approvals (PDF only, required where applicable)	<input type="checkbox"/>
Plan: Copy of the relevant text from the plan and a link to the document (required if applicable)	<input type="checkbox"/>
Additional letters of support (upload optional, PDF only, limit of 10 files)	<input type="checkbox"/>
Any additional information (upload optional, PDF only, limit of 10 files)	<input type="checkbox"/>

6 SELECTION, AWARD, AND AGREEMENT

After receiving SR2B applications, BART staff will screen applicants and projects for eligibility. Then, a Selection Committee made up of BART staff and external participants will review the proposals.

The Selection Committee will evaluate the Proposed Projects against the policy and technical criteria outlined in Appendix A, which are directly linked to the Board-adopted 2016 Station Access Policy, also referenced in Appendix A. Once the SR2B Selection Committee scores the project proposals, the BART's General Manager will make a final determination of award. Staff will then provide an update to the BART Board.

Once BART has made its final determination, it will notify successful applicants of their grant award offer, issue a Notice of Proposed Award and prepare a Funding Agreement.

Notices, such as a Notice of Proposed Award, do not constitute a final obligation on the part of BART to fund a project. Only a fully executed funding agreement (i.e., signed by both the Project Sponsor and BART) constitutes BART's award of funds for a project.

Once Project Sponsor receives Notice of Proposed Award, the Project Sponsor will need to submit a W-9 to BART.

7 PROJECT IMPLEMENTATION

After a Funding Agreement has been fully executed, the Project Sponsor may use SR2B funds for construction. This time period to implement the project is referred to as the Implementation Phase.

7.1 MILESTONES

Projects funded through SR2B will be expected to achieve the following milestones to deliver projects:

- a. reach 100% design/bidding documents no later than 1.5 years after funding award has been approved by the BART Board;
- b. award a Notice to Proceed for the project no later than 6 months after 100% design; and
- c. construction complete and project closeout no less than 1.5 years from issuance of a Notice to proceed.

7.2 PROJECT SPONSOR RESPONSIBILITIES

During the Implementation Phase, Project Sponsors must:

- a. be responsible for permitting, environmental documentation and construction of the project;
- b. ensure the project meets all federal, state, and local regulatory requirements, including ADA, stormwater, etc.;
- c. ensure that all aspects of construction comply with the California Business and Professions, Civil, Government, Labor, and Public Contract Codes, including prevailing wage provisions;
- d. acknowledge BART's Measure RR as a funding source in printed and electronic materials describing the project, such as construction signage, brochures, handbooks, newsletters and press releases;
- e. at key design milestones agreed to in the funding agreement, allow BART staff and its authorized representatives up to three weeks to review designs and propose potential modifications;
- f. allow BART staff and its authorized representatives to conduct construction observations of the project and conduct financial audits, including all records related to the project performance and expense incurred; and
- g. Recipients that have small business programs designed to encourage and facilitate the participation of small businesses in its contracts shall be required to

implement those programs on all contracts funded the SR2B program. To the extent that a recipient does not have a small business program, it will be required to encourage small business participation on all contracts funded by SR2B funds since BART needs to track small business participation on any Measure RR funds that are expended. Small business participation will not be factored into the scoring of an application since not all cities have programs.

After construction is complete, Project Sponsor must:

- a. be responsible for operations and maintenance of the project.
- b. monitor the condition of the facilities and maintain the project components in good operating condition.

8 INSURANCE

Insurance requirements are based on a project's scope, and may also include commercial general liability, automobile liability, and automobile physical damage. BART reserves the right to specify different types or levels of insurance in the funding agreement. The typical funding agreement requires that each Project Sponsor provide documentation showing that the Project Sponsor and any sub-awardees meet the insurance requirements for each of their projects.

Acceptability of Insurers: Insurance is to be placed with insurers with a current A.M. Best's rating of no less than A VII. BART may, at its sole discretion, waive or alter this requirement or accept self-insurance in lieu of any required policy of insurance

Project Sponsors must meet the following insurance requirements:

8.1 LIABILITY INSURANCE

Liability Insurance with a limit of not less than \$1 million per occurrence:

- a. of the type usual and customary to the business of the Project Sponsor; and
- b. on the vehicles, vessels, engines or equipment operated by the Project Sponsor

8.2 PROPERTY INSURANCE

Property insurance:

- a. in an amount of not less than the insurable value of Project Sponsor's equipment funded under the Agreement; and
- b. covering all risks of loss, damage or destruction of such vehicles, vessels, engines or equipment.

8.3 WORKERS' COMPENSATION

Will be as required by California law and employers' liability insurance with a limit not less than \$1 million

9 REIMBURSEMENT PROCESS

SR2B grant funding is paid on a reimbursement basis for eligible costs after all invoiced costs have been incurred and paid for by the Project Sponsor and after BART has reviewed and approved all invoices and required reports.

SR2B grant funds should be expended proportionally with other funding sources or after other funding sources have been expended.

Project Sponsors must submit invoices to BART on a monthly or quarterly basis, which will include a summary of work and all costs of the project for which SR2B funds are being requested for the stated time period. Project Sponsors must use BART's General Invoice Form when submitting a reimbursement request. The Project Sponsor will be responsible for including a report of all awards and payments to small businesses (whether as a Prime or Subcontractor) with each to BART.

Project must submit final invoices for reimbursement within three months after all construction has been completed, and the facility is placed into service.

The Project Sponsor will agree to provide any additional funding that may be needed to complete the project beyond the amount provided by BART as stipulated by the Project Sponsor in its grant application submission. The Project Sponsor will acknowledge that if any portion of the Project is not funded by such additional funding, BART is not obligated to provide grant funds to the Project Sponsor and is not liable to the Project Sponsor in any way for such funding.

If the original, approved project scope receiving SR2B funds is modified and/or completed under budget it may have its award amount recalculated and reduced proportionately, at BART's sole discretion. Project Sponsors may apply for reallocation. However, funds will only be reallocated to efforts that directly support the approved scope of the originally approved outcomes for the grant.

9.1 ELIGIBLE COSTS

Project costs must comply with the requirements of Measure RR GO Bond rules.

Grant funding may only be used to reimburse the Project Sponsor for the approved eligible costs, which are specified in the funding agreement, which have been incurred by the Project Sponsor, and which are directly and solely related to the capital expenses of the project. Funds must be used for construction costs only (which may include Construction Management). Funds must be used for the improvement of real property, subject to independent oversight and annual audits.

Expenses eligible for reimbursement may include:

- a. material that is directly related to construction of an approved project;
- b. equipment rental that is directly related to construction of an approved project (e.g., dump truck);
- c. fixtures are permissible. Examples of fixtures are permanently affixed signs, elevators, bike racks and lockers;

- d. labor charges (i.e., salaries, wages, and benefits) directly and solely related to the site preparation, construction and the installation; and
- e. permit fees

9.2 INELIGIBLE COSTS

Project-related costs that are not specified as eligible costs in the executed funding agreement will not be considered eligible for reimbursement by grant funds and may not be counted towards the match funding requirement.

The following are examples of ineligible costs:

- a. any work conducted prior to the full execution of a funding agreement, including work that was required for the application;
- b. feasibility and planning studies;
- c. design;
- d. hardware, equipment, or labor costs that are not essential or directly related to the project;
- e. any costs related to the development of new software or applications;
- f. costs related to operation or maintenance;
- g. purchase of equipment as defined by the GO Bond rules - Generally equipment has no permanent connection to a structure or building and can be moved without losing their character or value. Examples of equipment are vehicles, computers, tables, and chairs; and
- h. grant administration (e.g., salaries, wages, benefits, supplies, equipment and other office expenses).

10 REPORTING

During the Implementation Phase, the Project Sponsor is required to monitor the project and submit the following reports to BART:

- a. **Initial Project Report (IPR)** is due with Funding Agreement. Project Sponsors must also include existing conditions photos.
- b. **Quarterly Progress Reports** that shall include narrative, budget update, contracting changes (small business participation, contract change orders and/or amendments) change orders as it relates to SR2B funded scope of work. Project Sponsors will need to provide 2-3 photos of work performed and work completed during period if relevant.
- c. **Final Report:** required for release of the final reimbursement and due within three months from the date the project is placed into public use. Project Sponsor will need to include at least 2-3 post-construction photos in the final report.

The Project Sponsor shall be responsible for reporting awards to prime contractors and subcontractors implementing the project scope receiving SR2B funds to BART when the contract is awarded. If there are any changes to contractors or subcontractors, the Project Sponsor will be required to notify BART.

11 PROJECT EVALUATION

Depending on COVID recovery ridership, BART may evaluate project impacts by collecting baseline counts and/or intercept surveys before project implementation and follow up with data collection after the project is in operation.

12 AUDIT AND RECORDS RETENTION

Project Sponsors must allow BART staff or its authorized representatives to audit the project before the project ends. All SR2B projects will be audited once BART accepts and approves the Project Sponsors' final invoice. BART conducts audits to ensure that all project funds have been spent and project requirements have been met in accordance with the funding agreements, SR2B program guidelines, and SR2B grant program policies. As such, Project Sponsors are required to maintain all project records in a centralized location throughout the project term and for three years following the date of BART's final reimbursement payment.

13 ADDITIONAL INFORMATION, PROGRAM UPDATES AND QUESTIONS

Visit www.bart.gov/SR2B for more information. For specific questions, please attend an application webinar or contact Rachel Factor, Principal Planner & SR2B Project Manager, by email at SR2B@bart.gov (subject "RE: SR2B Program").

Notices about this Program, including announcements about schedule and program updates, will be posted on www.bart.gov/SR2B and sent via e-mail to parties that have signed up to receive SR2B email alerts at www.bart.gov/SR2B.