

June 28, 2016

Robert Patrick, Regional Administrator
Federal Transit Administration, Region VI
Via Electronic Mail

RE: Fort Bend County Request for Letter of No Prejudice (LONP) to Continue Design Activities and Commence Construction Activities for Transit Administration and Operations Facility

Dear Mr. Patrick,

As required under the Fixing America's Surface Transportation Act (FAST Act) and in accordance with subsequent FTA guidance, Fort Bend County ("County") respectfully requests the Federal Transit Administration's issuance of a Letter of No Prejudice (LONP) allowing the County to incur costs up to \$18,696,847 in federal dollars for the purpose of seeking federal reimbursement at a later date. Costs and related activities under the LONP would include: construction management, construction materials testing, construction activities and furniture, fixtures and equipment associated with the build out of a Transportation Administration, Operations and Maintenance Facility to house Fort Bend County's Public Transportation Department (herein referred to as the "Project").

The County has been pursuing several federal funding streams for this Project. Fort Bend County recently submitted the Project to the Houston-Galveston Area Council's local Transportation Improvement Program Project Call and received Congestion Mitigation Air Quality (CMAQ) funding totaling \$17,200,000 (scheduled FY18 \$2,800,000 and FY20 \$14,400,000). It is the County's intent to submit a request to TXDOT to transfer these funds for oversight by FTA in each of the fiscal years indicated. In addition, the County will use Section 5307 funding for this project as follows: FY17 \$498,899, FY18 \$498,899 and FY19 \$499,049.

The County understands the costs incurred subsequent to the issuance of this LONP may be reimbursable as eligible expenses or eligible as credit toward the local match for the facility at a later date. The County also understands FHWA flex funds (CMAQ) must first be transferred by FHWA to FTA and a grant must be executed before money spent for the Project can be reimbursed from this funding source. Furthermore, the County fully understands federal funding is not implied or guaranteed by receipt of a Letter of No Prejudice. Fort Bend County is committed to following all applicable federal requirements should the LONP be approved.

The local portion of this project is in the Statewide Transportation Improvement Program (STIP) under MPOID 11540. The CMAQ funding for this project was amended into the Houston Galveston-Area Council's 2017-2020 TIP under MPOID#s 110285 (FY18) and 11715 (FY20) on May 27, 2016. Section 5307 funding is in the Transportation Improvement Program (TIP) under MPOID#s 16269 (FY17) and 16272 (FY18). The TIP is updated every three years so FY19 will be included in the next update.

As required by FTA, the County received an Environmental Concurrence for a Categorical Exclusion Type C-9 from FTA on September 22, 2015. The detailed environmental document was sent to the FTA Region VI Office on May 1, 2015 and should already be on file with your office, but as a courtesy, the County has also set up a Dropbox Account which includes electronic copies of this document and other relevant project documents. The link for dropbox is:

<https://www.dropbox.com/sh/s7hry65vdho9ne0/AACZjBhoz4x5K1OyVoCK0Mwda?dl=0>

This dropbox link includes electronic copies of the Advanced Planning Report, Environmental Report, Environmental Concurrence, Appraisal, Review Appraisal, Geotechnical Report, Activity Cost/Funding Streams Table, Project Implementation Schedule, and County Auditor Letter concerning advancing local funds.

In FY15, Fort Bend County's Public Transit System provided over 330,000 trips. As detailed in Attachment A, the existing logistical constraints of our public transportation service merit completing this project as soon as possible. Our ability to provide the services we are offering is hindered and expansion of service is on-hold until the project is completed. Additional information regarding the project, our need, and justification for the requested LONP is included in Attachment A.

Your attention to this request is much appreciated. If you have any questions please contact Paulette Shelton, Transportation Director, at 281-243-6701 or via email at Paulette.Shelton@Fortbendcountytx.gov.

Sincerely,

Robert E. Hebert
Fort Bend County Judge

Attachment A: Fort Bend County Public Transportation Department
Administration, Operating and Maintenance Facility
Letter of No Prejudice (LONP) Request Detail

cc via email:

Cheryle Tyson, FTA Region VI General Engineer
Melissa Foreman, FTA Region VI Community Planner
Don Kioski, FTA Region VI Director of Planning & Program
Development
Paulette Shelton, FBCPT Director
Jon McGuff, FBC Facilities
Richard Stolleis, FBC Engineer
Ed Sturdivant, FBC Auditor
Jeff Thomas, Design Engineer, LAN
Christina Bune, FBCPT, Finance & Administration Manager

ATTACHMENT A

Fort Bend County Public Transportation Department Administration, Operation and Maintenance Facility Letter of No Prejudice (LONP) Request Detail

Fort Bend County is requesting the Federal Transit Administration (FTA) issue a Letter of No Prejudice (LONP) to allow Fort Bend County to incur costs up to \$18,696,847 in federal dollars for design and construction activities occurring before award of a grant agreement for the above listed project.

When and if FTA approves a grant agreement, Fort Bend County understands the cost incurred subsequent to the issuance of a Letter of No Prejudice may be reimbursable as eligible expenses or eligible as credit toward the local match for the facility at a later date. We also understand FHWA flex funds (CMAQ) funds must first be transferred by FHWA to FTA and a grant must be executed before expenses can be reimbursed. Furthermore, Fort Bend County fully understands federal funding is not implied or guaranteed by receipt of a Letter of No Prejudice. Fort Bend County is committed to follow all applicable federal requirements should the LONP be approved.

The local portion of this project is in the Statewide Transportation Improvement Program (STIP) under MPOID 11540. The CMAQ funding for this project was amended into the Houston Galveston-Area Council's 2017-2020 TIP under MPOID#s 110285 (FY18) and 11715 (FY20) on May 27, 2016. Section 5307 funding is in the Transportation Improvement Program (TIP) under MPOID#s 16269 (FY17) and 16272 (FY18). The TIP is updated every three years so FY19 will be included in the next update.

As required by FTA, the County received an Environmental Concurrence for a Categorical Exclusion Type C-9 from FTA on September 22, 2015. The detailed environmental document was sent to the FTA Region VI Office on May 1, 2015 and should already be on file with your office, but as a courtesy, The County has also set up a Dropbox Account which includes electronic copies of this document and other relevant project documents. The link for dropbox is <https://www.dropbox.com/sh/s7hry65vdho9ne0/AACZjBhoz4x5K1OyVoCK0Mwda?dl=0> This dropbox link includes electronic copies of the Advanced Planning Report, Environmental Report, Environmental Concurrence, Appraisal, Review Appraisal, Geotechnical Report, Activity Cost/Funding Streams Table, Project Implementation Schedule, and County Auditor Letter concerning advancing local funds.

Project Description

The proposed project will utilize up to 30 acres of land, already owned by Fort Bend County, to construct the Fort Bend County Public Transportation Administration/ Operations Facility. Project activity costs for the LONP include construction of the administrative/operations building, bus maintenance building, a fueling/

bus washing station, two lane access road, staff and bus parking in addition to construction materials testing, construction management activities, remaining design engineering, furniture, fixtures and equipment (FF&E), fencing/gates, security lighting/cameras and necessary landscaping.

The admin/ops facility will have accommodations for administrative activities, reservations, scheduling, customer service, dispatch, traffic management, fare sales and collections, and driver work/break area. The fueling island will include a bus wash facility; parts wash station and a fare collection station. The maintenance building will accommodate bus and service vehicle repair as well as inventory storage for parts, tires, batteries, etc. Other construction activities will include the construction of a two lane access road to the site, installation of security cameras, fencing and gating and installation of necessary landscaping grasses, shrubs and trees. Other auxiliary activities include provision of construction materials testing, construction management activities and any remaining or additional design engineering activities.

The site itself and the facility use are consistent with existing land use. It will be located on a portion of a 209 acre tract of land owned by the County. The overall site contains the Fort Bend County Fairgrounds Facility (inclusive of stock holding pens, arenas and exhibition buildings), Fort Bend County EMS Station and Training facility, Fort Bend County Agricultural Extension office, bulk fuel storage, road material storage and the Fort Bend County Fairgrounds Park and Ride facility. The property is located in the City of Rosenberg on the corner of Stella and Cottonwood School Road, approximately 730 yards west of I-69. Stella Road is a County owned road traversing through the County owned land. The transit facility will be constructed on a parcel immediately adjacent the bulk fuel storage station and road materials storage site and within 1/4 mile of Fort Bend County's Fairgrounds Park and Ride facility.

Project Costs

The Project Budget table, Exhibit A, details project costs (expenses and revenues) and indicates federal funds already committed to the project. The project is listed in the TIP and identified as Project MPOID 11540. Fort Bend County competed for the project in the Houston-Galveston Area Council's Local Transportation Improvement Program Call for Projects and has received Congestion Mitigation Air Quality (CMAQ) funding scheduled for FY18 \$2,800,000 and FY20 \$14,400,000. It is Fort Bend County's intent to submit a request to TXDOT to transfer these funds for oversight by FTA in each of the fiscal years indicated. Fort Bend County will use also use Section 5307 funding for this project as follows: FY17 \$498,899, FY18 \$498,899 and FY19 \$499,049. Project costs to be included under the LONP are also shown on the table with the anticipated revenue streams identified in the revenue section.

Justification for Advancing the Project/Fort Bend County Capabilities

Fort Bend County's Public Transportation Department was officially formed in 2005. At that time the Public Transportation Department was placed in an office within an

existing County department. The Public Transportation department has since moved three times in the past 10 years to accommodate growth and has met capacity yet again. The County's transit operations are currently carried out in four different locations: one location for administrative staff and some operations staff (Contract Supervisor, Reservations, Scheduling and IT), another for the bus operators, dispatch, supervisors and fleet, a third location (which is leased) for bus maintenance, and a fourth site for fueling. Transit operations from these multiple locations present several factors that affect daily costs of operations and prevent efficient use of equipment and staff.

The majorities of the buses are stored and pull out from a County facility located at 1809 Eldridge Road in Sugar Land. This location is too small to handle parking of our current fleet, drivers and operations staff so overflow bus storage and staff parking is provided at the Administrative/Ops facility located on Emily Court which is approximately 2 ½ miles away. Staff and buses are moved between the two locations every morning and every evening. At the primary operations facility (Eldridge Road) buses are stored nose to tail in order to fit as many as possible. Several staff members are dedicated to the task of moving buses around in order to make room for all of the buses on the lot and to make scheduled pullouts each morning. Some drivers are required to pull their bus out and then park their personal vehicle in the bus space. The operations office staff does not have dedicated office space and the building does not lend itself to efficient use with drivers having to pass thru the dispatch area to get to a manager/supervisor or to pick up or deliver paperwork. The building has two small single stall restrooms for a staff of over 75 employees.

Fort Bend County also has a contract for an Ambassador Program which provides assistance for elderly and disabled passengers. Due to the lack of room for employee parking at the Eldridge Road location, ambassador employees park at the Emily Court location. A bus pulling out from the Eldridge location drives two miles at the beginning and end of each route to pick up and drop off the Ambassador assigned to the route from the Emily Court location. The Ambassador Supervisor is located at the Emily Court Admin/Ops Facility due to the limited office space at the Eldridge Operations Facility. This also requires frequent trips of two miles each way between the two locations.

Bus maintenance is currently performed in two rented warehouse bays located at 1723 Eldridge Road in Sugar Land. The property is adjacent to the Bus storage facility but requires street travel to get from one location to the other. Buses being returned to the parking lot must be driven a distance of one mile around a residential neighborhood behind the bus facility. Because of the need to shuffle buses to get in and out of the parking lot mechanics spend a lot of time moving buses instead of performing repairs. This facility has no room for bus storage outside of the two bays that are leased so mechanics must come to and from the operations facility to pick up buses needing maintenance. Combined with the bus storage constraints at the primary operations facility, mechanics are frequently required to move other buses to get to the vehicle they need for maintenance work and to relocate other buses when a vehicle is returned to the lot after maintenance work is performed.

Bus fueling operations occur at our Dairy Ashford Road location, 2.5 miles from where

the buses are housed. This location contains other County equipment and is secured behind a closed gate after regular business hours. Buses refuel after normal business hours; therefore, a transit supervisor is assigned to monitor, open and close the gate for buses to refuel at the end of their route. This adds unnecessary miles and hours to operations.

The proposed facility will consolidate all of our transit operations into one primary facility, giving the County consistent access of the fleet for more efficient and effective operations, monitoring, and oversight and eliminating a multitude of daily issues. Moreover, it will be designed specifically to maintain a transit fleet with the necessary equipment and infrastructure necessary to accommodate those needs.

Fort Bend County recognizes the need to undertake this project as quickly as possible to gain the efficiencies and cost savings inherent with one facility specifically designed to accommodate transit services. As such, the County will advance local funding to accomplish these goals. The Dropbox account set up to house electronic copies of the required documents for the LONP and overall project includes a letter from the County Auditor asserting the County will advance local funds from local revenues for construction of the facility. Since its creation in 2005, Fort Bend County's Public Transportation Department has been managing Federal, State and Local grants with no major audit or oversight findings. We are familiar with the Federal Requirements and are committed to carrying out this project according to those requirements should the LONP be approved.

Project Implementation Schedule

The Project Implementation Schedule, Exhibit B, details the project timeline up to the construction phase.

Site Layout

The Site Layout, Exhibit C, is a detailed layout of the administration and operations facility.

Exhibit A

Fort Bend County Public Transportation Administration/Operations Facility Project Budget

06/13/16

Project Expenditures							
YEAR OF EXPENDITURE	2015	2016	2017	2018	2019	2020	
Planning/Environmental	261,900						261,900
Design Facility and Access Road		1,340,631					1,340,631
Related Svcs as Required (Peer Review etc)		60,230					60,230
Geotechnical Services		30,000					30,000
Construct Admin & Maint Facilities			8,413,650				8,413,650
Site Paving & Bus Canopies			6,017,318				6,017,318
Construct Bus Wash, Fuel Island			3,614,078				3,614,078
Construct Access Road			1,048,962				1,048,962
Construction Materials Testing			270,000				270,000
Construction Management			763,760				763,760
Contingency			1,909,401				1,909,401
Furniture, Fixtures & Equipment			1,000,000				1,000,000

Total Expenditures	261,900	1,430,861	23,037,169	---	---	---	24,729,930

Project Funding							
REVENUE YEAR OF APPORTIONMENT	2015 & Prior	2016	2017	2018	2019	2020	
Local - Bond				152,760		4,057,401	4,210,161
Local - Donated Land**				437,792			---
Local - General Revenue	46,888						46,888
TxDOT - FY14 5311 State (51412F7016)	27,708						27,708
TxDOT - FY13 5311 Fed (51312F7187)	3,689						3,689
TxDOT - FY15 5311 Fed (PO5300)	690						690
FTA FY11 5307 (TX-90-X968)	182,925						182,925
FTA FY14 5307 (TX-90-Y120)	913,231						913,231
FTA FY15 5307 (not assigned yet)	511,130						511,130
TxDOT - FY15 5311 Fed (PO5300)	6,499						6,499
TxDOT - FY15 5311 Fed (PO5300)	130,161						130,161
FTA FY17 5307 (not assigned yet)			498,899				498,899
FTA FY18 5307 (not assigned yet)				498,899			498,899
FTA FY19 5307 (not assigned yet)					499,049		499,049
CMAQ FY18 FUNDING - HGAC				2,800,000			2,800,000
CMAQ FY20 FUNDING - HGAC						14,400,000	14,400,000

Total Funding	1,822,921	---	498,899	3,451,659	499,049	18,457,401	24,729,930

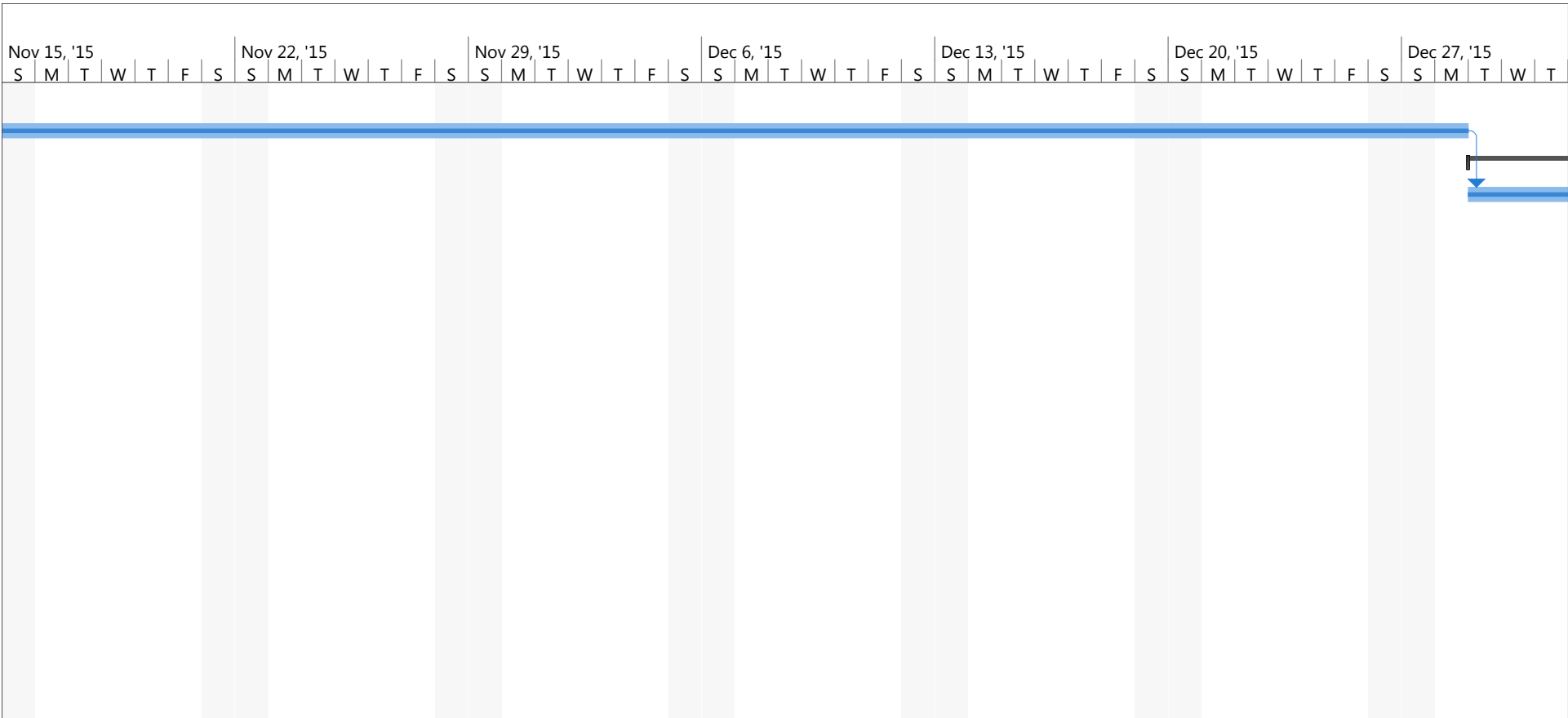
Total LONP Request: 18,696,847

**This project will use County owned and donated land with an estimated value of \$437,792. This leverages \$2,188,960 federal dollars at 100%.

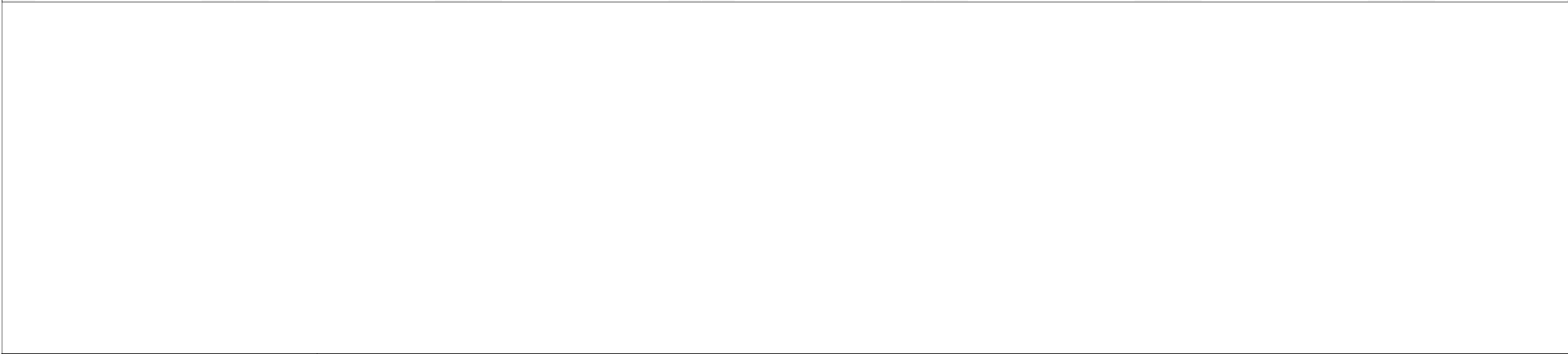
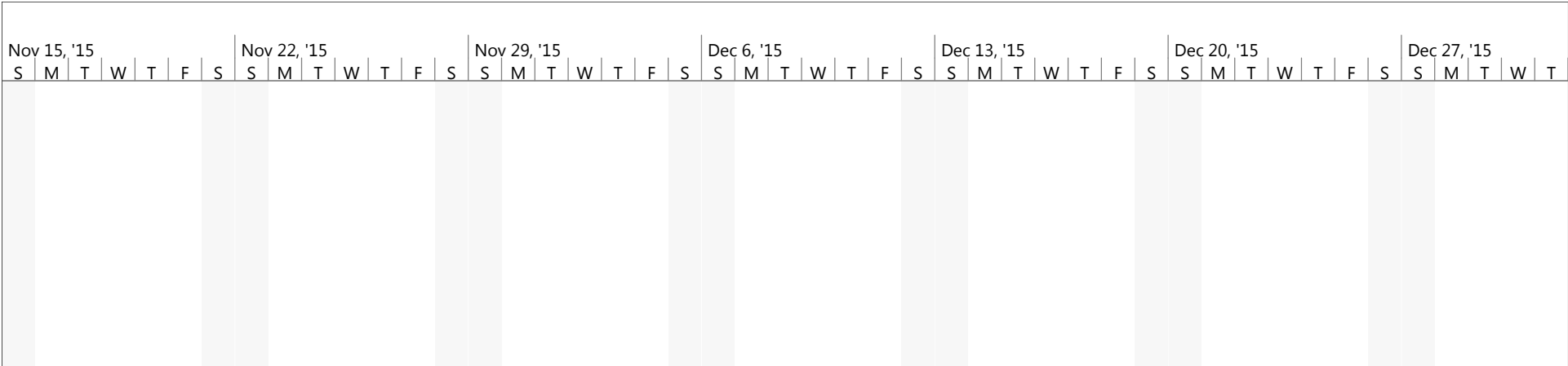
Exhibit B

ID	Task Mode	Task Name	Duration	Start	Finish	Precedence	% Complete	11/15							Nov 8, '15							
								M	T	W	T	F	S	S	M	T	W	T	F	S		
1	✓	🚀	Court Approval	0 days	Tue 11/3/15	Tue 11/3/15		100%	11/3													
2	✓	➡	PO Received	40 days	Tue 11/3/15	Mon 12/28/15	1	100%														
3	✓	➡	Site Master Plan	44 days	Tue 12/29/15	Fri 2/26/16		100%														
4	✓	➡	Review Space Program	10 days	Tue 12/29/15	Mon 1/11/16	2	100%														
5	✓	➡	Preliminary Layouts	10 days	Tue 1/12/16	Mon 1/25/16	4	100%														
6	✓	➡	County Review	14 days	Tue 1/26/16	Fri 2/12/16	5	100%														
7	✓	➡	Final Master Plan Layout	10 days	Mon 2/15/16	Fri 2/26/16	6	100%														
8	✓	➡	30% Design	35 days	Mon 2/29/16	Fri 4/15/16		100%														
9	✓	➡	Preliminary Design	20 days	Mon 2/29/16	Fri 3/25/16	7	100%														
10	✓	➡	County Review	5 days	Mon 3/28/16	Fri 4/1/16	9	100%														
11	✓	➡	Final Design	10 days	Mon 4/4/16	Fri 4/15/16	10	100%														
12		🚀	County Review/NTP	1 day	Mon 4/18/16	Mon 4/18/16	11	0%														
13		➡	60% Design	48 days	Wed 5/18/16	Fri 7/22/16		0%														
14		🚀	60% Design Kick Off	0 days	Wed 5/18/16	Wed 5/18/16		0%														
15		🚀	Backgrounds from RdIR	0 days	Wed 6/1/16	Wed 6/1/16		0%														
16	📅	➡	Design	25 days	Wed 5/18/16	Tue 6/21/16	14	0%														
17		🚀	Internal Review	1 day	Mon 6/20/16	Mon 6/20/16		0%														
18		🚀	Comments Due to RdIR	0 days	Tue 7/5/16	Tue 7/5/16		0%														
19		🚀	60% Design Package to County	0 days	Mon 7/11/16	Mon 7/11/16		0%														
20		➡	County Review	5 days	Mon 7/11/16	Fri 7/15/16	19	0%														

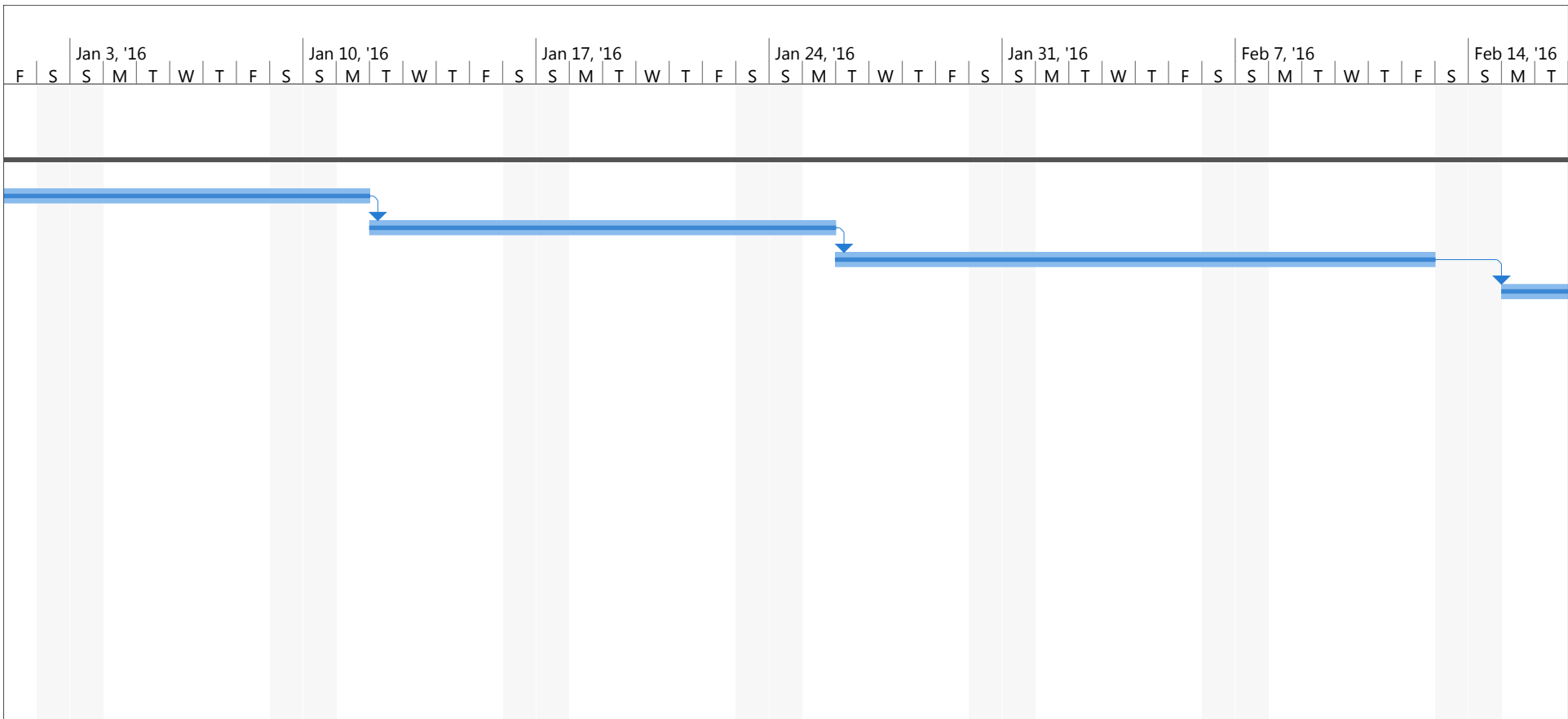
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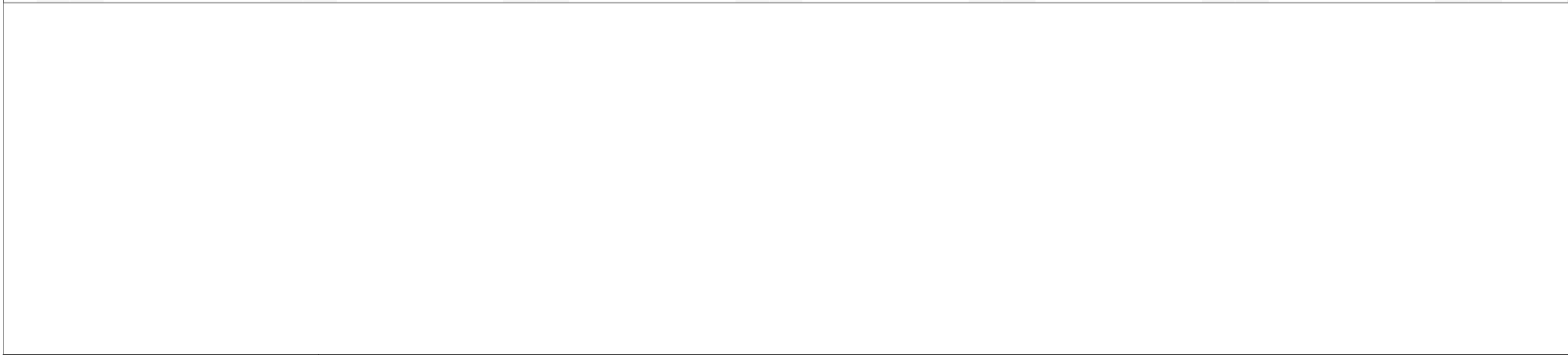
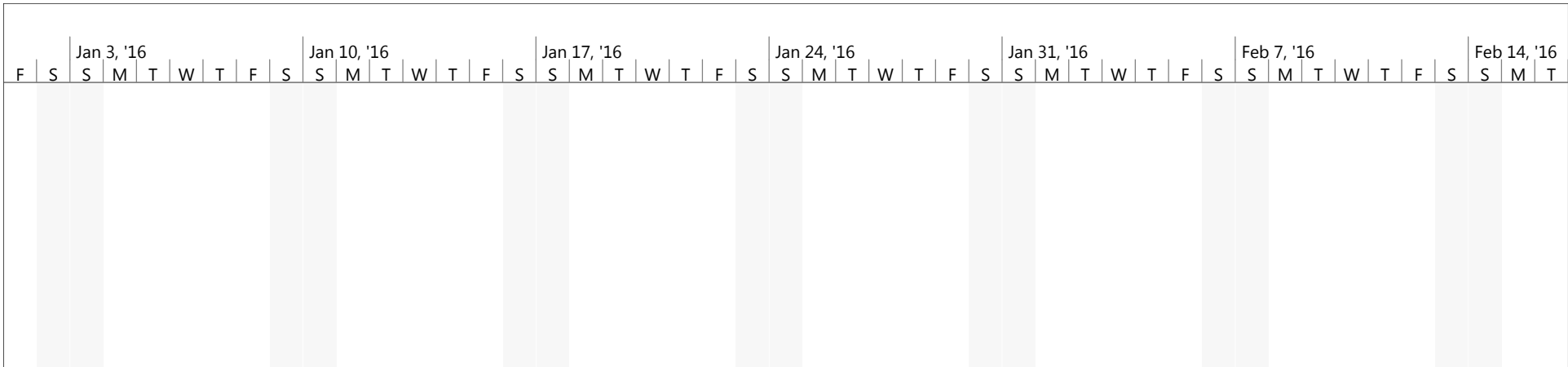
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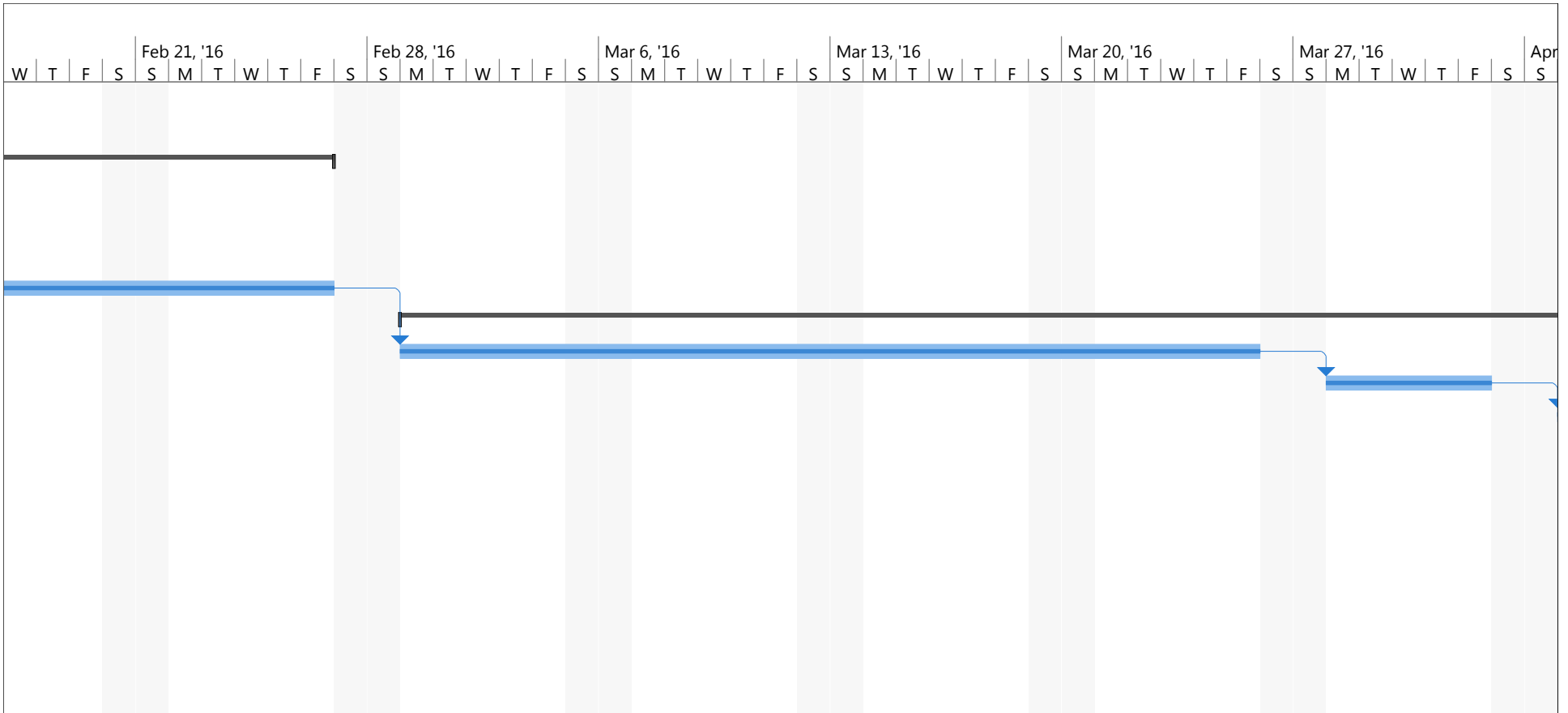
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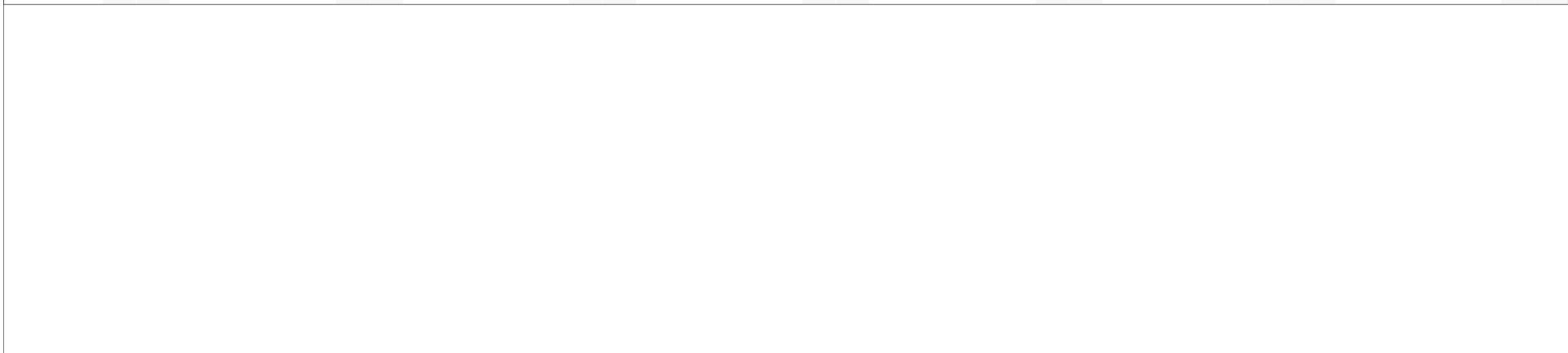
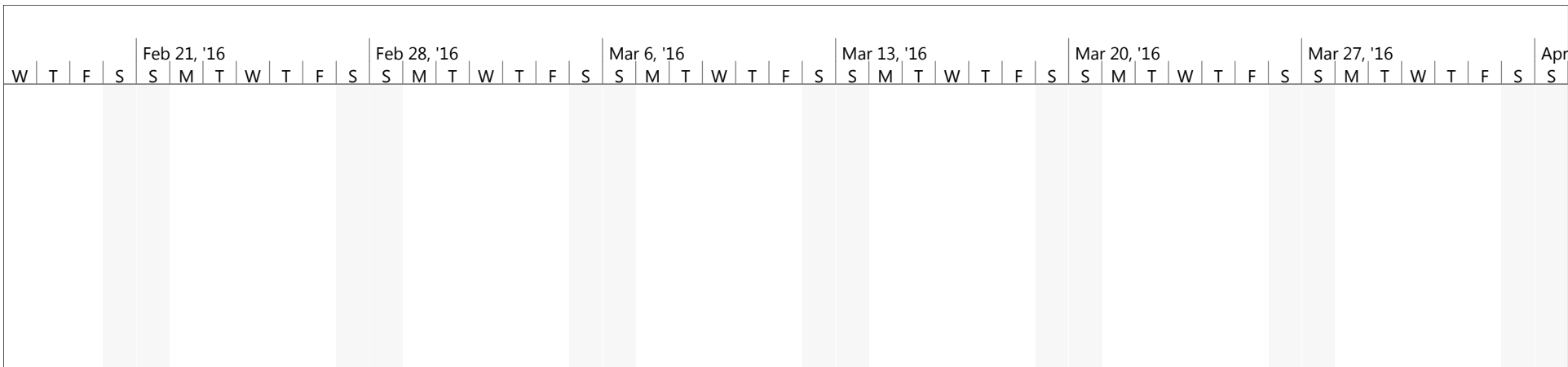
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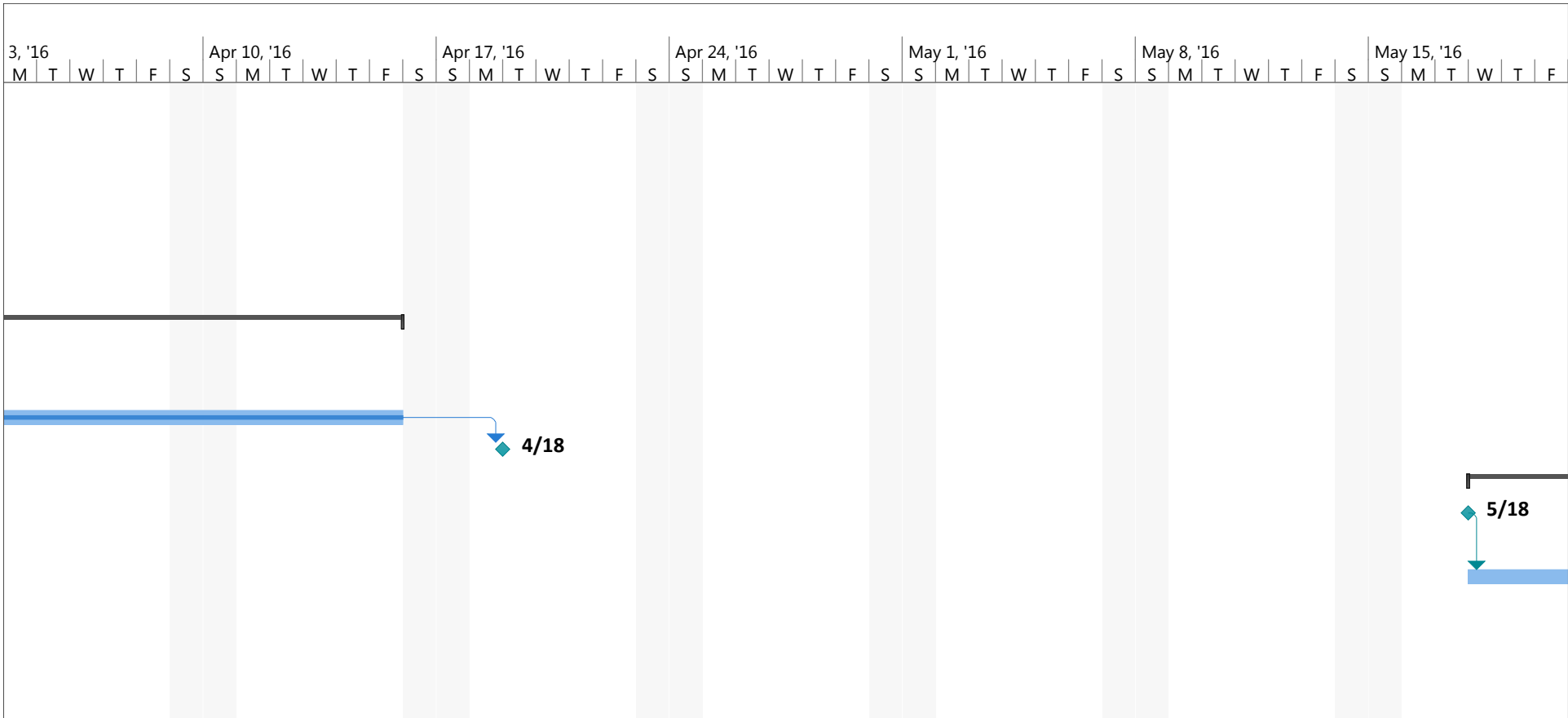
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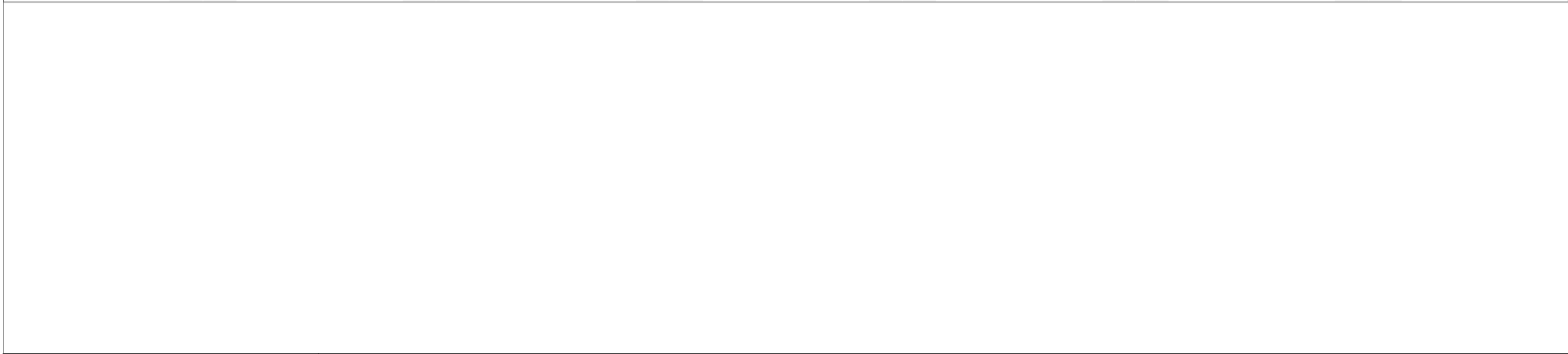
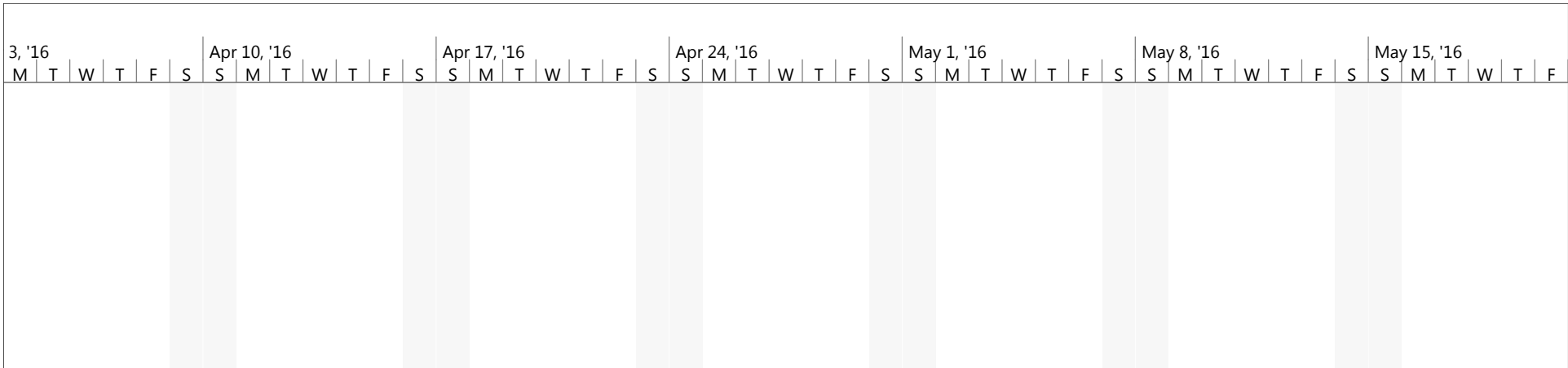
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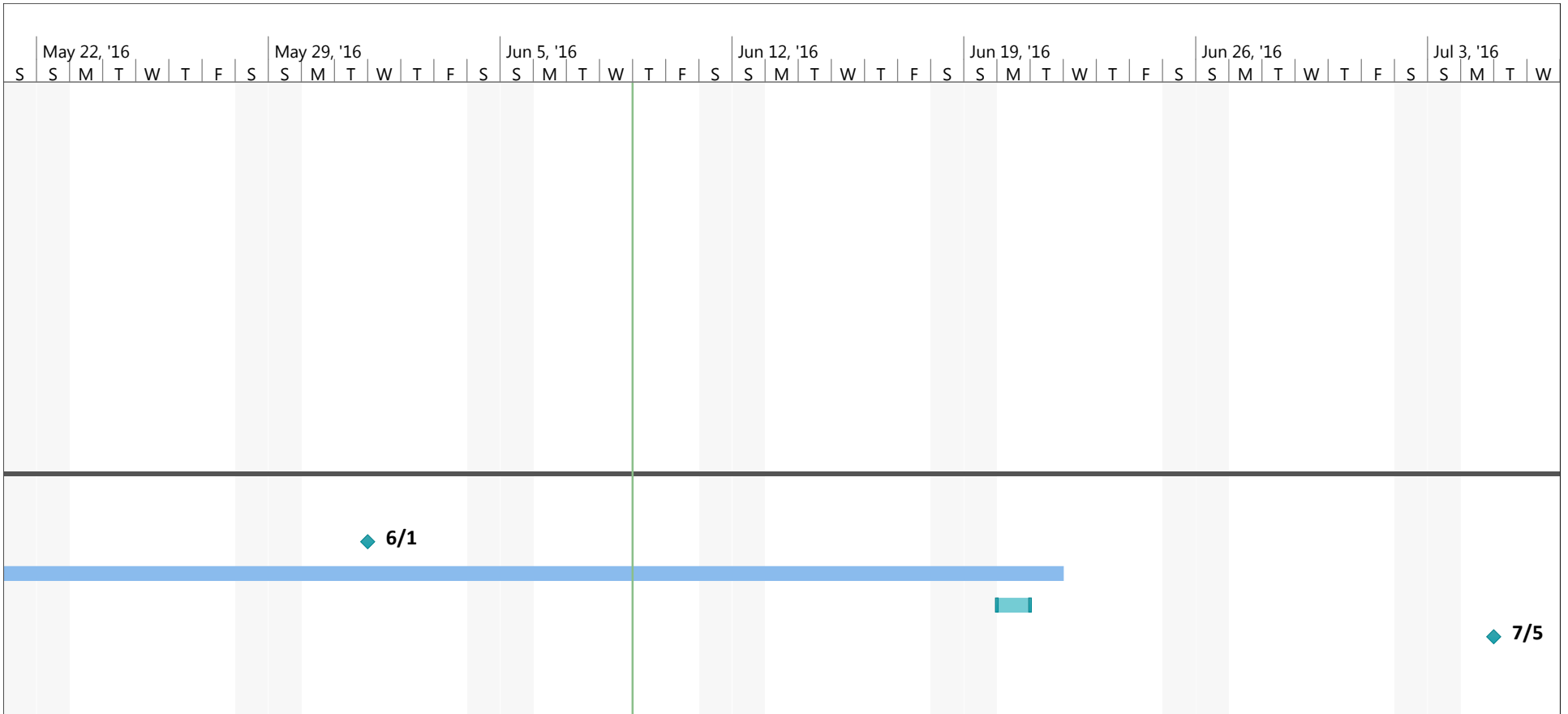
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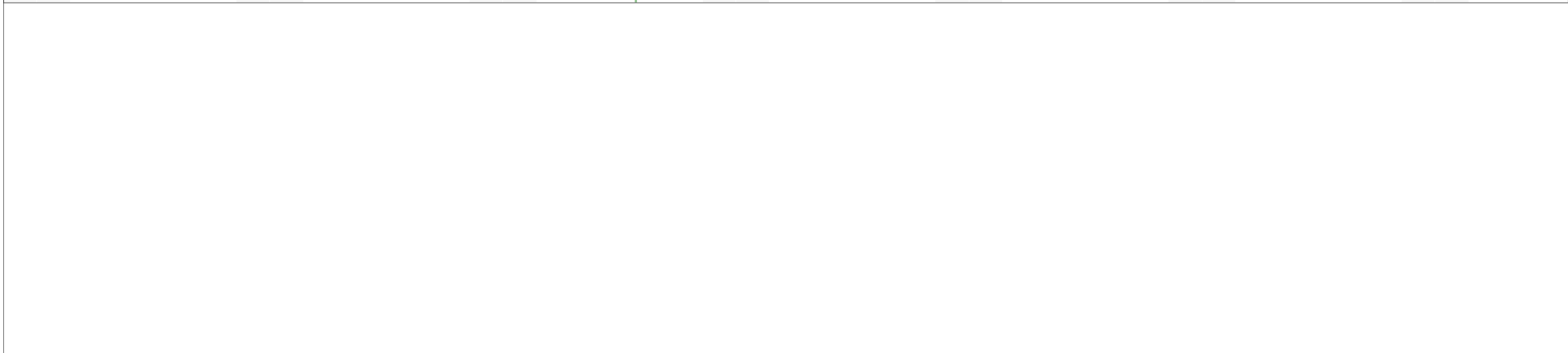
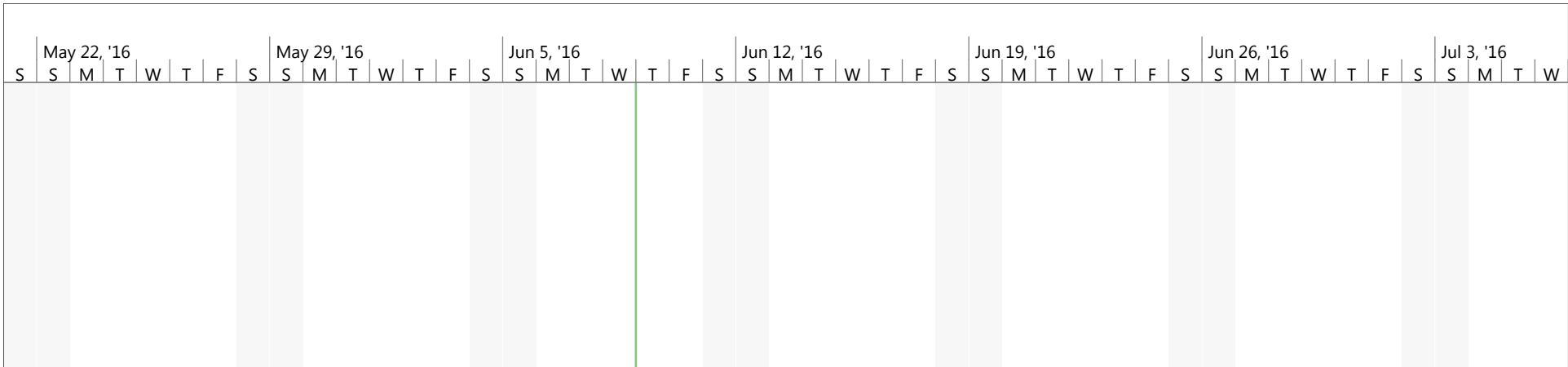
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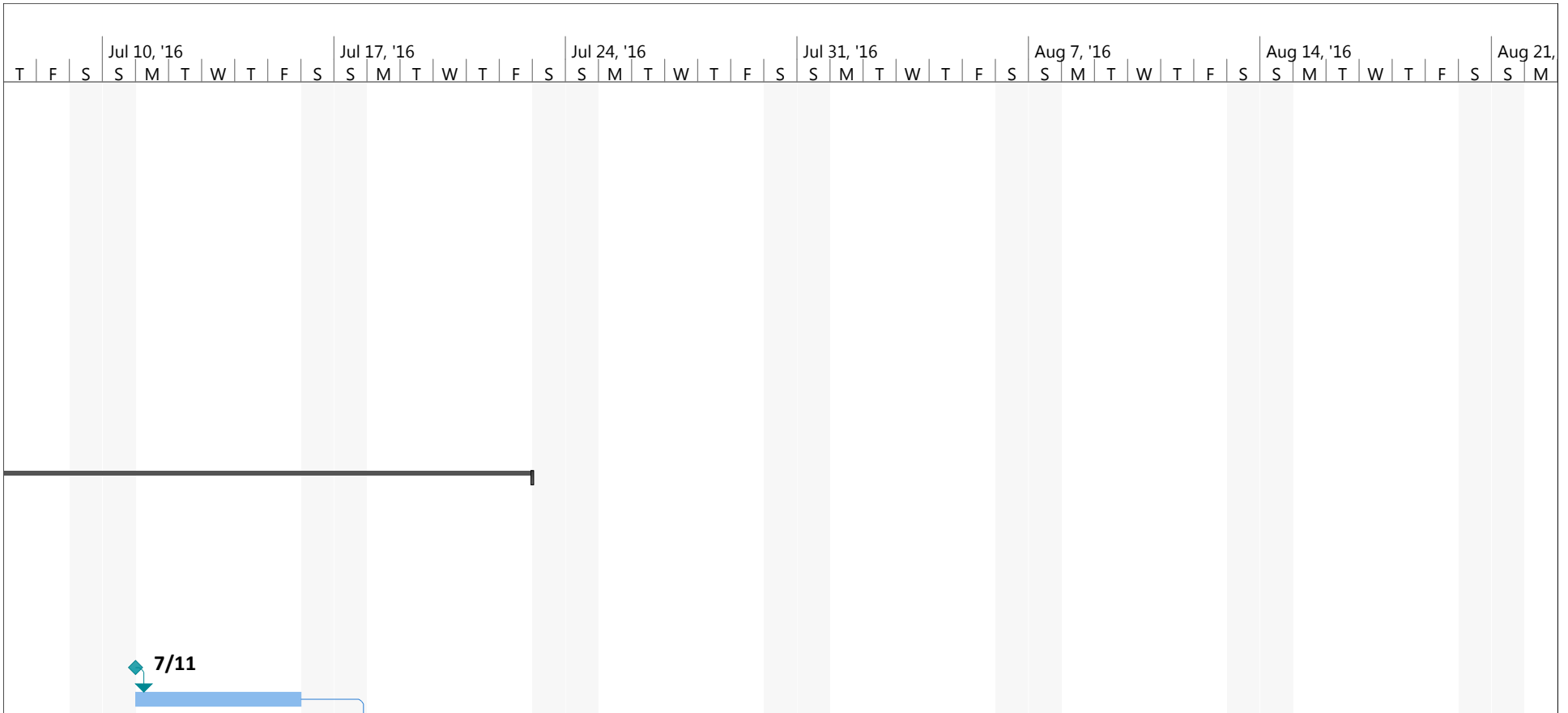
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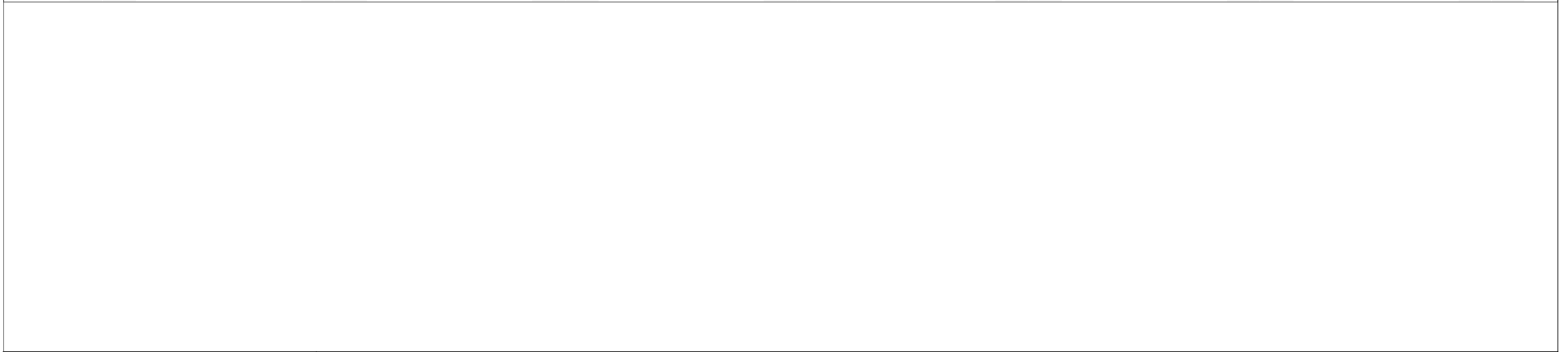
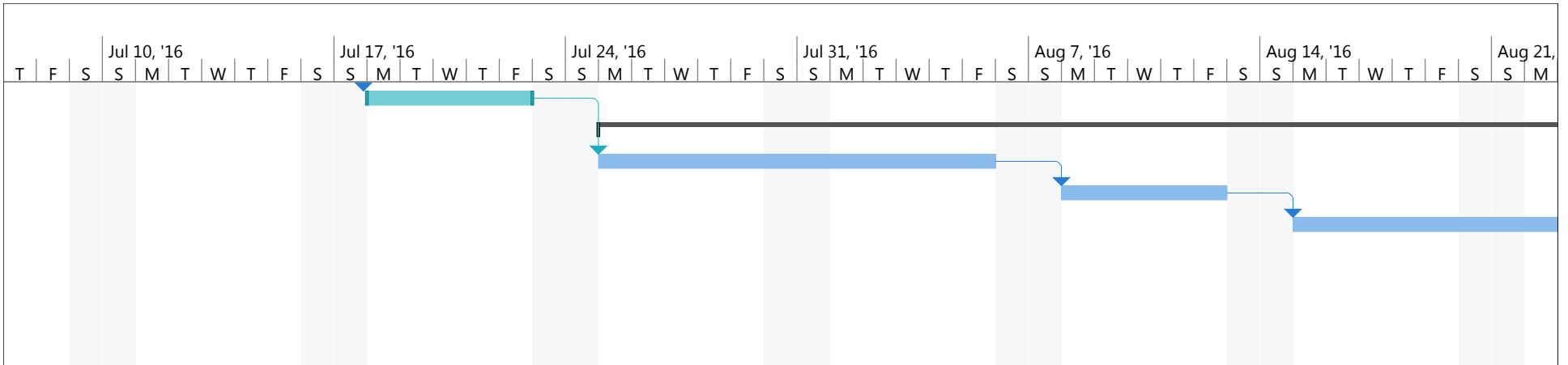
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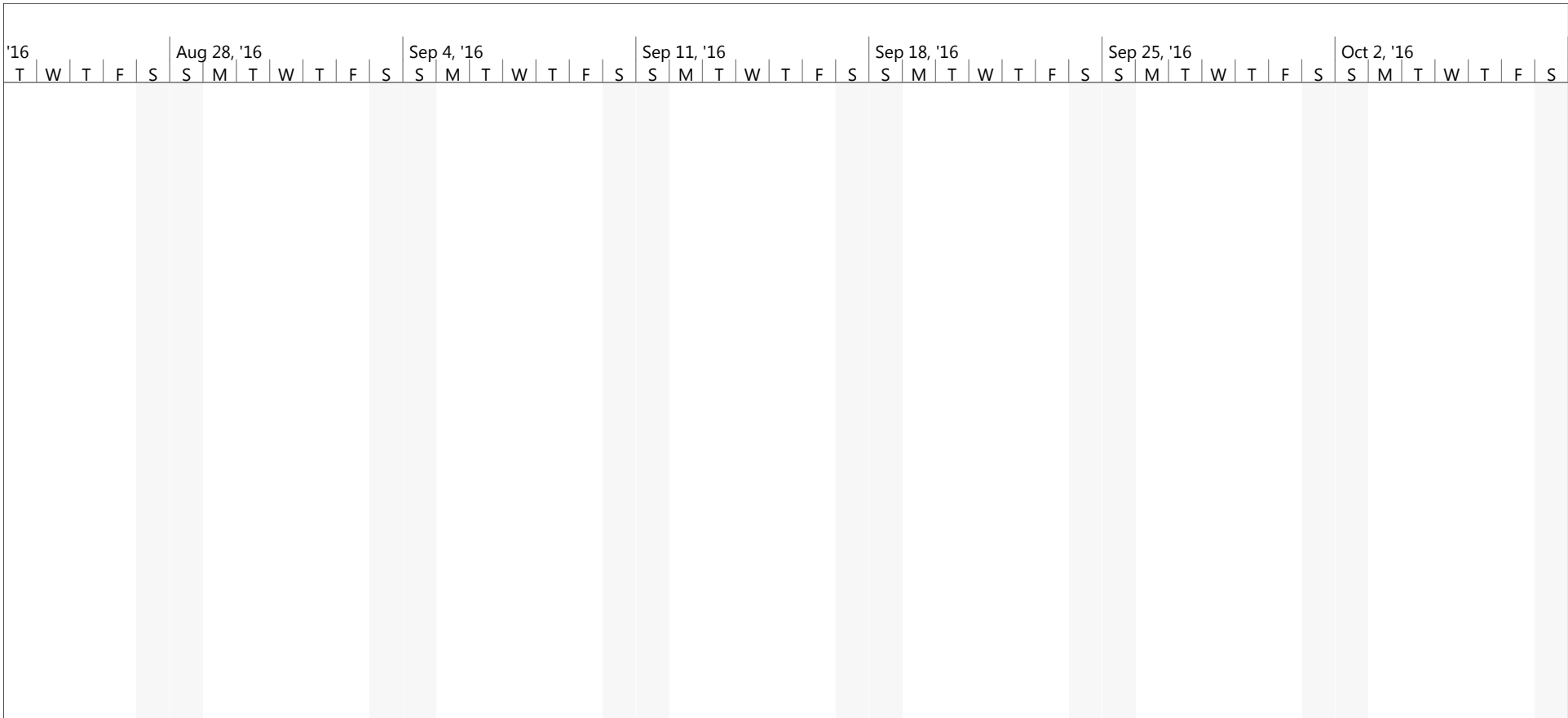
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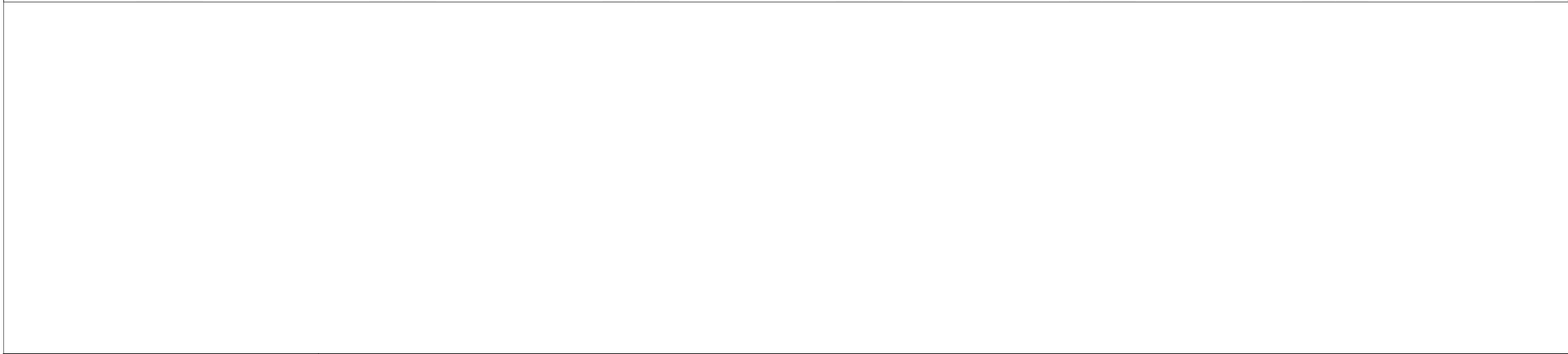
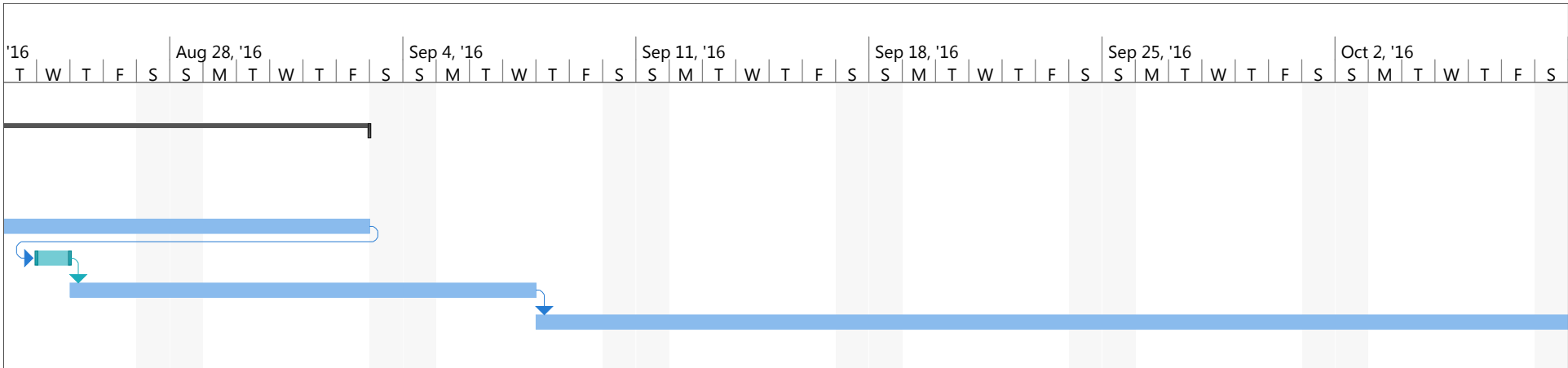
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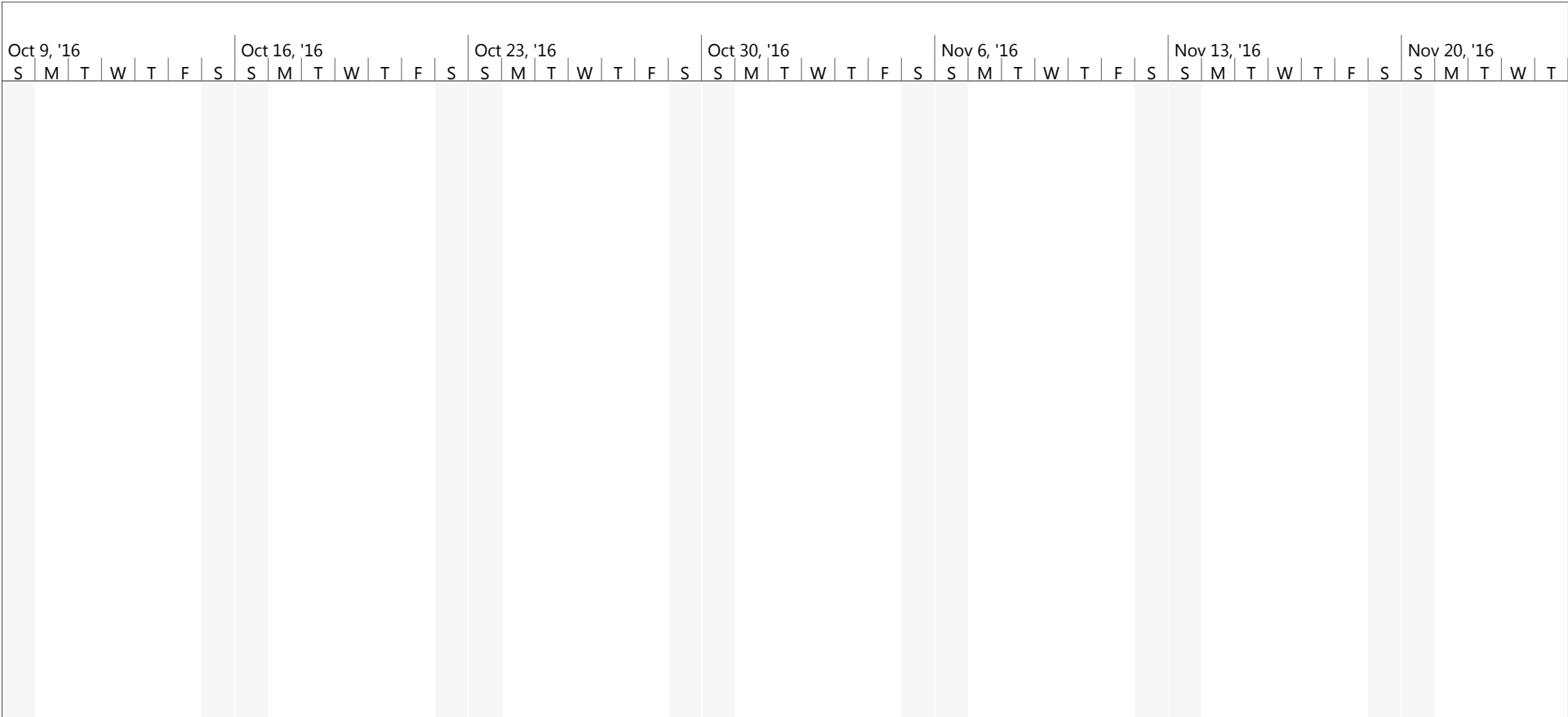
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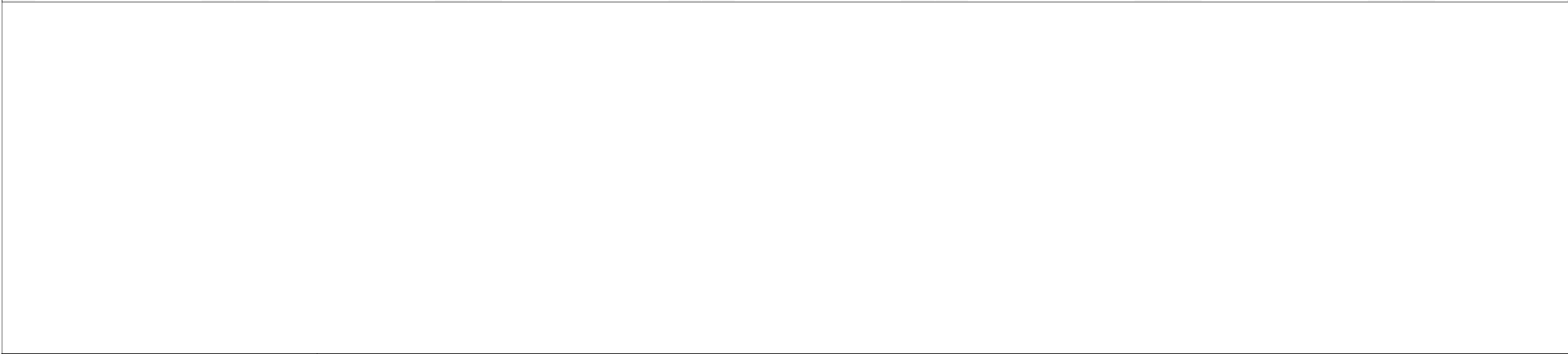
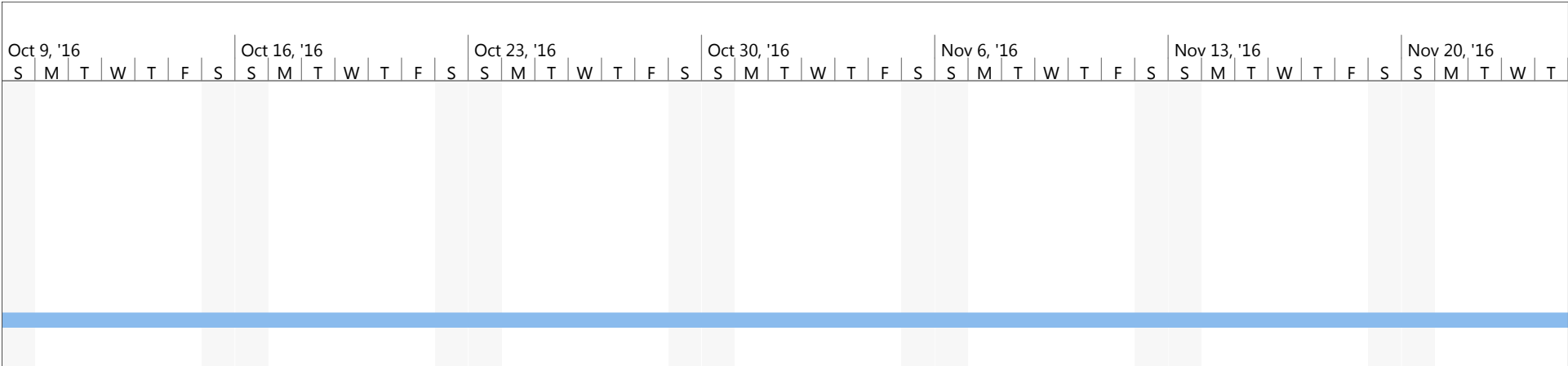
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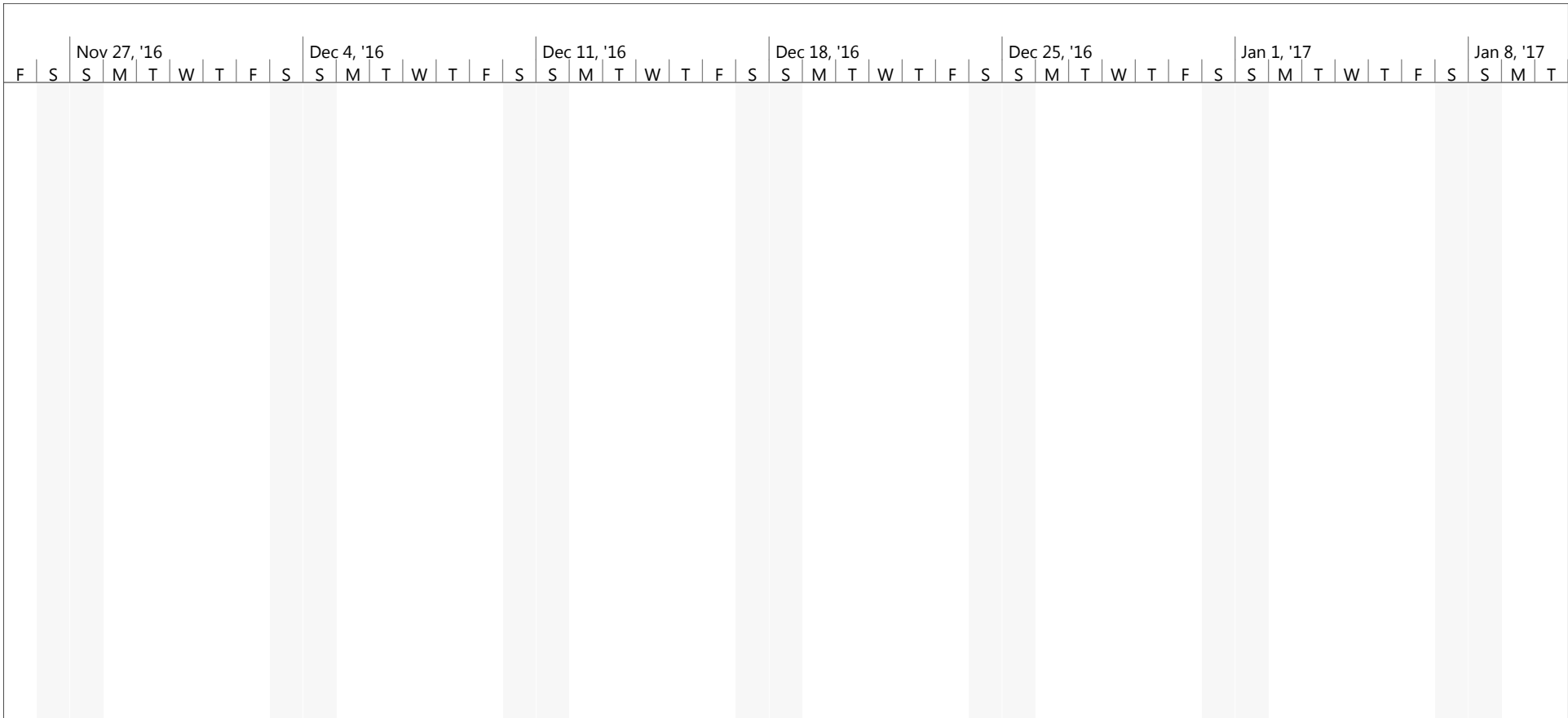
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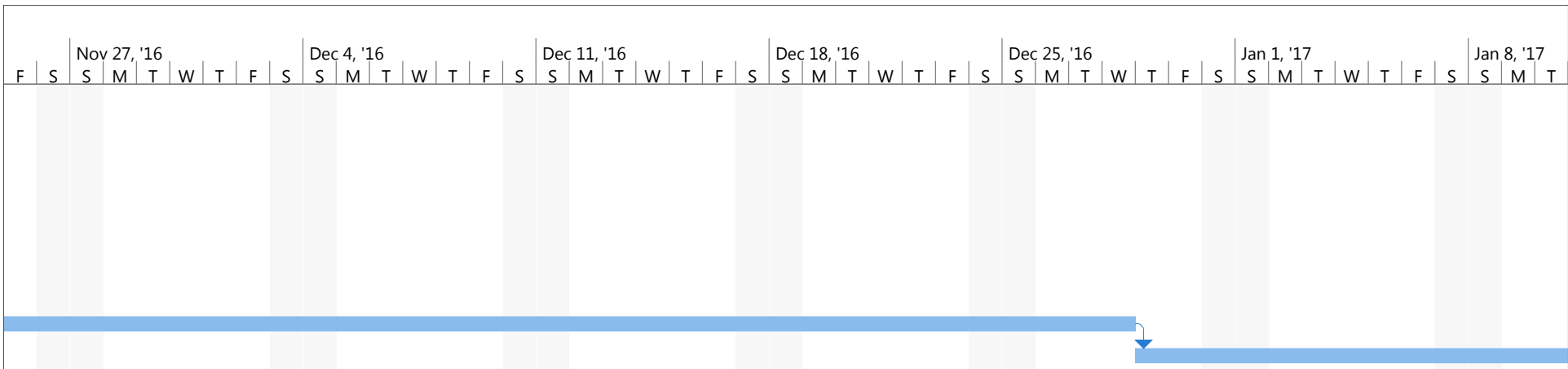
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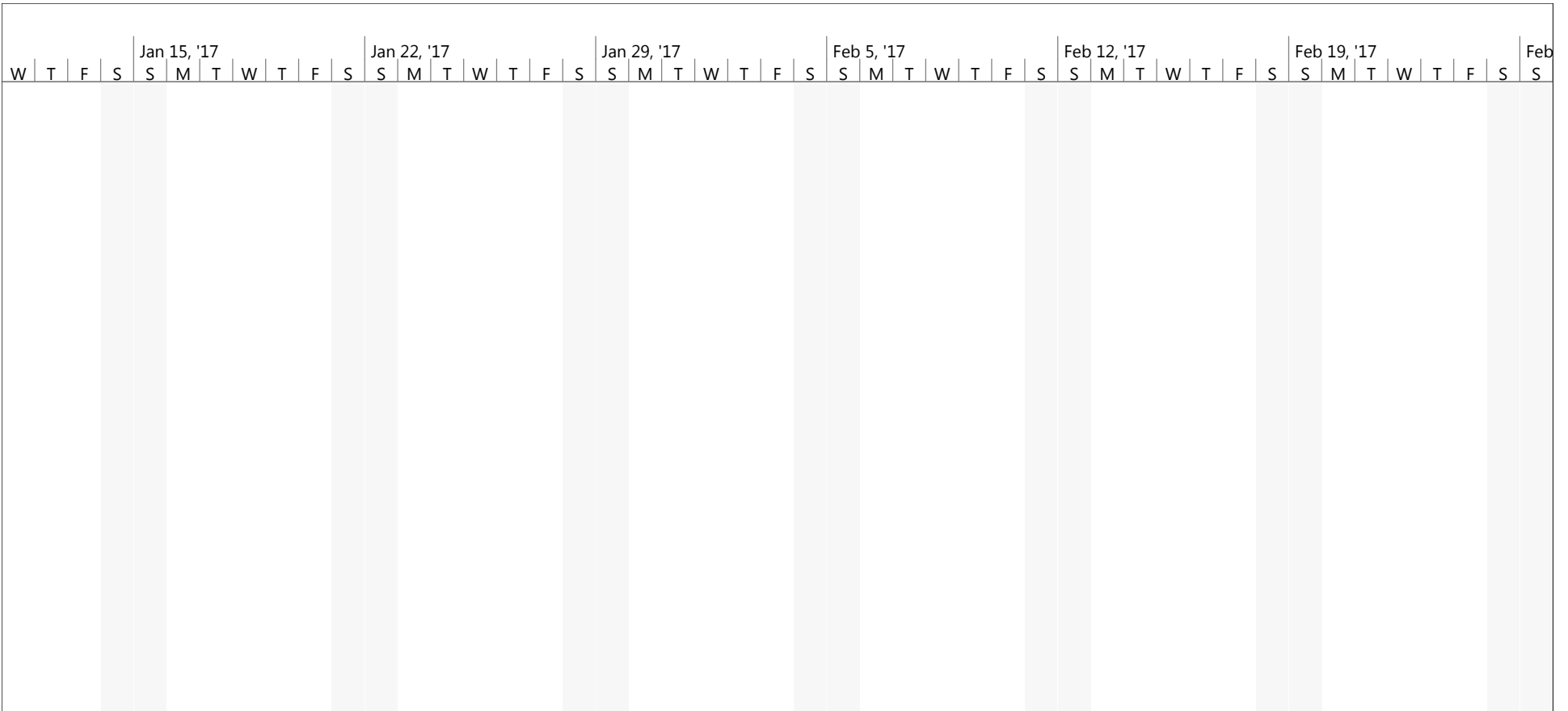
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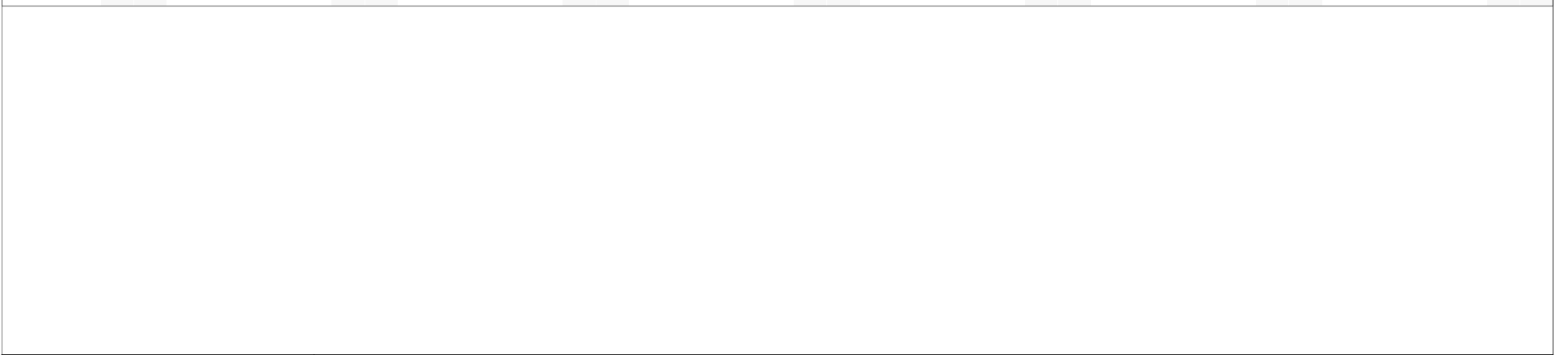
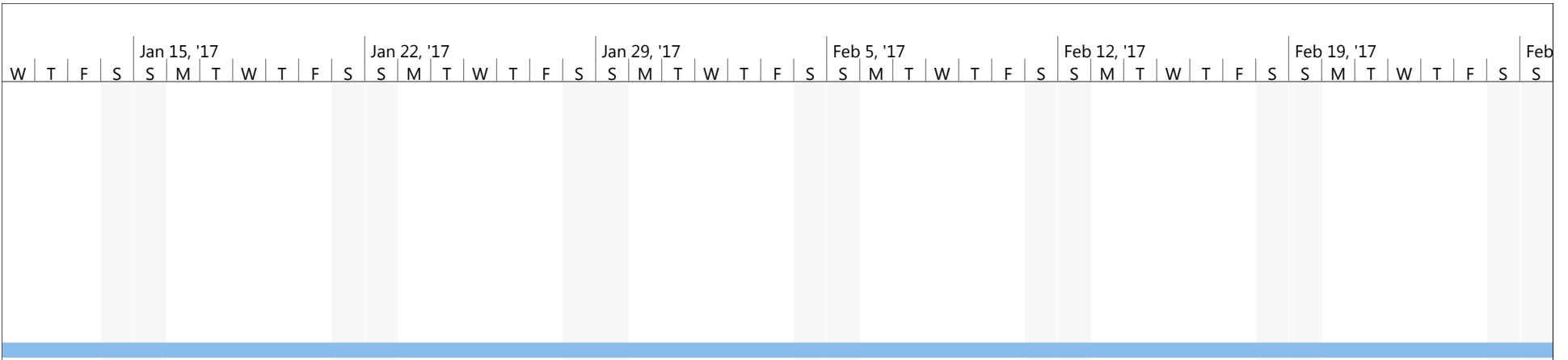
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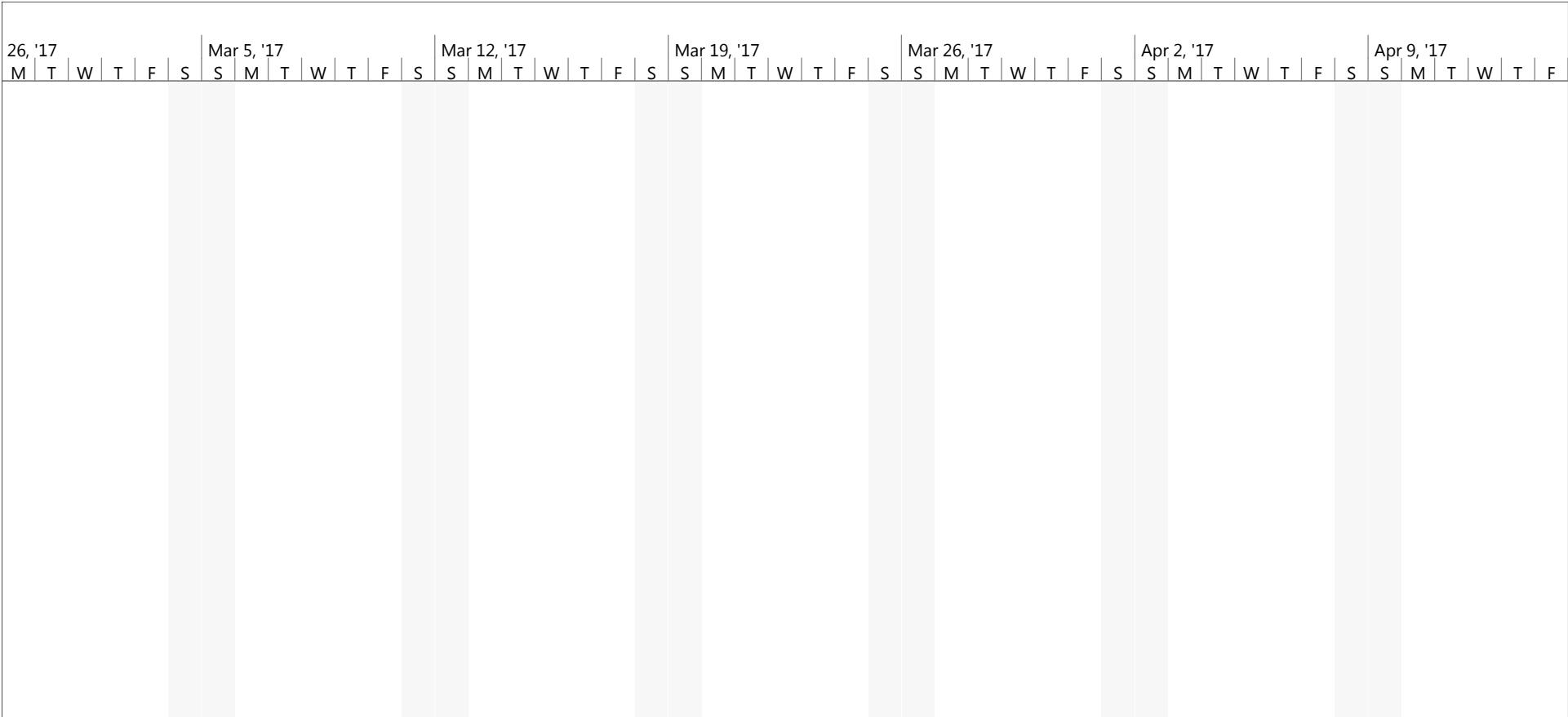
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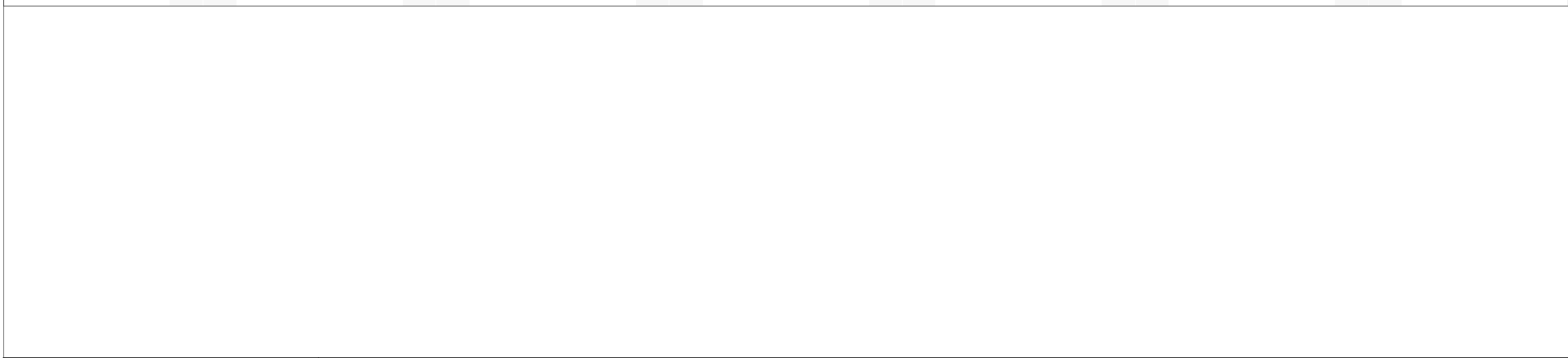
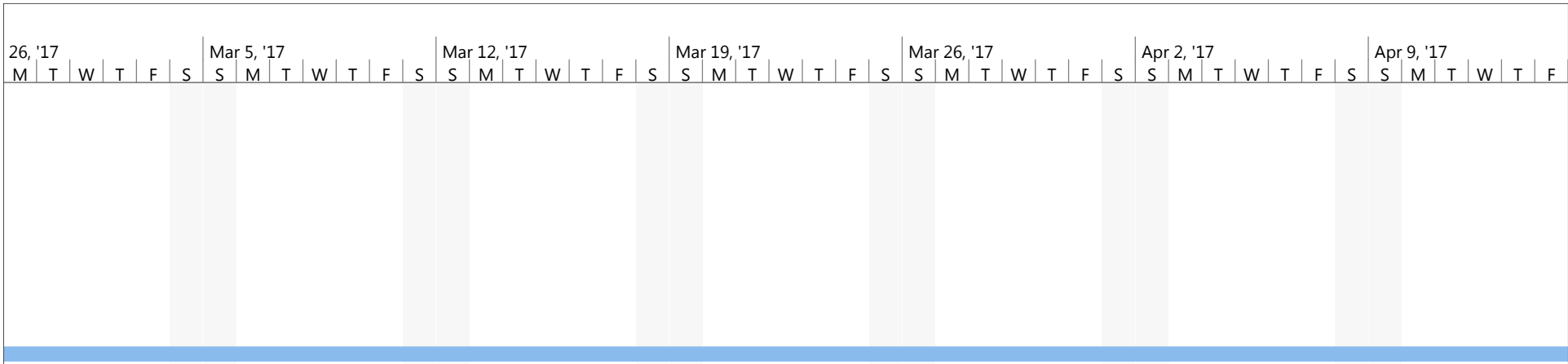
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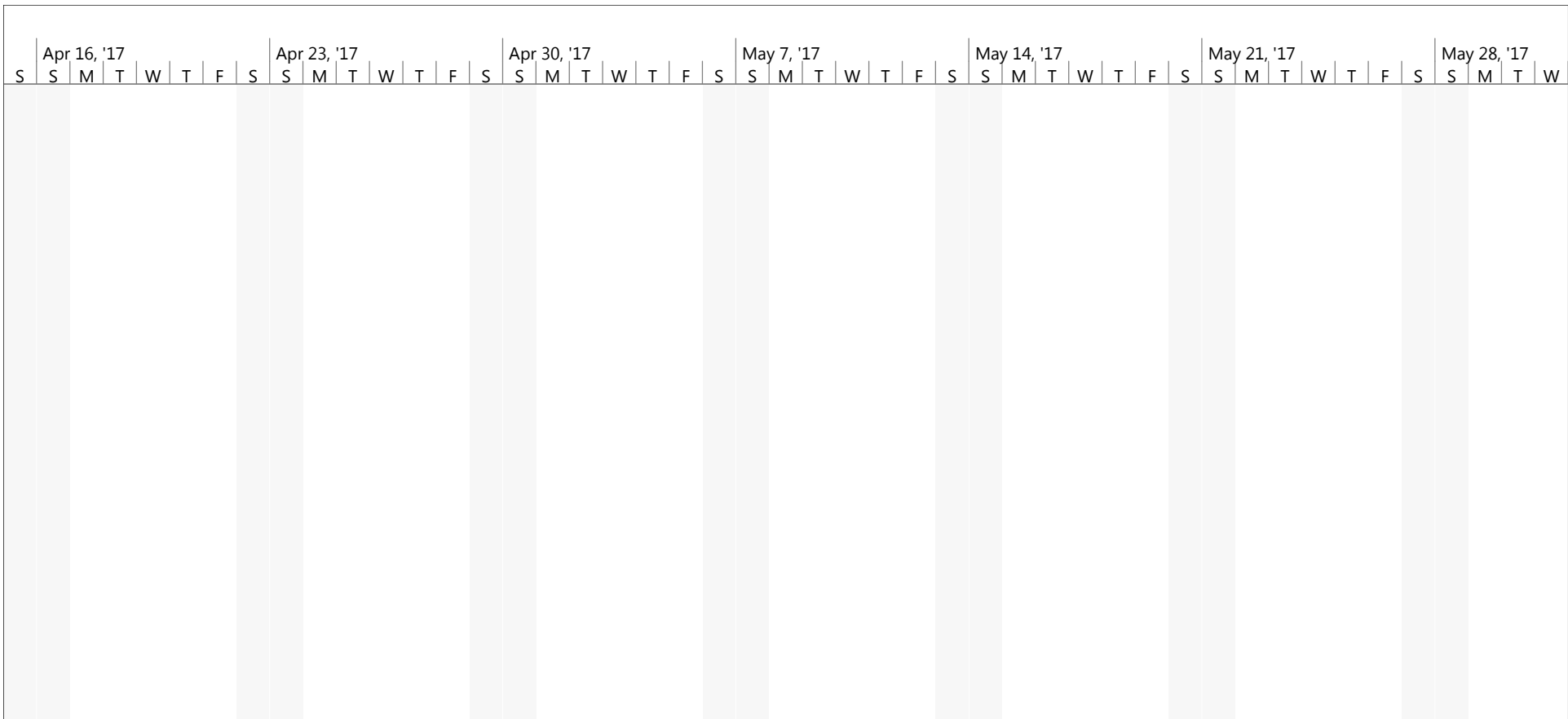
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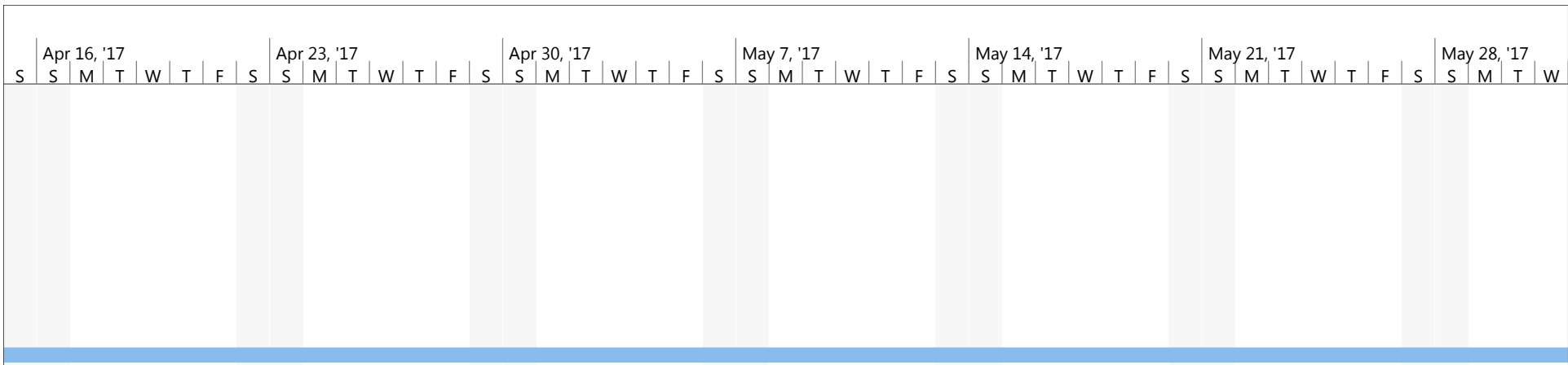
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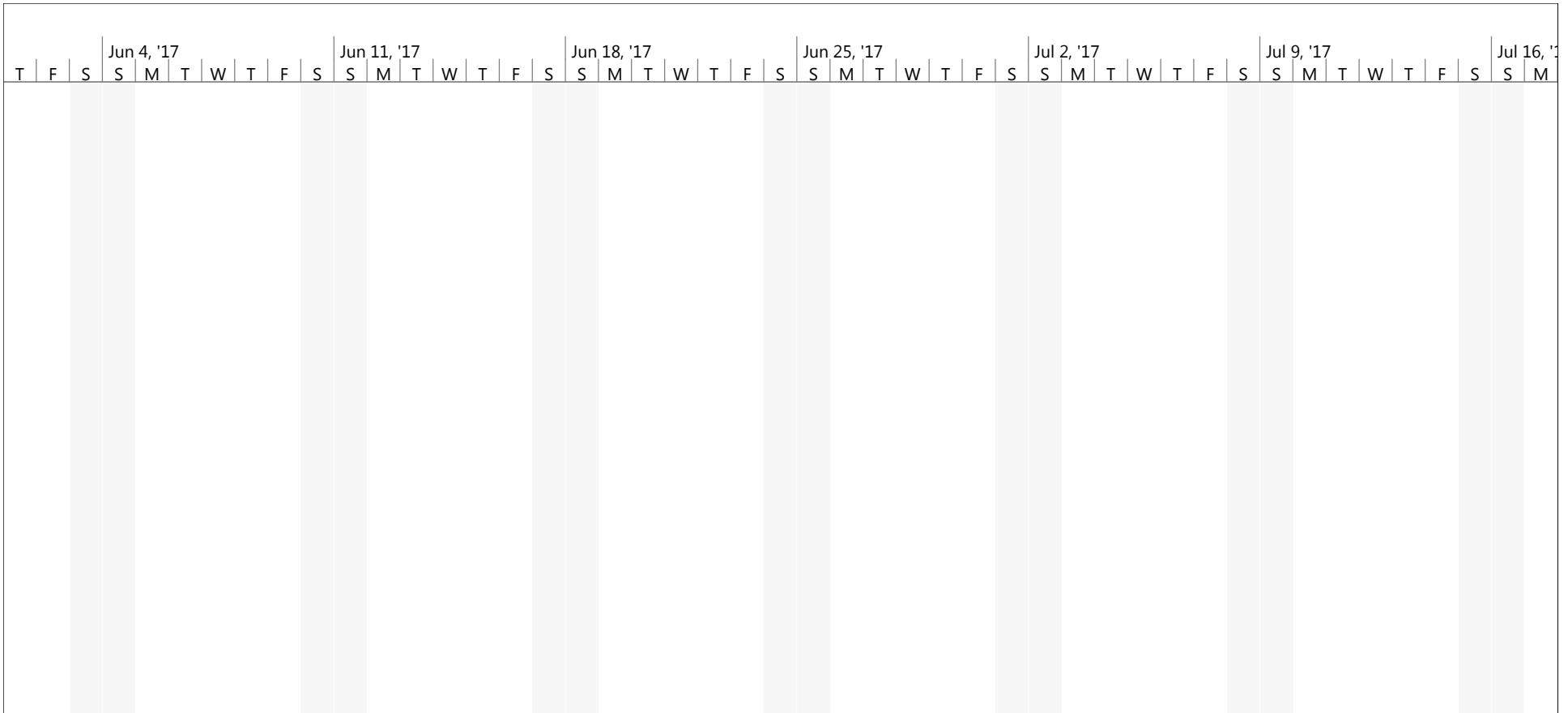
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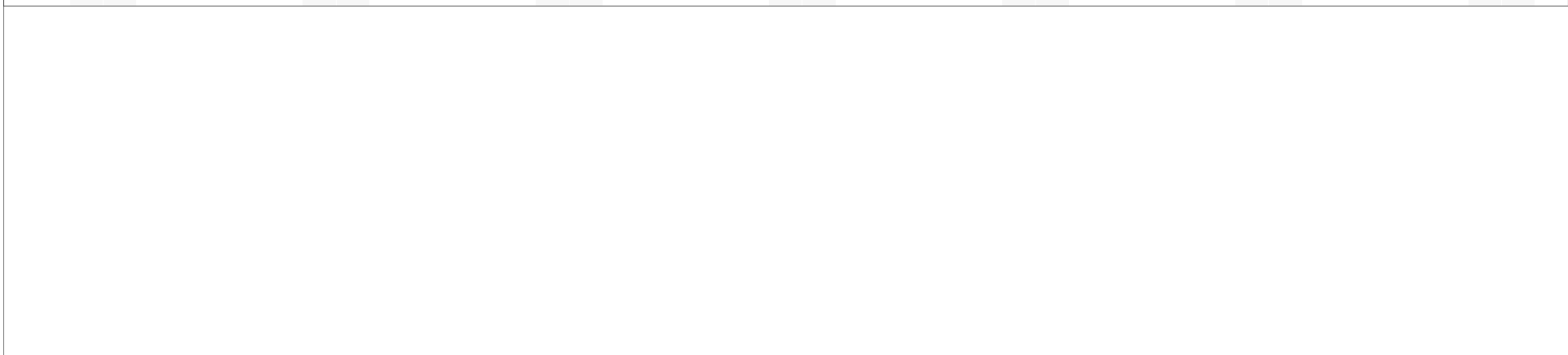
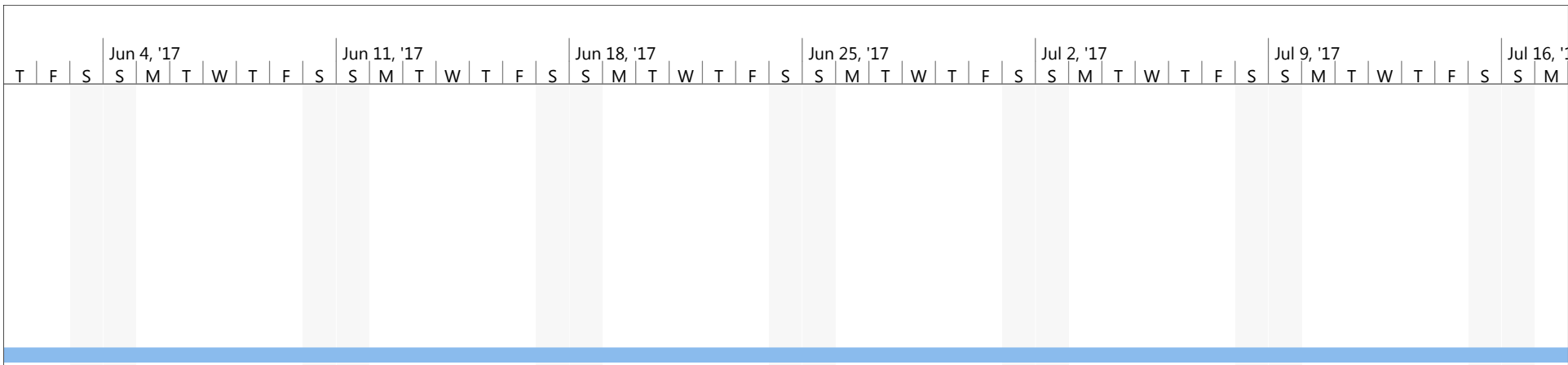
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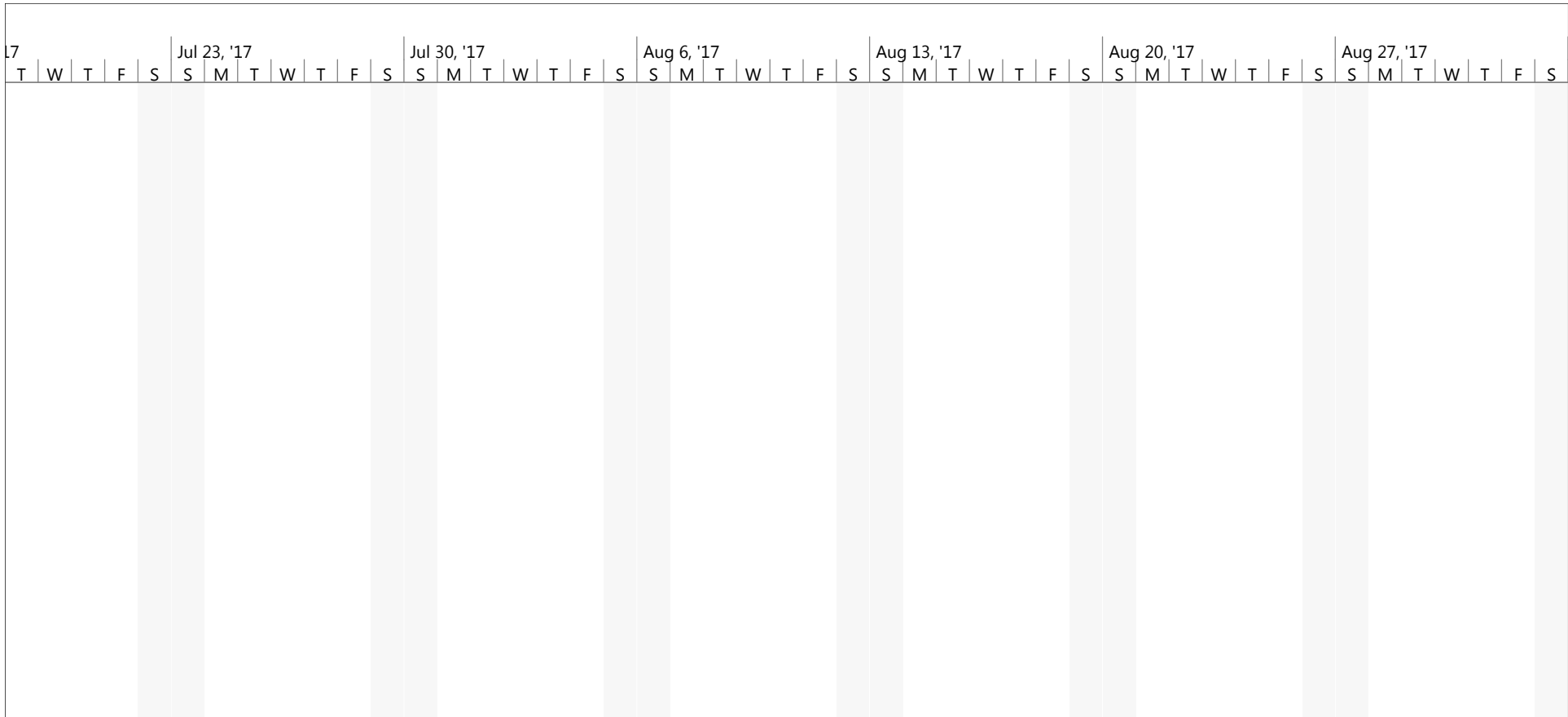
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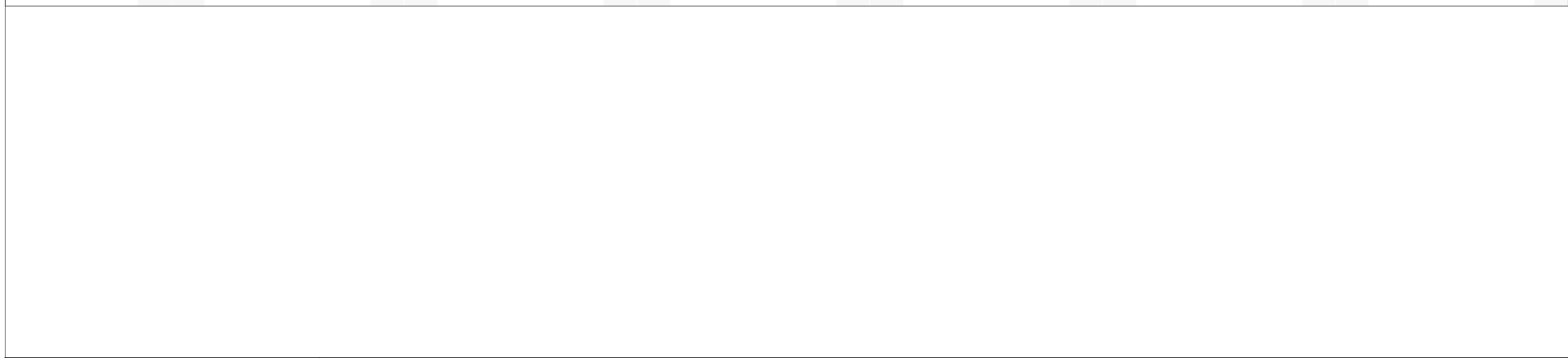
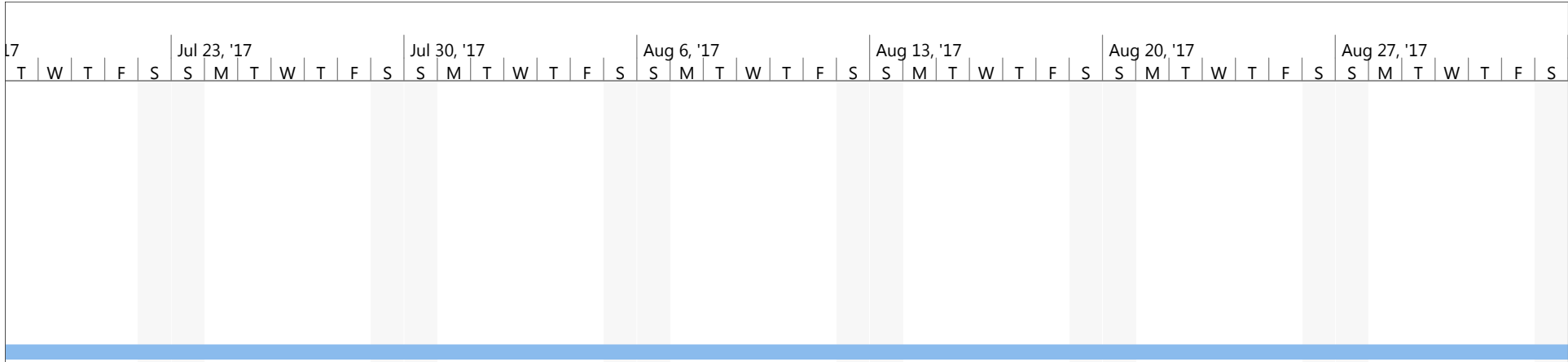
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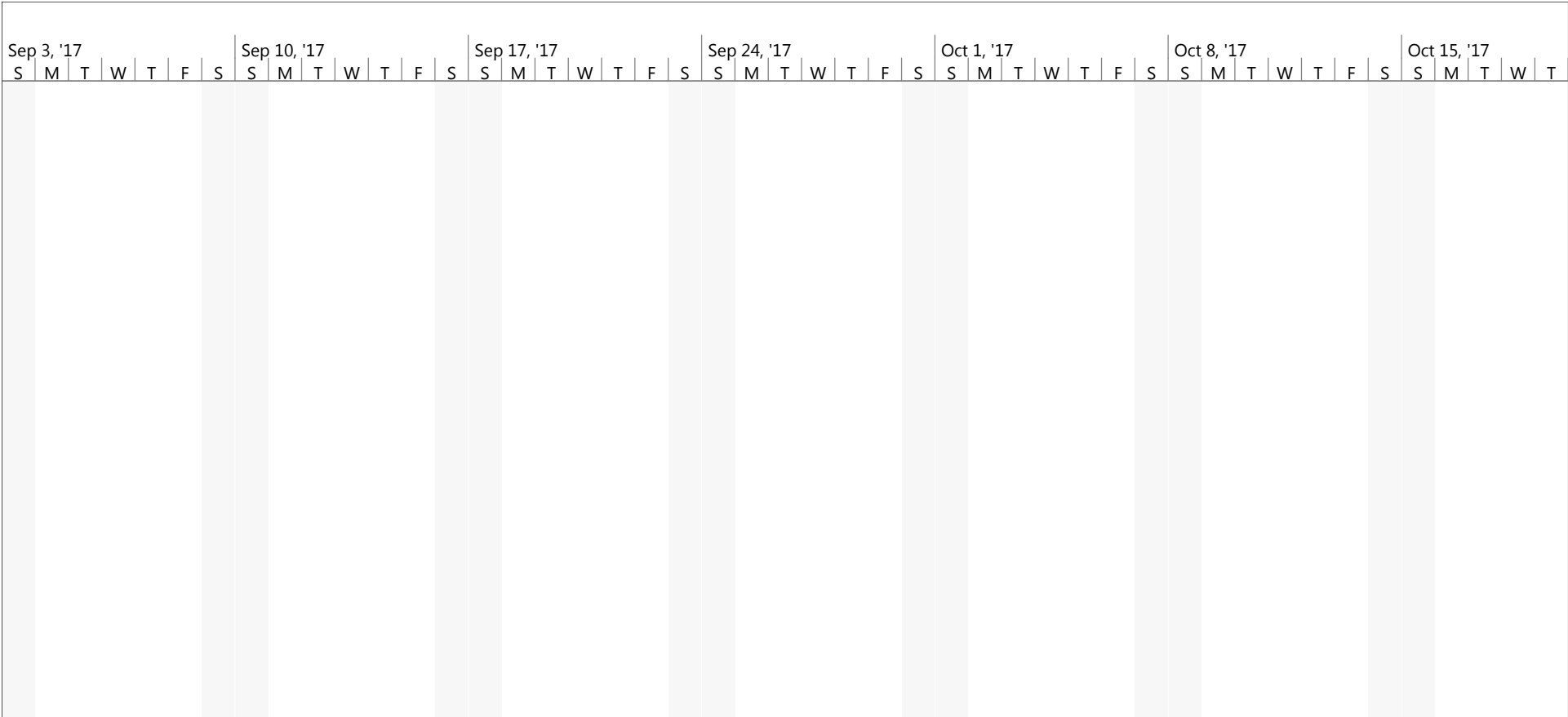
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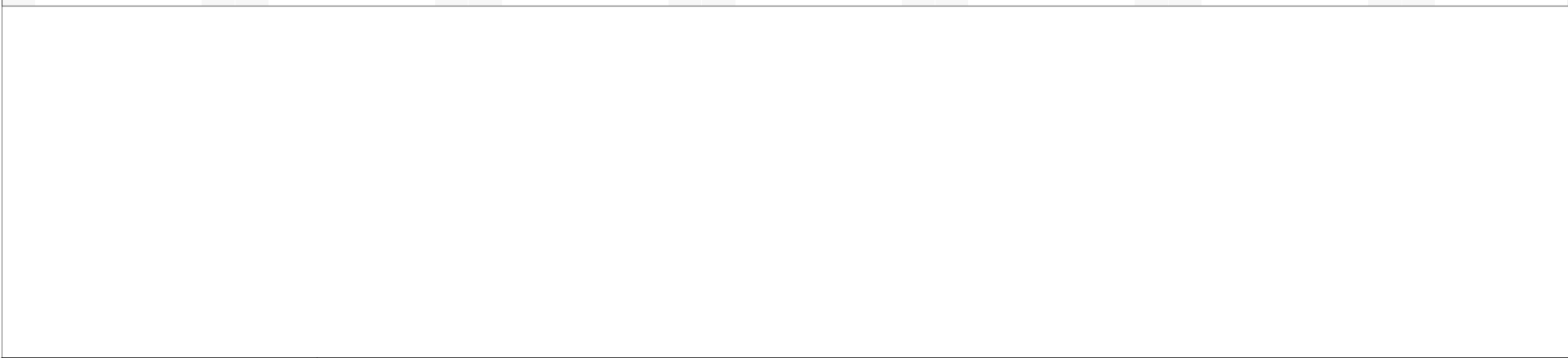
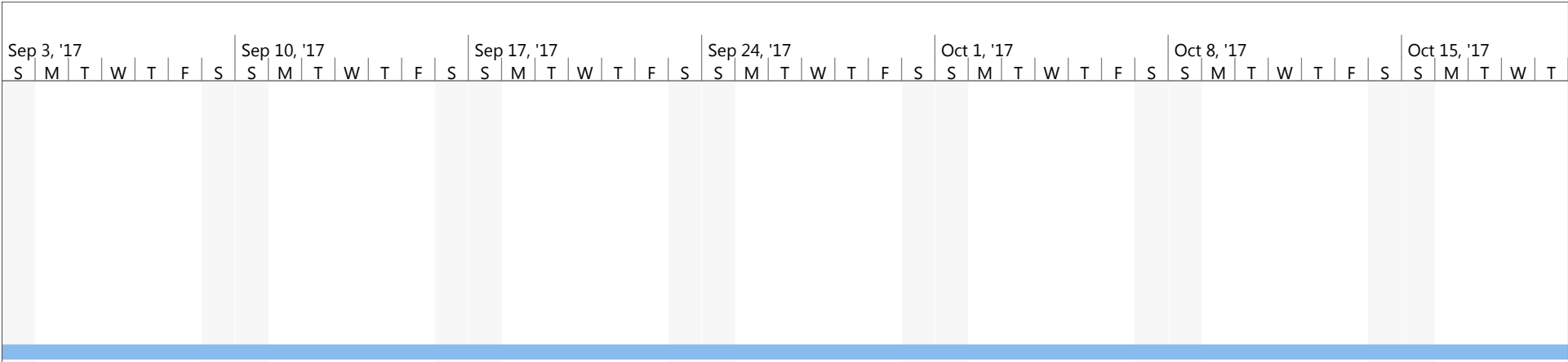
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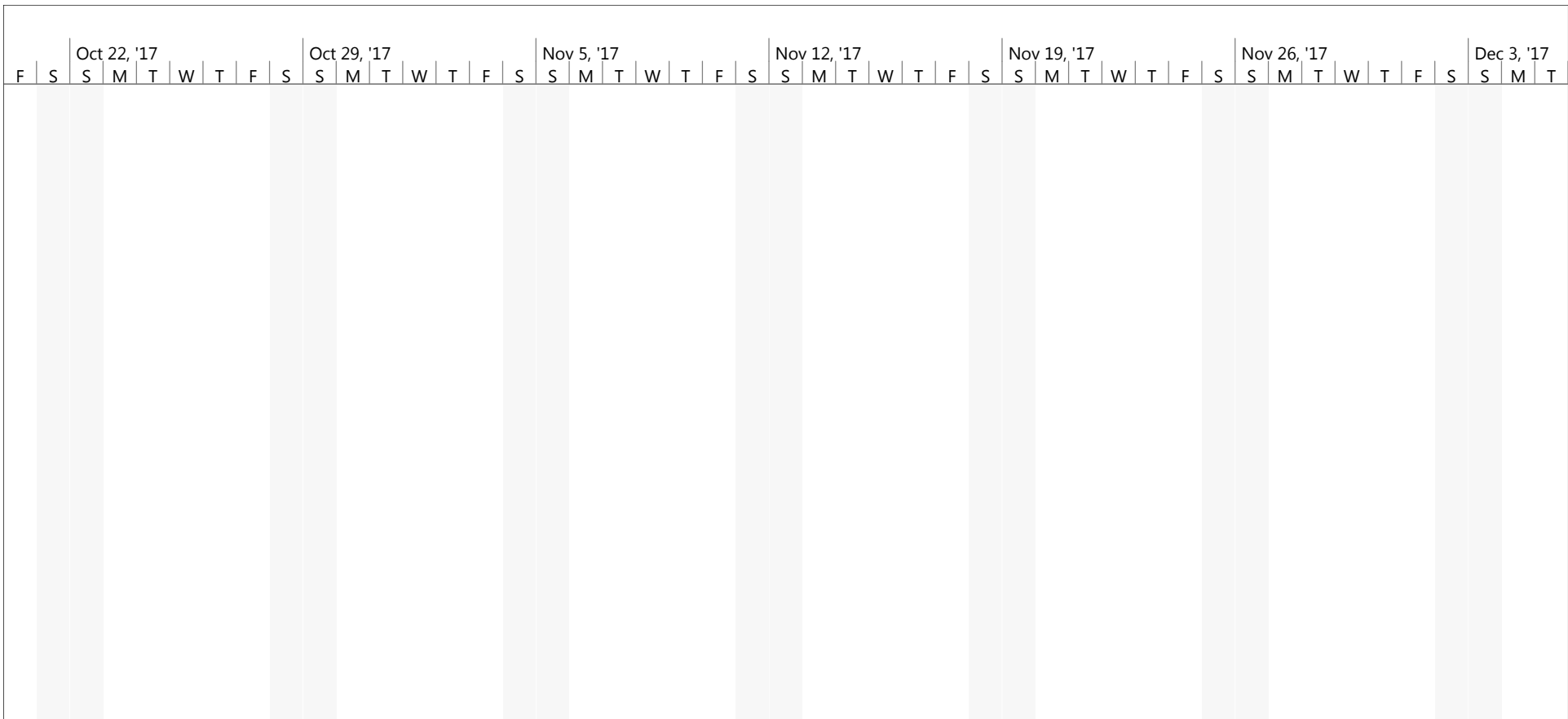
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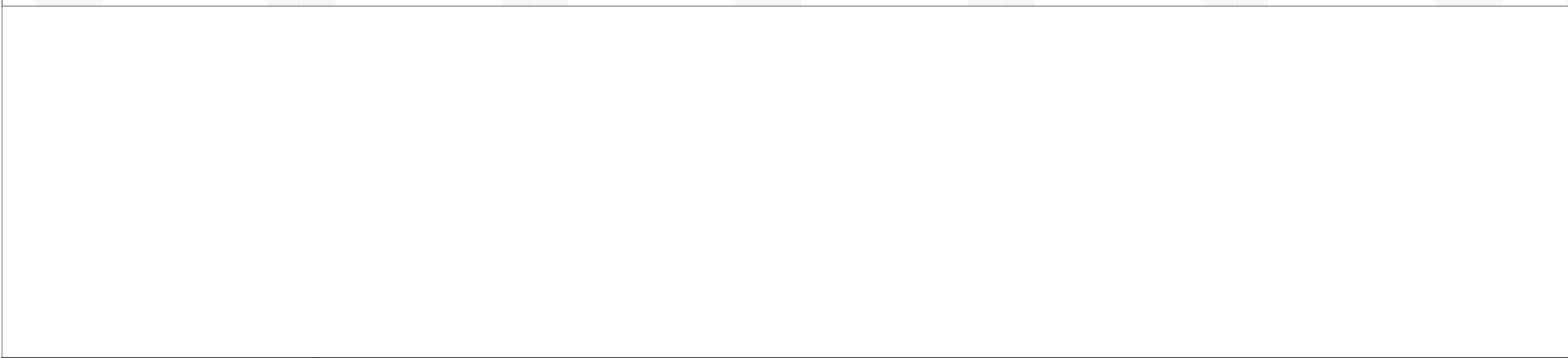
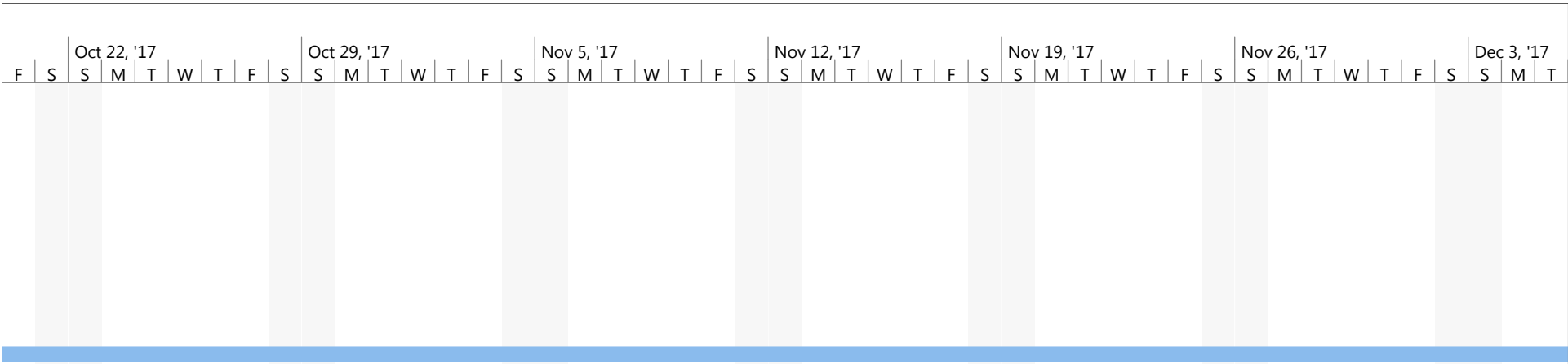
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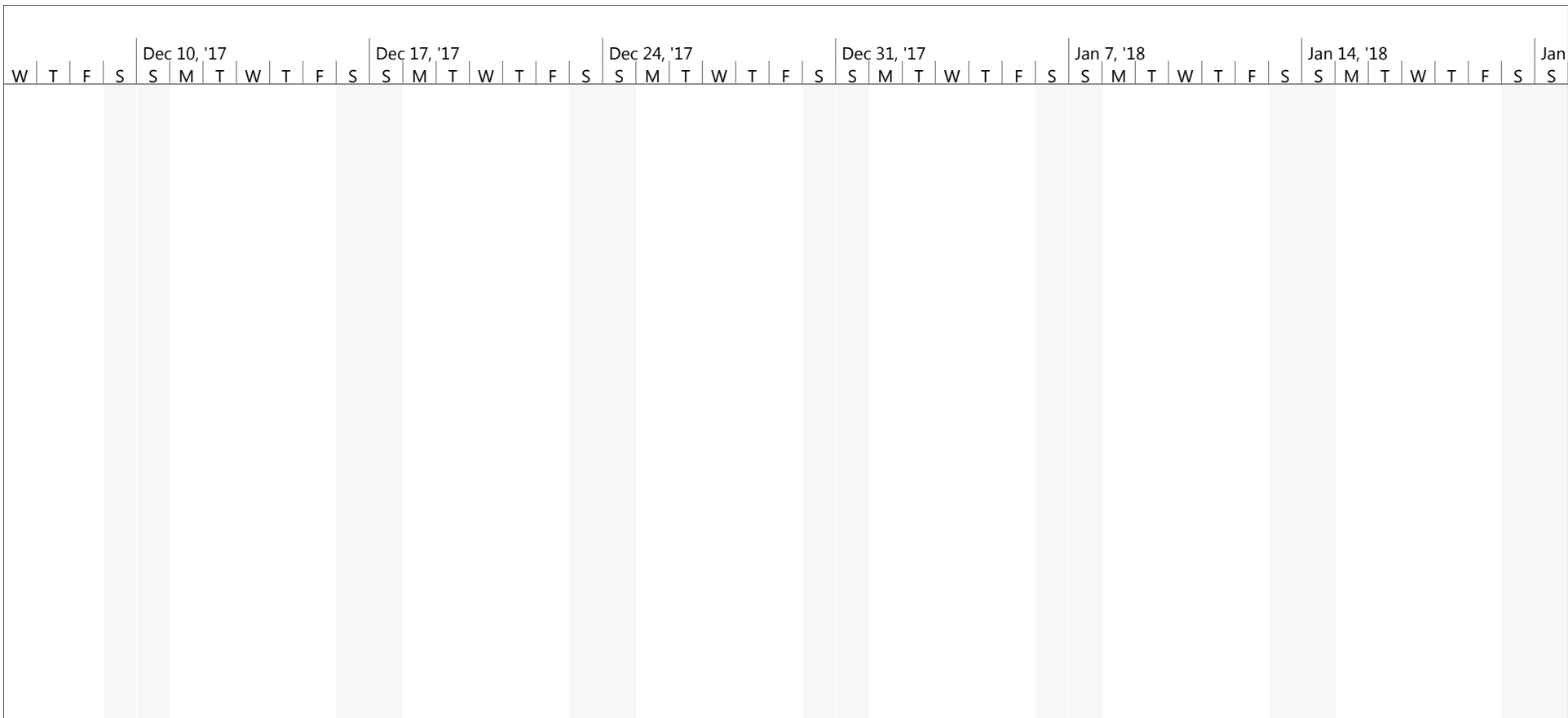
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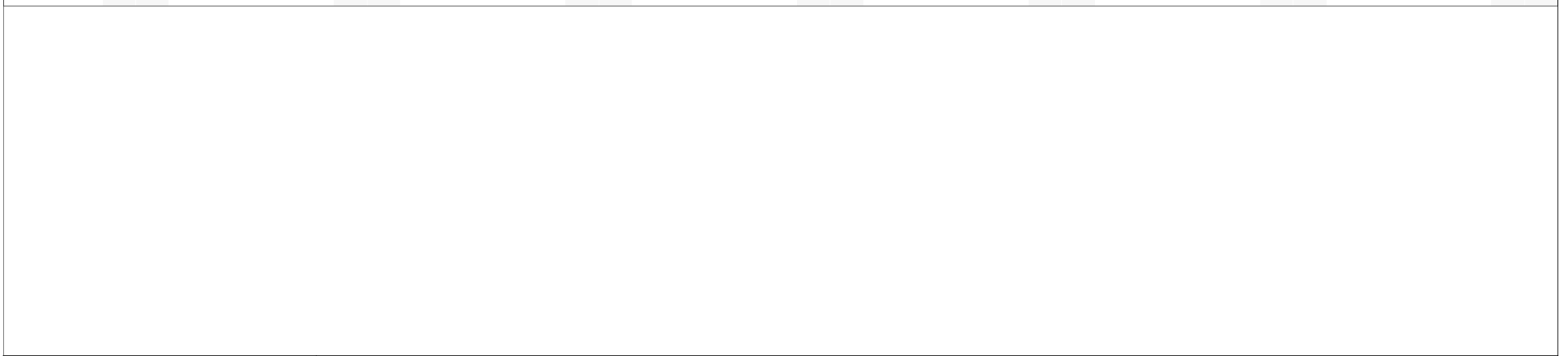
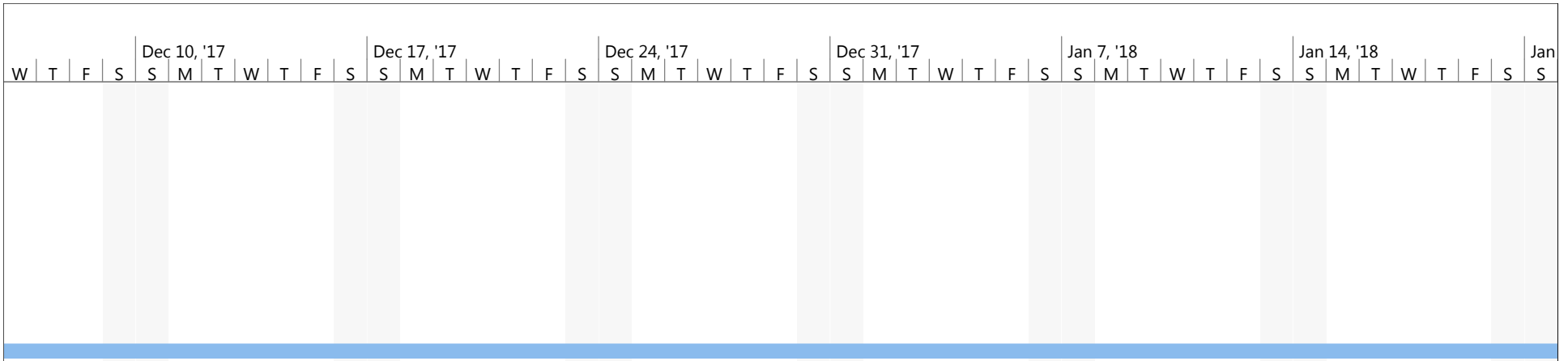
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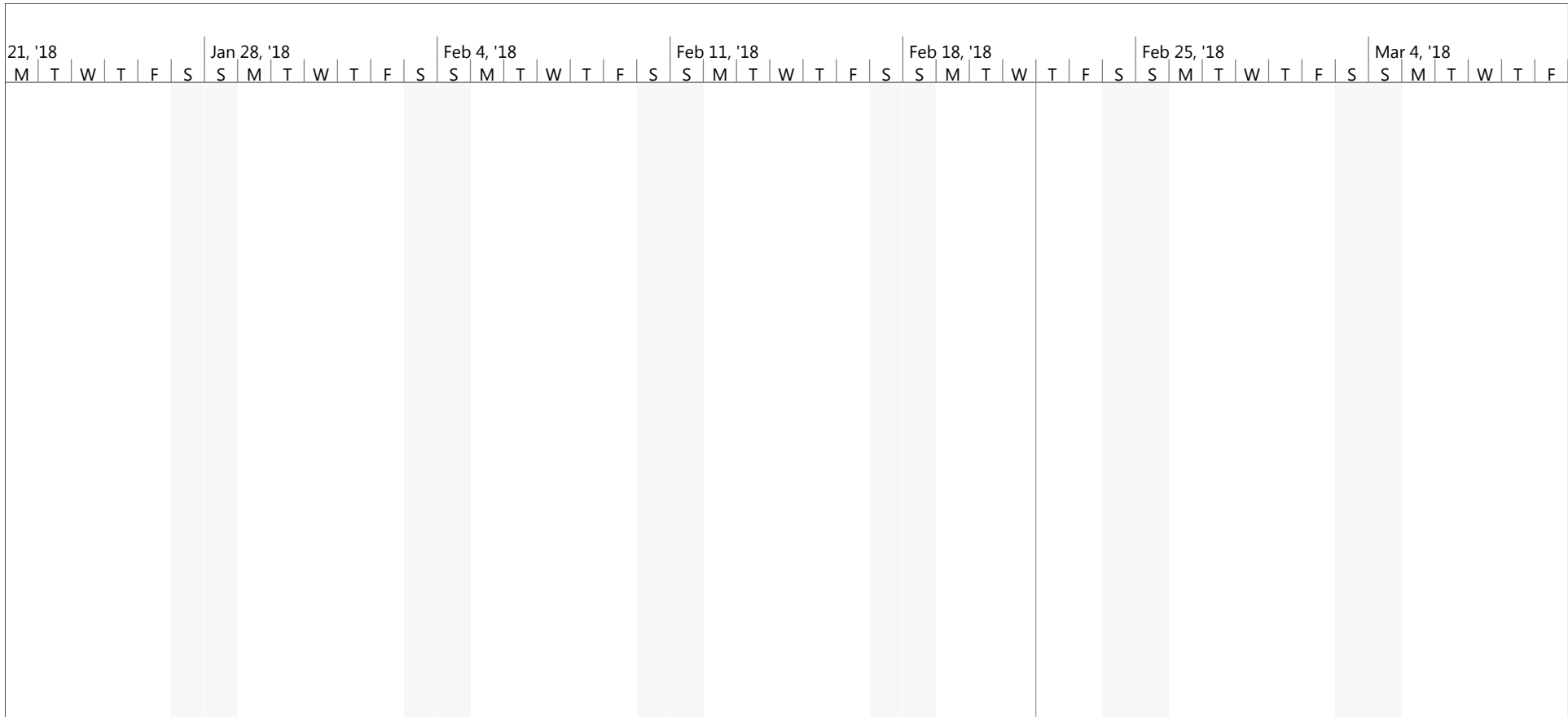
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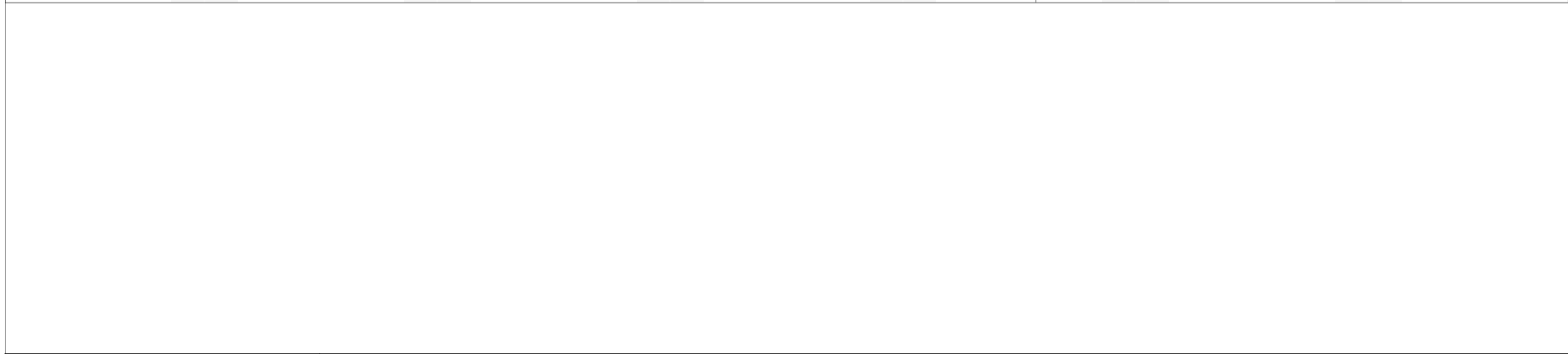
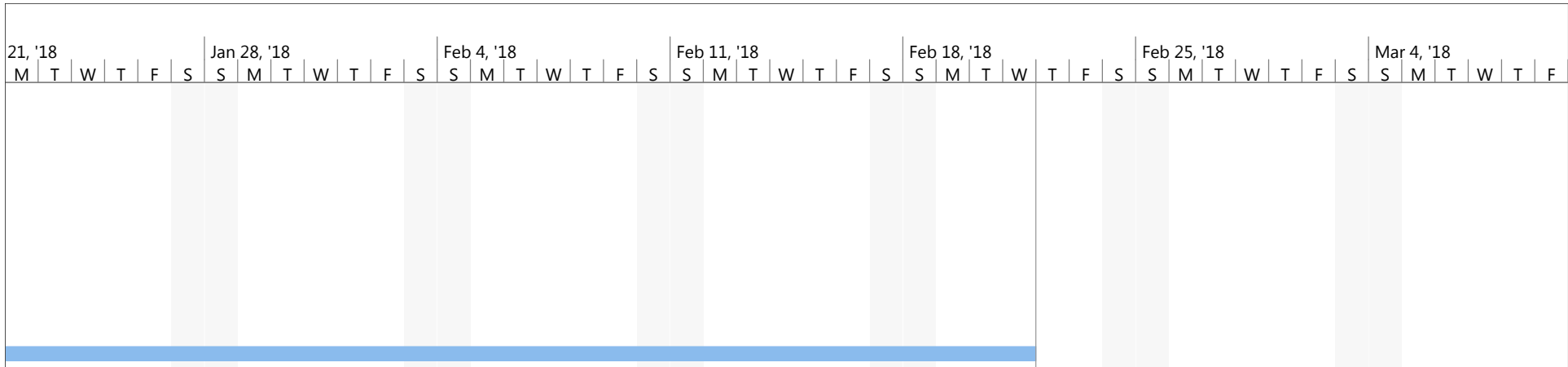
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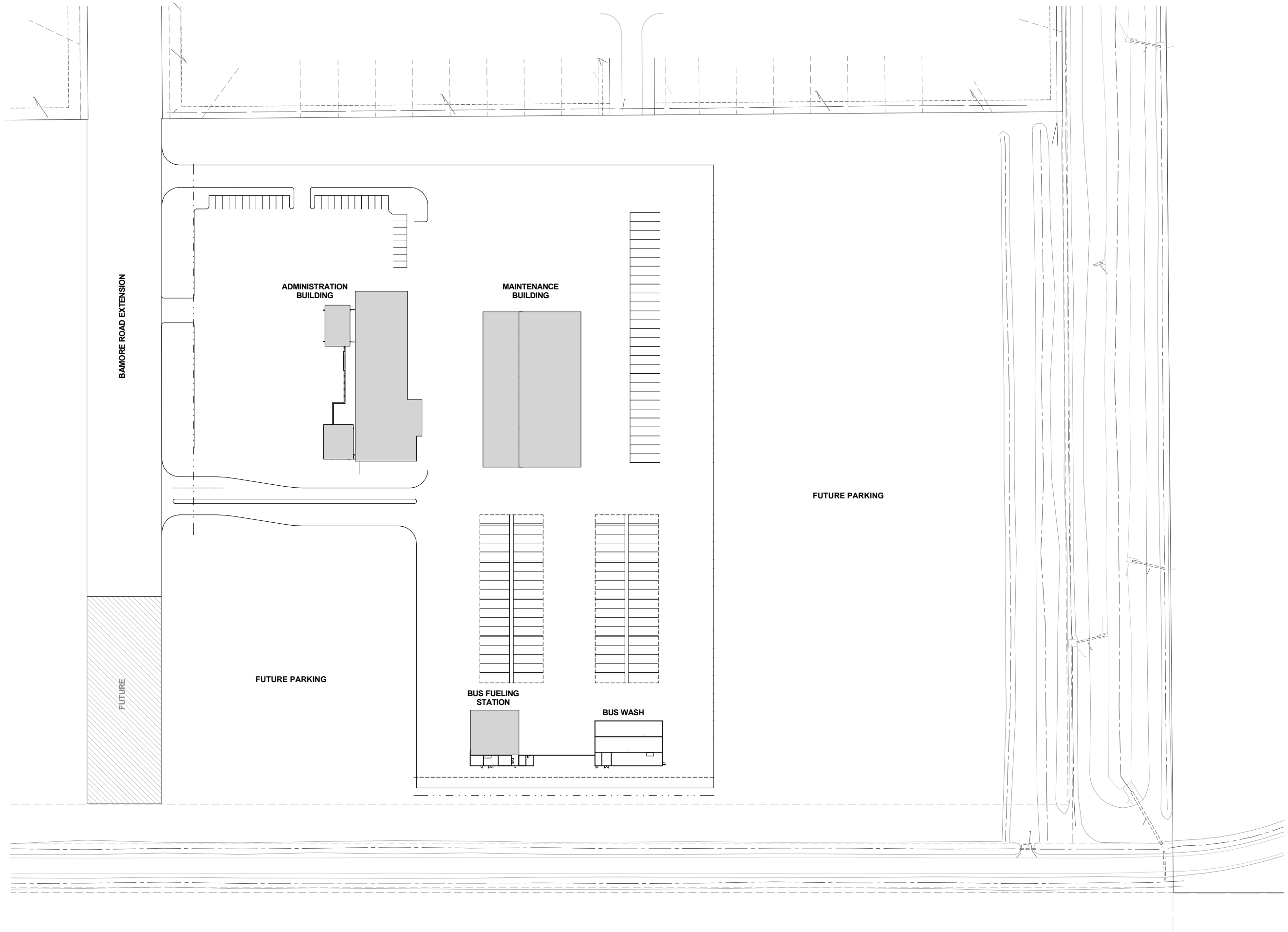


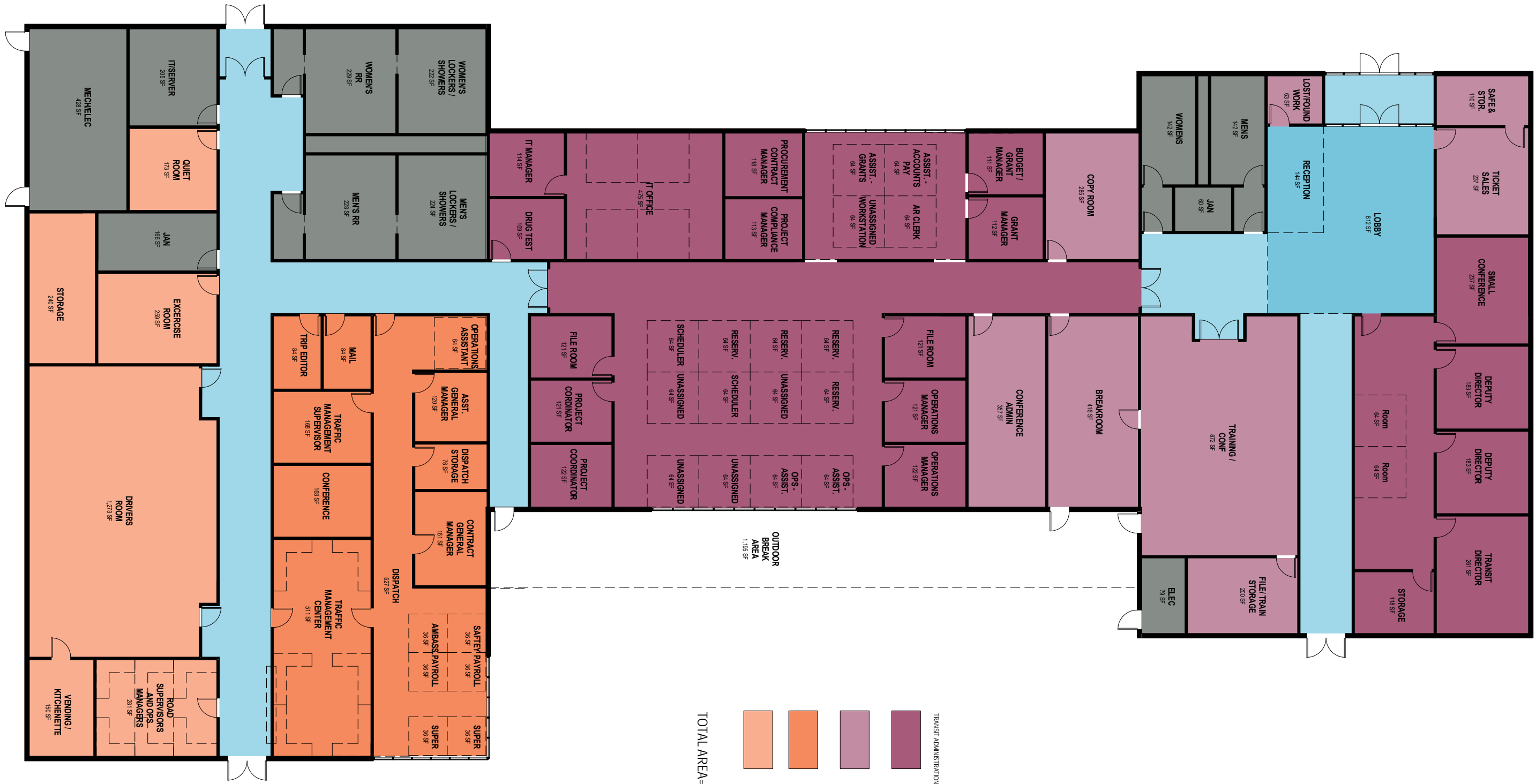
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Exhibit C



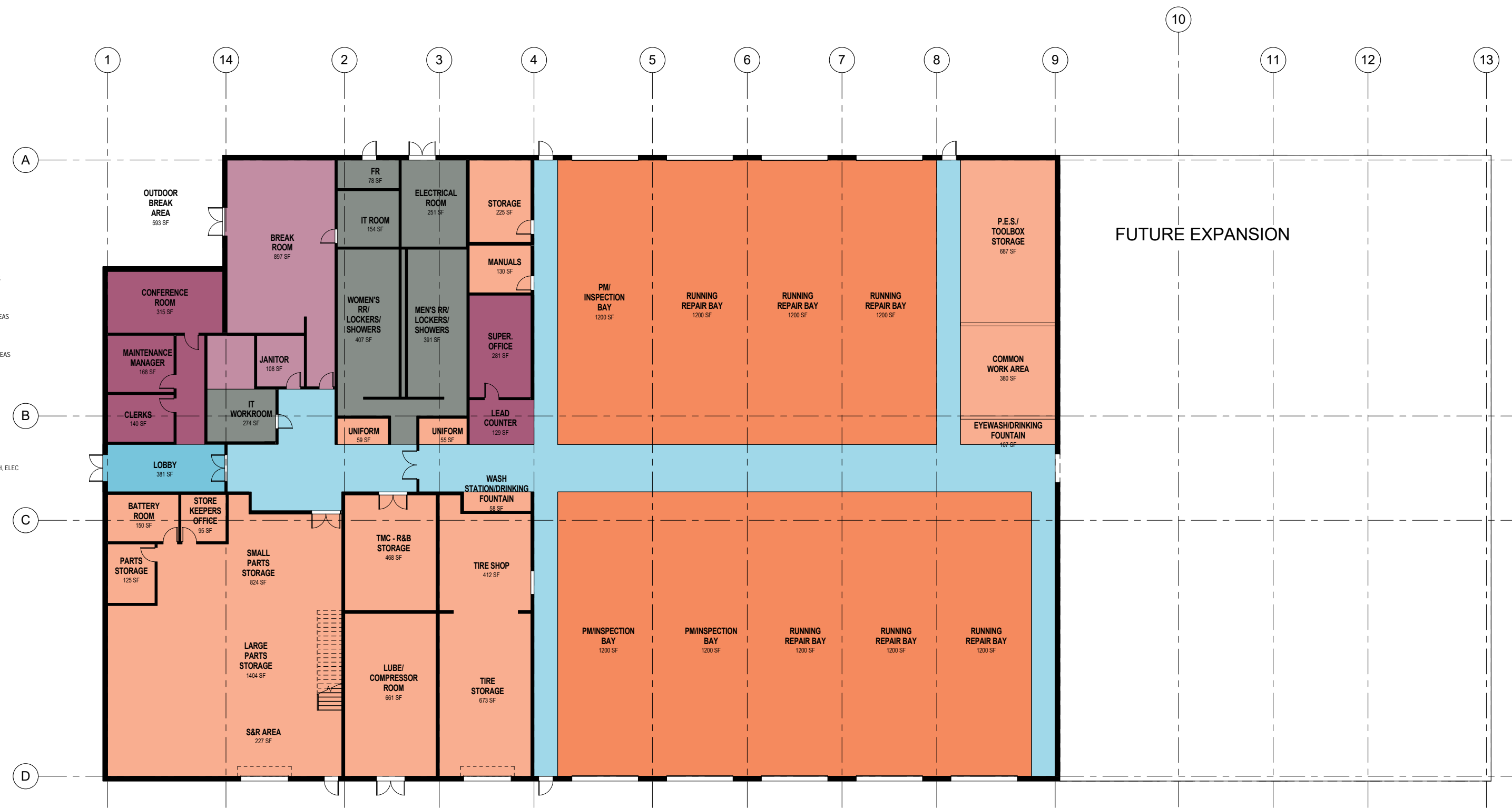


- TRANSIT ADMINISTRATION BLDG
- TRANSIT ADMINISTRATION
- TRANSIT - SUPPORT AREAS
- CONTRACT - OFFICE AREAS
- CONTRACT - SUPPORT AREAS
- LOBBY
- CIRCULATION
- BUILDING SUPPORT/MECH/ELEC

TOTAL AREA= 19,728 SQFT

OVERALL FLOOR PLAN - LEVEL 1
Scale: 1/16" = 1'-0"

- BUS MAINTENANCE/SERVICE BLDG
- OFFICE - ADMINISTRATION
 - OFFICE - SUPPORT AREAS
 - MAINTENANCE - SHOP AREAS
 - CONTRACT - SUPPORT AREAS
 - LOBBY
 - CIRCULATION
 - BUILDING SUPPORT, MECH, ELEC



PROPOSED AREA = 26,070 SQFT
 EXPANSION AREA = 12,012 SQFT
 TOTAL AREA = 38,082 SQFT

ENLARGED FLOOR PLAN - MAINTENANCE
 scale: 1" = 120'-0"