TRANSPORTATION COMMISSION MEETING
AGENDA

WEDNESDAY, JULY 22, 2015
6:00 p.m. (or immediately after IVRMA or LTA)

County of Imperial Administration Center
Board of Supervisors Chambers
940 W. Main Street, Second Floor
El Centro, CA 92243

CHAIR: BRUCE KUHN      VICE CHAIR: JAMES PREDMORE

Individuals wishing accessibility accommodations at this meeting, under the Americans with Disabilities Act (ADA), may request such accommodations to aid hearing, visual, or mobility impairment by contacting ICTC offices at (760) 592-4494. Please note that 48 hours advance notice will be necessary to honor your request.

I. CALL TO ORDER AND ROLL CALL

II. EMERGENCY ITEMS

A. Discussion/Action of emergency items, if necessary.

III. PUBLIC COMMENTS

Any member of the public may address the Commission for a period not to exceed three minutes on any item of interest not on the agenda within the jurisdiction of the Commission. The Commission will listen to all communication, but in compliance with the Brown Act, will not take any action on items that are not on the agenda.

IV. CONSENT CALENDAR

(Executive Director recommends approval of consent calendar items)

A. Approval of ICTC Board Draft Minutes: June 24, 2015 Page 4
B. Receive and File:
   1. ICTC Management Committee Minutes July 8, 2015
   2. ICTC Draft TAC Minutes July 2, 2015

C. ICTC Disadvantaged Business Enterprise Goal for FY 2015-16 for FTA funds for Transit Programs and Services Page 13

ICTC Staff forwards this item to the Commission for review and approval, after the receipt of public comment, if any:

1. Approve the proposed FY 2015-16 DBE goal of 2% for transit programs and services
V. REPORTS

A. ICTC Executive Director
   - See attached Executive Director Report on Page 16
B. Southern California Association of Governments
   - See attached report on Page 19
C. California Department of Transportation – District 11
   - See attached report on Page 21
D. Commission Member Reports

VI. ACTION CALENDAR

A. Regional Surface Transportation Program and Congestion Mitigation and Air Quality Call for Projects – FY 2016/2017 to FY 2018/2019
   The ICTC Technical Advisory Committee and the ICTC Management Committee forward this item to the Commission for their review and approval after public comment if any:
   1. Direct staff to open a competitive call for projects for member agencies for estimated RSTP and CMAQ funds, effective August 2015 through November 2015;
   2. Direct staff to convene an evaluation committee to score and rank the projects; and,
   3. Direct staff to return with a list of recommended projects for approval by the Commission.

B. Revised Memorandum of Understanding (MOU); ICTC - Quechan Indian Tribe - Yuma County Intergovernmental Public Transit Authority (YCIPTA) for Turquoise Route #10 and Blue Route #5
   ICTC Staff recommends that the Commission review and approve after public comment, if any:
   1. Authorize the Chairperson to sign the Memorandum of Understanding (MOU) between the Yuma County Intergovernmental Public Transportation Authority (YCIPTA), The Imperial County Transportation Commission (ICTC) and the Quechan Indian Tribe for the continued implementation and operation of a regional connector bus service (YCAT Turquoise #10) between Yuma AZ, Winterhaven and El Centro, California; and, a circulator route from Yuma with stops in the eastern Imperial County area (YCAT Blue #5) effective July 1, 2015 through June 30, 2016 and provide a not to exceed subsidy to the Quechan and YCIPTA in an amount of $172,270.

C. Discussion/Action regarding an annual merit increase of up to 5% pursuant to the Executive Director contract

VII. NEXT MEETING DATE AND PLACE

A. The next meeting of the Imperial County Transportation Commission will be held on Wednesday, September 23, 2015 at 6:00 p.m., at the County of Imperial Board Chambers, at 940 W. Main Street, El Centro, CA.

VIII. ADJOURNMENT

A. Motion to adjourn
IV. CONSENT CALENDAR

A. APPROVAL OF BOARD DRAFT MINUTES:
   JUNE 24, 2015

B. RECEIVE AND FILE:
   1. ICTC MANAGEMENT DRAFT MINUTES:
      JULY 8, 2015
   2. ICTC TECHNICAL ADVISORY COMMITTEE
      JULY 2, 2015
I. CALL TO ORDER AND ROLL CALL
Chair Kuhn called the Commission meeting to order at 6:52 p.m. Roll call was taken and a quorum was present.

II. EMERGENCY ITEMS
There were none.

III. PUBLIC COMMENTS
There were none.

IV. APPROVAL OF CONSENT CALENDAR
A motion was made by Nava and seconded by Predmore to approve the consent calendar, Motion carried.

A. Approved ICTC Board Draft Minutes: May 27, 2015
B. Received and Filed:
   1. ICTC Management Committee Minutes June 10, 2015
   2. ICTC Draft TAC Minutes: May 28, 2015

V. REPORTS
A. ICTC Executive Director
Mr. Baza and staff had the following announcements:
   - To date, the cities of Brawley, Calexico, Calipatria, El Centro, Holtville, Imperial and the County of Imperial have adopted resolutions to participate in the California HERO program. The cities of El Centro and Brawley were launched on May 23, 2014; the County of Imperial on November 14, 2014; and, the cities of Calexico, Calipatria and Holtville on March 24, 2015. A program activity report through May...
31, 2015 of the HERO activities that are occurring in the County of Imperial and the
cities of Brawley and El Centro was attached to the agenda. The report described the
number of applications received and approved since their launch. The city of Imperial
is expected to launch in June 2015. The City of Westmorland will soon consider
action to participate in the program.

- Phase I construction for the West Port of Entry is scheduled to begin in August 2015
  with completion in January 2018. GSA will be hosting a ground breaking for Phase
  1 on November 2015. Exact time and location of the groundbreaking are yet to be
  finalized by GSA.

- Mr. Salgado presented IVT videos of passenger comments for the cities of Brawley,
  Calexico and Imperial. Commissioners had a positive reaction.

- SeaPort Airlines has been dealing with issues regarding the loss of their pilots to
  major airlines which has caused delays and cancellations on their current flights.
  They just hired 8 new pilots and are hopeful the issues will subside.

- A full Executive Director report is located on page 16 of the agenda.

B. Southern California Association of Governments (SCAG)

- Mr. Oliva highlighted the ATP campaign listed on page 22. The deadline to submit
  projects for the ATP campaign is June 30, 2015.

- A SCAG report is attached on page 21 of the agenda.

C. California Department of Transportation (Caltrans)

Mr. Figge had the following updates and announcements:

- Project updates are on pages 46-49 of the agenda. Mr. Figge highlighted a few of
  them.

- Caltrans has kicked off a safety awareness campaign aimed at getting motorists to
  pay special attention when crossing highway intersections, particularly the Brawley
  Bypass.

- The summer edition of the Mile Marker publication has been released and can be
  purpose of The Mile Marker is to provide a transparent, plain-language accounting of
  Caltrans performance.

- Caltrans received a total of 38 project applications for the District, with seven from
  the Imperial region. It is anticipated that successful applications will be adopted at
  the California Transportation Committee (CTC) meeting scheduled on October 21-
  22, 2015. The total ATP Funds requested from the Imperial Region for the
  applications totals $10,142,000.

- A full report of Caltrans updates can be found on page 46 of the agenda.

D. Commission Member Report

- There were various reports by Commission members of countywide issues and events
  happening in each of their respective cities.

VI. ACTION CALENDAR

A. Draft ICTC Overall Work Program (OWP) and Budget, FY 2015-16

The ICTC Management Committee met on June 10, 2015 and forwarded this item to the
Commission for review and approval after public comment, if any:

1. Adopted the Draft Fiscal Year (FY) 2015-16 Imperial County Transportation
   Commission (ICTC) Overall Work Plan (OWP) and Budget
A motion was made by Nava and seconded by Sanders, **Motion Carried unanimously.**

B. **Legal Services Agreement – County of Imperial – Imperial County Transportation Commission (ICTC) FY 2015-16 to FY 2016-17**

The ICTC Management Committee met on June 10, 2015 and forwarded this item to the Commission for review and approval after public comment, if any:

1. Authorized the Chairperson to sign the agreement for the continuation of legal services between the County of Imperial and the Imperial County Transportation Commission for an annual cost not to exceed $15,000, effective July 1, 2015 through June 30, 2017.

2. Directed staff to forward the agreement to the County of Imperial.

A motion was made by Nava and seconded by Sanders, **Motion Carried unanimously.**

C. **Extension of the Transit Drug and Alcohol Auditor Agreement, LPM and Associates, FY 2015-16 through FY 2016-17**

The ICTC Management Committee met on June 10, 2015 and forwarded this item to the Commission for review and approval after public comment, if any:

1. Authorized the Chairman to sign the two year extension to the agreement for transit drug and alcohol auditing and reporting services with the firm of LPM and Associates for the not to exceed annual fee of $11,550.00 effective November 1, 2015 through November 30, 2017.

A motion was made by Nava and seconded by Sanders, **Motion Carried unanimously.**

D. **Sixth Amendment to the Med-Express Operating Agreement, ARC – Imperial Valley FY 2015-16**

The ICTC Management Committee met on June 10, 2015 and forwarded this item to the Commission for review and approval after public comment, if any:

1. Authorized the Chairman to sign an sixth amendment document to the operating agreement with ARC-Imperial Valley for the continued operation of the Medexpress for the period effective July 1, 2015 through June 30, 2016, with an annual not to exceed operating subsidy ($197,124) with 3% marketing funding ($7,000), maintenance escalator ($7,500.00) and fuel escalator.

A motion was made by Nava and seconded by Sanders, **Motion Carried unanimously.**

E. **ICTC and the City of Imperial Agreement for Human Resource Services, FY 2015-2017**

The ICTC Management Committee met on June 10, 2015 and forwarded this item to the Commission for review and approval after public comment, if any:

1. Authorized the Chairman to sign the agreement for Human Resource Services with the City of Imperial for the not to exceed fee of $20,000.00, effective July 1, 2015 through June 30, 2017.
A motion was made by Nava and seconded by Sanders, **Motion Carried unanimously.**

F. Agreement for Professional Financial Reporting Services of the Regional Transit Operators – FY 2010-11 through FY 2014-15 Modification #1

ICTC staff recommended the approval of the modification for the last year of the contract, as further pricing adjustments, if there are any to be achieved, will be evident in the next competitive bid for the project that must be completed during the year, after the receipt of public comment:

1. Authorized the Chairman to sign the modification #1 to the agreement for financial reporting services effective July, 1 2012, for the audit period FY 2010-11 through FY 2014-15, with the firm of Hutchinson and Bloodgood:

   A. For the period July 1, 2015 through June 30, 2016, the annual not to exceed fee set at $69,822.

A motion was made by Nava and seconded by Sanders, **Motion Carried unanimously.**

G. 2015 Active Transportation Program Regional Guidelines

The ICTC Management Committee met on June 10, 2015 and forwarded this item to the Commission for review and approval after public comment, if any:

1. Approved the following methodology for assigning points of the Active Transportation Program Regional Guidelines:

   a. 10 points for projects that have been identified in an adopted local and/or regional plan; and
   b. Zero points for projects that have not been identified in an adopted local and/or regional plan.

A motion was made by Gran and seconded by Sanders, **Motion Carried unanimously.**

VII. CLOSED SESSION

A. Motion to Adjourn to Closed Session by Nava seconded by Nava-Froelich, **Motion Carried.**

B. PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Government Code §54957)
   Title: ICTC Executive Director

C. Announcement of Closed Session Action(s)
   1. The ICTC met and no final action was taken

VIII. NEXT MEETING DATE AND PLACE

A. The next meeting of the Imperial County Transportation Commission will be held on **Wednesday, July 22, 2015 at 6:00 p.m.**, at the County of Imperial Board Chambers, at 940 W. Main Street, El Centro, CA.

IX. ADJOURNMENT

Meeting adjourned at 8:20 p.m.
IMPERIAL COUNTY TRANSPORTATION COMMISSION
MANAGEMENT COMMITTEE
DRAFT MINUTES OF July 8, 2015
10:30 a.m.

VOTING MEMBERS PRESENT:
City of Brawley  Rosanna Bayon Moore
City of Calipatria  Rom Medina
City of Calexico  Nick Servin for Richard Warne
City of El Centro  Ruben Duran
City of Holtville  Nick Wells
City of Imperial  George Galvan for Marlene Best
County of Imperial  Armando Villa

STAFF PRESENT:  Virginia Mendoza, Cristi Lerma

OTHERS PRESENT:  Joe Picazo and Esperanza Colio: County of Imperial, Sam Amen and Luis Medina: Caltrans, Tomas Oliva: SCAG, Liz Zarate: City of El Centro

The following minutes are listed as they were acted upon by the Imperial County Transportation Commission Management Committee and as listed on the agenda for the meeting held Wednesday, July 8, 2015 together with staff reports and related documents attached thereto and incorporated therein by reference.

I. CALL TO ORDER AND ROLL CALL
Chair Bayon Moore called the Committee meeting to order at 10:43 a.m. Roll call was taken. Introductions were made.

II. EMERGENCY ITEMS
A. There were none.

III. PUBLIC COMMENTS
A. There were none.

IV. CONSENT ITEMS
A motion was made by Servin seconded by Duran to approve consent items 4A and 4B. Motion carried unanimously.

A. Approved ICTC Management Committee Minutes for June 10, 2015
B. Received and filed:
   1. ICTC Board Draft Minutes for June 24, 2015

V. REPORTS
A. ICTC Executive Director
   - Mr. Baza attended a meeting for the Cap and Trade Program in Sacramento recently and stated that there are concerns in the State about the amount of revenues received and the requirement to have shovel-ready projects. A letter was sent to SCAG President Cheryl Viegas-Walker.
ICTC MANAGEMENT COMMITTEE MINUTES

July 8, 2015

- CAIVans has 47 vans in Imperial County that rotate during different farming seasons. ICTC benefits from this specifically in the National Transit Database (NTD) reporting system.
- The videos created for ICTC regarding the IVT Ride services were shown to the committee. A video was created for each participating city that reflects each of the communities the service is providing transportation to.
- A complete list of ICTC updates can be found on Page 13 of the agenda.

B. Southern California Association of Governments (SCAG)
- Mr. Oliva stated that SCAG sent a delegate to Sacramento to attend a hearing on the Cap and Trade Funding. He said it does not look favorable for Southern California. Mr. Oliva echoed similar comments as Mr. Baza did previously.

C. Caltrans Department of Transportation – District 11
Mr. Amen had the following updates:
- Caltrans awarded 4 projects, Interstate 8 (from Hwy 111 13 miles west); State Route 86 (23 miles North); Hwy 111 (16 miles North of Brawley Bypass); and, Hwy 111 in Holtville (North of Hwy 115 for 13 miles).
- Mr. Amen also highlighted other projects that are found in the Caltrans Report on Page 17.

Mr. Medina has the following updates:
- Active Transportation Program (ATP) Cycle 2 “Call for Projects”: Caltrans received a total of 38 project applications for the District, including 31 from the San Diego Region and 7 from the Imperial Region. Successful project applications will be adopted at the California Transportation Committee (CTC) scheduled to be held on October 21-22, 2015.
- Local Agencies are required to designate a “Local Agency Employee in Responsible Charge.” In the Caltrans Local Assistance Procedures Manual (LAPM), there are several sections that indicate, imply or infer that an Architectural and Engineering (A&E) consultant, whether procured as a retained Agency Engineer or in a project-specific engineering role may fulfill this requirement. OB 15-02 serves to supersede the portions of LAPM Chapters 15 and 16 that do not correctly state that the local agency must provide a full-time employee (not just a consultant) to be in responsible charge of, and maintain a level of engagement in, each project. This individual must be employed directly by the local agency who is the direct recipient of Federal or State funds. The Local Agency Employee in Responsible Charge need not be an Engineer. The complete office bulletin can be found at the link provided below: [http://www.dot.ca.gov/hq/LocalPrograms/DLA_OB/2015/ob15-02.pdf](http://www.dot.ca.gov/hq/LocalPrograms/DLA_OB/2015/ob15-02.pdf)
- The Prompt Payment methodology designated by most Agencies on the annual DBE Exhibit 9-B is Method 3. Please be reminded that the Agency is responsible for making regular incremental acceptances and incrementally releasing retention on the accepted work. If the retention was released for work performed by a subcontractor, the Agency is required per 49 CFR, Part 26.29(d) to enforce prompt payment to the subcontractors.
- Annual DBE Exhibit 9-B and ADA Exhibit 9-C – Deadline of JUNE 30, 2015 Has Passed Annual DBE and ADA Exhibits 9-B and 9-C forms were due to Caltrans D11 Local Assistance by June 30, 2015. These forms are critical to receiving federal funding. Request for Authorizations will be not be obligated for FFY15-16 until receipt and approval of these forms. Additional information and the current version of these exhibits are available in the Local Programs Procedures Manual (LAPM) Chapter 9. Please find the link to Chapter 9 below: [http://www.dot.ca.gov/hq/LocalPrograms/lam/lapm.htm](http://www.dot.ca.gov/hq/LocalPrograms/lam/lapm.htm)
- Code of Federal Regulations, Title 23, Section 230.121 (a) through (c)(2) requires contractors to report annually on the composition of their workforce by race, gender,
and job category. Prime contractors and all subcontractors with construction contracts of $10,000 or more must complete the report for work performed during the last pay period of July 2015. The reporting period is June 29, 2015 through July 31, 2015. Prime contractors, as well as each subcontractor, must complete and submit their report(s) to their respective Local Agency Resident Engineer, who with certify that the information is correct and complete. Once certified by the Local Agency Resident Engineer, Contractors are to submit their certified report(s) to the sponsor Local Agency no later than August 14, 2015. District 11 Local Agencies shall now submit all of the reports to Miyoko Nakajima at miyoko.nakajima@dot.ca.gov and “cc” Anh-Vu Pham at anhvu.pham@dot.ca.gov, Local Area Engineer for the Imperial Region, no later than August 21, 2015.

D. Committee Member Reports
- There were none.

VI. ACTION CALENDAR
A. Regional Surface Transportation Program and Congestion Mitigation and Air Quality Call for Projects – FY 2016/2017 to FY 2018/2019

Ms. Mendoza stated that the Imperial County Transportation Commission received the revenue information for the Regional Surface Transportation Program (RSTP) and the Congestion Mitigation and Air Quality (CMAQ) funding by staff at SCAG.

She said that approximately $10.9 million may be available over a three-year period beginning in federal fiscal year 2016/2017 and ending in FFY 2018/2019. SCAG staff has recommended that the subregions proceed with a call for projects as staff wait for confirmation of future funding.

ICTC staff reviewed the draft guidelines with the ICTC Technical Advisory Committee on July 2, 2015. The TAC recommended that a competitive call for projects be conducted for member agencies under the local program guidelines approved by ICTC and used previously in 2008 and 2012. An attachment was provided that summarizes the revenue estimates, the eligibility criteria under the RSTP and CMAQ programs, the proposed schedule, the selection criteria and a draft application. It was noted that RSTP and CMAQ are two separate programs and different backup documentation is required.

The Technical Advisory Committee forwarded this item to the Management Committee for review and consideration. It was requested that the ICTC Management Committee forward this item to the ICTC Commission for their review and approval after public comment, if any:

1. Directed staff to open a competitive call for projects for estimated RSTP and CMAQ funds, effective August 2015 through November 2015;
2. Directed staff to convene an evaluation committee to score and rank the projects; and,
3. Directed staff to return with a list of recommended projects for approval by the Commission.

A motion was made by Brunet seconded by Wells, Motion carried unanimously.
VII. NEXT MEETING DATE AND PLACE

The next meeting of the Management Committee will be held on September 9, 2015 at the City of El Centro, El Centro, CA.

VIII. ADJOURNMENT

A. Motion to adjourn by Wells/Brunet, Motion Carried. Meeting adjourned at 12:13 p.m.
C. ICTC DBE GOAL FOR FY 2015/2016 FOR FTA FUNDS FOR TRANSIT PROGRAMS AND SERVICES
July 17, 2015

Bruce Kuhn
Imperial County Transportation Commission
1405 N. Imperial Ave Suite 1
El Centro, CA 92243

SUBJECT: ICTC Disadvantaged Business Enterprise Goal for FY 2015-16 for FTA funds for Transit Programs and Services

Dear Members of the Commission:

As a recipient of Federal Transit Administration (FTA) dollars, the ICTC is required to adopt and implement a Disadvantaged Business Enterprise (DBE) program to provide opportunities to underrepresented firms in the award and administration of contracts utilizing FTA funds. As part of this program, the ICTC must adopt an annual DBE goal. The goal is to be expressed as the percentage of FTA funds awarded to ICTC which ICTC expects to award to certified DBE firms over the fiscal year for which the goal is set.

This goal is calculated by examining all the expected contracting opportunities utilizing FTA funds in a given year, determining what proportion of all firms ready, willing and able to bid on those contracts are likely to be DBEs, and then using that information to set a reasonable goal regarding the amount of FTA funds that will actually be awarded to DBEs through contracts with those firms. This methodology is outlined in detail in the attached report.

ICTC staff proposed a FY 2015-16 DBE goal for transit of 2% on May 27, 2015 and the Commission enacted the required 45 day comment period. In addition, the Commission directed staff to return for final adoption of the goal in July 2015. There have been no comments received as of the date of this letter. Therefore, ICTC staff would recommend final approval of the DBE goal, and thereby allowing staff to proceed with programs and projects in the FY 2015-16 Overall Work Program and Budget.

ICTC staff recommends that the Commission review and approve, after the receipt of public comment, if any:

1. Approve the proposed FY 2015-16 DBE goal of 2% for transit programs and services.

Sincerely,

MARK BAZA
Executive Director

Attachment

MB/ksw/cd

CITIES OF BRAWLEY, CALEXICO, CALIPATRIA, EL CENTRO, HOLTVILLE, IMPERIAL, WESTMORLAND, IMPERIAL IRRIGATION DISTRICT AND COUNTY OF IMPERIAL
DRAFT
Disadvantaged Business Enterprise Plan (DBE)
For Projects Funded Through
the Federal Transit Administration (FTA)
FY 2016
V. REPORTS

A. ICTC EXECUTIVE DIRECTOR REPORT
B. SCAG REPORT
C. CALTRANS - DISTRICT 11 REPORT
Memorandum

Date:    July 17, 2015
To:    ICTC Commission
From:    Mark Baza, Executive Director
Re:    Executive Director’s Report

The following is a summary of the Executive Director’s Report for the Management Committee meeting of July 22, 2015.

1. **Regional Mobility Hubs Strategy for Imperial and San Diego** - This project funded by Caltrans will develop a Regional Mobility Hubs Implementation Plan for San Diego County and Imperial Valley. This project will be led by SANDAG in conjunction with ICTC. The focus of the plan will be to develop recommended improvements, conceptual designs, and implementation strategies for different mobility hub station place types for both regions. Consultant work is underway with preparation for a full range of stakeholder outreach.

   Mobility hubs provide an integrated suite of transportation services, supporting amenities, and urban design enhancements that reduce the need for single occupant vehicle trips by increasing first mile/last mile access to high-frequency transit stations. Mobility hubs are places of connectivity where different modes of transportation - walking, biking, ridesharing, and public transit – come together seamlessly at concentrations of employment, housing, shopping, and/or recreation. Hub features can include: bikeshare, carshare, neighborhood electric vehicles, bike parking, dynamic parking management strategies, real-time traveler information, real-time ridesharing, demand based shuttle or jitney services, bicycle and pedestrian facility improvements, wayfinding, urban design enhancements, and supporting systems like mobile applications, electric vehicle charging, smart intersections, and a universal payment system to make it easy to access a wide range of travel. Mobility hubs can help maximize the capital investment in transit services and support the emphasis on smart growth and transit-oriented development.

2. **California-Baja California Binational Region**: A Fresh Look at Impacts of Border Delays: Building upon previous Caltrans, SANDAG, and ICTC studies, this project will refine the economic models developed to assess economic impacts of delays at the land ports of entry (POEs) between the San Diego and Imperial Counties region and Baja California, Mexico, on the border region economies. It will also estimate greenhouse gas (GHG) emissions of passenger and commercial vehicles due to northbound and southbound border delays at the six California POEs, and propose strategies to reduce GHG emissions at the border region. Lastly, extensive outreach to government agencies, local border communities, and private sector stakeholders will be conducted. Extensive data collection and modeling work has been conducted on these areas by ICTC, SANDAG and other agencies, this project will build upon that work.

   The critical economic link between San Diego and Imperial Counties, and Baja California border region has local, regional, statewide, and national importance in both the U.S. and Mexico, and as such, the economic impacts of delays at the border have been shown to be significant. Additionally, the GHG emissions impacts of these delays to border communities are unknown. This study will primarily address these two concerns. The project will be
funding is provided by Caltrans, SANDAG, and in-kind contributions from ICTC. Consultant selection will be getting underway in late July.

3. Imperial–Mexicali Binational Alliance: The next meeting is tentatively scheduled for September 10, 2015 in Imperial County. Virginia Mendoza, Project Manager

4. 2015 Active Transportation Program (ATP) Regional Guidelines: The ATP Guidelines were adopted at the Commission meeting of June 24, 2015.

5. California’s Road Use Charge Pilot: In 2014, Legislature passed Senate Bill 1077 (SB 1077) directing California to conduct a pilot program to study the feasibility of a road charge as a replacement for the gas tax to pay for road maintenance and repairs. A 15-member technical advisory committee (TAC), composed of representatives from diverse interests, is now working to study the potential for a road charge and outline the parameters of the pilot program. The TAC will craft the parameters of the road charge pilot program by the end of 2015. Beginning no later than January 1, 2017, thousands of California drivers will make history by volunteering to participate in the road charge pilot program to test new approaches. The pilot program will be implemented by the California State Transportation Agency. The outcomes of the road charge pilot program will be reported back to the TAC, the California Transportation Commission (CTC), and the Legislature no later than June 30, 2018. The CTC will provide recommendations on the pilot program to the Legislature in December 2018. The Legislature will then decide whether and how to enact a full-scale permanent road charge program. More information is attached to this report.

6. Downtown Calexico West Port of Entry: Congress authorized $98 million for Phase 1 of the port expansion. The U.S. General Services Administration (GSA) will be developing construction bid documents. Phase I construction is scheduled to begin in August 2015 with completion in January 2018. GSA will be hosting a ground breaking for Phase 1 on November 2015. Exact time and location of the groundbreaking are yet to be finalized by GSA.

7. Calexico East/Mexicali II Port of Entry - Proposed Binational Toll Pilot Project: The Executive Director has been working with the County of Imperial, the private/non-profit group – “Safer Communities,” and U.S. federal agency staff toward our local effort to prepare for a successful proposal to the U.S. CBP and GSA to implement a toll pilot project that would pay for the port expansion infrastructure and required CBP staffing. In October 2014, the U.S. government released new regulations under Section 559 that would allow for proposals to complete land port of entry improvements using a public-private partnership (P3) model and toll pilot project as the financing mechanism. A proposal must include project specific details about the infrastructure improvements required and costs, operations and maintenance costs, CBP staffing costs, and a toll feasibility analysis. To this end, the ED worked with Safer Communities to prepare a proposal that would address all elements required by the U.S. government. A proposal was submitted by Safer Communities with support by the County of Imperial and ICTC before the December 23, 2014 CBP deadline. In late April 2015, a response was received from CBP. The proposal was temporarily rejected for concerns regarding toll collection locations proposed near security operations. CBP welcomes a re-submittal in late 2015 and is willing to work with Safer Communities to address safety concerns and the toll collection locations prior to re-submittal.

8. Transit Updates: On June 16, 2015 the Gillig Bus Corporation was able to provide a demonstration of a 40ft. Low Floor Gillig Hybrid Diesel/Electric vehicle to ICTC and IVT Staff. These buses are the same size of the low emission, low sulfur diesel vehicles ICTC currently operates, but contain a hybrid diesel drivetrain. The vehicles reportedly reduce emissions and fuel usage by 25%, respectively. Additionally our 6 new Gillig Low Floor buses hit the assembly line on June 18, 2015. The 6 vehicles are scheduled to be completed and delivery is expected by mid-July. The 6 new Gillig buses will allow for the retirement of the five 1988 Gillig Phantom buses which are currently in operation and past their useful life. However, 1 of the older Gillig Phantom buses will be kept on site for driver training purposes.

9. IVT RIDE Update: IVT RIDE service began operations in the Cities of Calexico and Imperial October 1, 2014; in the West Shores community on December 1, 2014; and, in the City of Brawley on January 2, 2015. Several Public Outreach Workshops were held in each of the four communities before the service began. Staff also implemented the no show/late cancellation policy. The policy has lowered no-show occurrences significantly. All
9 of the newly purchased low floor cutaway bus vehicles are in operation and equipped with camera systems. The use of wireless tablet devices on the service was implemented April 1st and the service has experienced increased efficiencies, such as increased ability to accommodate same day trips, increased passengers per hour and less need for constant radio contact as manifests are updated in real time via wireless connection. Not including West Shores, the IVT Ride service is averaging 3.14 passengers per hour with close to 4 passengers per hour in the City of Calexico. An IVT Ride Paratransit Coordinating Committee (PCC) meeting was held on April 30, 2015 to review operational issues and performance data, and to review upcoming projects and activities. Public Workshops were recently held in the City of Calexico on May 14, 2015 and in the City of Brawley on May 21, 2015. The next PCC is scheduled for July 23, 2015. David Salgado, Project Manager

10. **The San Diego State University / Imperial Valley College Transit Shuttle Analysis:** The Transit Shuttle Analysis will assess the feasibility of an inter-college shuttle service in Imperial County. ICTC and SCAG staffs are working with Imperial Valley College and San Diego State University staff to complete the consultant selection process. SCAG staff will complete the contract agreement for the selected consultant and recommendation of award to the Regional Council. The selection and award process is anticipated to be completed in July 2015. Virginia Mendoza, Project Manager

11. **Imperial County Regional Safe Routes to School (SRTS) Masterplan:** The Imperial County Safe Routes to School (SRTS) Regional Masterplan Project has been kicked off. The consultant selected to carry out the study is Ryan Snyder and Associates. The project is funded by the Community Based Transportation Planning (CBTP) program administered by Caltrans. The local match was provided by the Southern California Association of Governments (SCAG) from the Sustainability Grant program. Outreach has been conducted in the communities of Calipatria, Westmorland, San Pasqual, Brawley, Imperial and El Centro. Outreach will continue throughout the county in the Fall of 2015 school year. The project is scheduled for completion Fall 2015. David Salgado, Project Manager

12. **Meetings attended on behalf of ICTC:**
   - June 30, 2015: Strategic Growth Council Meeting in Sacramento
   - July 1, 2015: Independence Day celebration by the US Consulate in Tijuana, Mexico
   - July 2, 2015: SCAG Regional Council in Los Angeles
   - July 17, 2015 Smart Border Coalition Stakeholders’ Working Committee Meeting at the World Trade Center in Tijuana, Mexico
Memo

Date: July 17, 2015
To: ICTC Commission
From: Tomás Oliva, Regional Affairs Officer
Re: Southern California Association of Government’s Report

The following is a summary of the SCAG Executive Director’s Report and Federal and State Legislature Staff Report for the Imperial County Transportation Commission meeting of July 22, 2015.

1. **Active Transportation Program Funding:** The state’s 2015 Active Transportation Program application window concluded on June 1 with Caltrans receiving over 600 applications this year. Funding from the Active Transportation Program is available for new or improve existing bikeways/walkways, educate or encourage walking and biking, or fund the development of community-wide bike, pedestrian, safe routes to schools, or active transportation plans in predominantly disadvantaged communities. Interest remains high despite a slight drop in applications submitted throughout the state. This year, there were 222 applicants from the SCAG region, compared to 269 applications in 2014, the first year of the program. However, submissions from the SCAG region represented a larger percentage of overall/statewide submissions (35% in 2014; 36% in 2015). Caltrans has posted the list of submitted applications here: http://bit.ly/CALTRANS-ATP-List. Applications will be evaluated this month, July 2015. Finalists for the statewide and small urban and rural portions of the program will be announced on Oct 21-22, and the MPO portion will be announced in December. For more information on the ATP program, please visit California Transportation Commission website at http://bit.ly/CTC-ATP or the Caltrans website at http://bit.ly/CALTRANS-ATP.

2. **Cap-and-Trade Funding Update; SCAG Prepares Region For Additional Opportunities:** As previously reported, SCAG has raised issue with the Strategic Growth Council on its selection of applicants for the Affordable Housing and Sustainable Communities (AHSC) competitive grant program, which is funded by $120 million in state cap-and-trade auction proceeds. With only 12 projects from the SCAG region out of 54 invited to apply – a disproportionately low number considering the region’s share of population and concentration of disadvantaged communities – the Regional Council took action in April, strongly urging that the Strategic Growth Council fully fund all 12 applications. President Cheryl Viegas-Walker also reiterated the board’s position to the Governor’s Office of Planning and Research. On June 19, the Strategic Growth Council announced that nine projects from the SCAG region would be recommended for funding. Totaling nearly $27.5 million, the SCAG region projects in Los Angeles, Riverside, Santa Ana and Long Beach scored among the highest in the state, and the funding will be...
provided to support construction of over 800 affordable units in these cities. SCAG led a delegation from Southern California at the Strategic Growth Council’s June 30 meeting to support the selected projects from the region and also raise concerns about equity in the selection process.

In related news, the California State Transportation Agency announced on June 30 the recipients of $224 million in competitive grants under the Transit and Intercity Rail Capital Program, also funded by cap-and-trade proceeds. The SCAG region received nearly half of the total grant amount awarded statewide, the largest amount of any region in the state. One of the largest grants recommended was for $41.2 million to Metrolink for the purchase of nine fuel-efficient Tier IV locomotives. Additional grants include $38.5 million to Metro for the Blue Line Willowbrook/Rosa Parks Station and operational improvements; $24.4 million to the Antelope Valley Transit Authority for its Regional Transit Interconnectivity & Environmental Sustainability Project; and $2.3 million to the Orange County Transportation Authority for its Bravo! Route 560 rapid buses. Together with a $1.7 million grant to the Los Angeles-San Diego-San Luis Obispo (LOSSAN) Rail Corridor Agency for its Pacific Surfliner Transit Transfer Program, these grants leveraged an additional $141 million in matching funds for a total investment of $249 million region wide to support high-quality public transportation and reduce greenhouse gas emissions.

Moving forward, SCAG will continue to remain engaged in the development of guidelines for these funding opportunities. Additionally, SCAG plans to convene a forum on Aug. 6, on how to best position the region for securing new competitive grant funding derived from cap-and-trade revenues. This event, California Gold: Bringing Cap and Trade Dollars to Southern California, will bring together housing and transportation sector leaders to discuss ways on how best to collaborate on future rounds of AHSC grants and explore opportunities from other cap-and-trade funds related to transportation, energy efficiency and natural resources. For more information regarding this event, please visit: http://newsletter.scag.ca.gov/eflyer/californiagold.htm.

To RSVP for this workshop, please visit: http://bit.ly/RSVPCalGold. It will be available via videoconference in the El Centro Regional Office.

3. **SANDAG Borders Committee:** The next SANDAG Borders committee is scheduled for July 24, 2015. Items of interest include – San Diego Water Authority Binational Efforts (Dan Denham, SDCWA) and Vehicle Idling Emissions Study at Calexico West and Calexico East Land Ports of Entry (Tom Kear, T. Kear Transportation Planning and Management, Inc.). Agenda and link to listen to meeting online can be found on the following link: http://www.sandag.org/index.asp?meetingid=4060&fuseaction=meetings.detail

4. **SCAG Regional Council and Policy Committees:** SCAG will be hosting several Special Regional Council and Joint Meetings due to preparation for the 2016 RTP/SCS. There will be a Transportation Committee meeting on **Thursday July 23, 2015 from 10AM-12PM**, to discuss aviation and the highway framework of the RTP/SCS. There will be a Joint Regional Council & Policy Committees meeting on **Thursday August 6, 2015 from 10AM-12PM**, to discuss affordable housing, summary of outreach meetings, and PEIR framework and schedule. Finally, we will have Joint Regional Council & Policy Committees meeting on **Thursday August 20, 2015 from 10AM-12PM**, to discuss transportation finance. All meetings will be video conferenced and available at the El Centro Regional Office.
Date: July 17, 2015  
To: ICTC Commissioners  
From: Laurie Berman, Caltrans District 11, District Director  
Re: District Director’s Report  

The following is the California Department of Transportation, District 11 report for the Imperial County Transportation Commission (ICTC) meeting of July 22, 2015:

1. **Project Updates:**

   **I-8 at Dogwood Project:**
   - Replace connector
   - Construction Began, October 2014
   - Complete Construction, September 2016
   - Total Cost: $27.0 million

   **El Centro Maintenance Station:**
   - Contract Approved, April 2014
   - Construction Began, July 2014
   - Complete Construction, July 2017
   - Addition of sub-shop building via informal bid with Director’s order
   - Total Cost: $12.4 million

   **I-8/Imperial Avenue Interchange:**
   - Design Complete, late 2016
   - Construction Begins, Fall 2017
   - Complete Construction, Winter 2019
   - Total Cost: $39 million (fully funded)

   **SR-98 Phase 1B:**
   - Widen from two to four lanes between VV Williams and Ollie Avenue in Calexico
   - Design Complete, Summer 2015
   - Construction Begins, Spring 2016
   - Construction Complete, Fall 2017
   - Total Cost: $13.5 million
Project Updates (continued):

SR-111 Two Rivers Rest Area Project:
The rest area currently does not meet the State Water Quality Standards for Wastewater Treatment. After CEQA analysis and thorough review, Caltrans has chosen to close the facility
Rest Area Closure: September 2015
Demolition Begins: October 2015
Demolition Ends: November 2015
Total Cost: $243,000

SR-7 Continuous Reinforced Concrete Pavement Project:
From the Calexico East Port of Entry to SR-98
Replace concrete pavement with long-life pavement
Construction Began, January 2015
Construction Complete, September 2015
Total Cost: $16.3 million

I-8 Continuous Reinforced Concrete Pavement Project:
Three projects on I-8 at various locations to replace concrete pavement with long-life pavement. Traffic will be detoured as necessary to complete work.
Project Report Completed, February 2015
Design Completed, April 2015
HQ Advertised, September 2015
HQ Award, October 2015
Construction Begins, Late 2015
Construction Complete, February 2017
Total Cost: $214 million

SR-86 Pavement Rehabilitation Project:
From 15th Street (City of Imperial) to SR-78 (City of Brawley)
Seal coat and repair pot holes
Construction Began, August 2014
Construction Complete, Summer 2015
Total Cost: $3.9 million

SR-111 Pavement Rehabilitation Project
Seal coat
From 0.1 mile north of Del Rio Road to Main Street
Award, July 2015
Construction Begins, September 2015
Construction Ends, February 2016
Total Cost: $5.7 million
**Project Updates (continued):**

**I-8 Pavement Rehabilitation Project:**
- Overlay
- From 0.6 miles east of Westside Road to 0.3 miles west of SR-111
- Advertisement, April 2015
- Contract Approval, August 2015
- Total Cost: $6.7 million

**SR-115 Pavement Rehabilitation Project**
- Chip seal
- From 0.2 miles east of Towland Road to Taecker Road
- Project moved to FY15/16
- Total Cost: $2.9 million

**SR-86 Pavement Rehabilitation Project**
- Chip seal
- From 0.4 miles south of SR-78 west junction to the Riverside County line
- Bid Open, May 2015
- Award, June 2015
- Construction Begins July 2015
- Construction Ends, March 2016
- Total Cost: $4.5 million

**Dogwood Landscape Project:**
- Design Complete, December 2015
- HQ Advertisement, July 2016
- HQ Award, September 2016
- Construction Begins, December 2016
- Construction Complete, April 2017
- Total Cost: $3.7 million

**SR-78 Pavement Preservation Project:**
- Seal coat
- 3.7 miles west of Vallecitos Road to north junction SR-86 (SD & IMP Counties)
- Design Complete, December 2015
- Construction Begins, Spring 2016
- Construction Complete, Fall 2016
- Total Cost: $7.3 million

**SR-111 and SR-186 Pavement Preservation Project:**
- Overlay
- SR-111 from 9.4 miles south of Imperial County Line to Imperial County Line
- Seal coat
- SR-186 at Andrade from International Border to I-8/SR-186 Separation
- Design Complete, December 2015
- Construction Begins, Spring 2016
- Construction Complete, Fall 2016
- Total Cost: $4.0 million
Project Updates (continued):

SR-78 Pavement Preservation Project:
Seal coat
SR-78 in Imperial County from PM R50.0 to Riverside County Line
Design Complete, December 2015
Construction Begins, Spring 2016
Construction Complete, Fall 2016
Total Cost: $4.5 million

Total Estimated Investment – Imperial County Projects*: $365.6 million
*Includes both capital and support costs

2. Traffic Operations

SR-78/Hovley Road, Brawley
A traffic signal will be installed at the intersection of SR-78 and Hovley Road in Brawley. The signal project is in the beginning stages of design with construction expected to both begin and end in November 2015. The cost is estimated to be between $200,000 to $250,000.

SR-115/Worthington Road, Holtville
In response to a prior request for flashing lights on Worthington Road, Caltrans had initiated a report to review field conditions, the collision history and traffic collision reports for the intersection of SR-115/Worthington Road in Holtville. The analysis has resulted in the recommendation of signing and pavement marking enhancements which will be installed by the end of 2015.

All existing signs at, and prior to, the intersection will be replaced with the latest high-intensity retro-reflective sheeting. Existing “Stop” and “Limit Line” pavement markings will be refreshed and “Stop Ahead” pavement markings will be relocated. “Cross Traffic Does Not Stop”, intersection warning signs and additional route information signs will be installed. A solar-powered flashing beacon will be mounted with the replaced and relocated “Stop Ahead Symbol” sign to further draw attention to it.

3. Communication:
4. **Local Assistance:**

Reminder: HSIP Cycle 7 “Call for Projects” – Application Deadline July 31, 2015
The HSIP Cycle 7 “Call for Projects” deadline to submit applications is Friday, July 31, 2015. High Risk Rural Road (HRRR) federal funding for eligible projects is also included in the Cycle 7 HSIP call.

The total federal HSIP funding available is approximately $150 million. The minimum and maximum amount of federal funds for each application is from $100,000 to $10 million, respectively, with no limit in number of applications per agency. The maximum amount of federal funds an agency can receive in total from this call is $10 million.

Submit Applications:
Caltrans District 11
Attention: Erwin Gojuangco
District 11 Local Assistance Engineer
4050 Taylor St., M.S.124
San Diego, CA 92110

Please find additional information at the link provided below:
[http://www.dot.ca.gov/hq/LocalPrograms/HSIP/apply_now.htm](http://www.dot.ca.gov/hq/LocalPrograms/HSIP/apply_now.htm)

**Training**
*Small Business and Disabled Veteran Enterprise Certification Workshop* – September 24, 2015, 10:00 a.m. to 12:00 p.m. or 2:00 p.m. to 4:00 p.m., Caltrans District 11 offices, Gallegos Room 1-134. For additional information, contact Cheri Gouthier at [cheri.gouthier@dot.ca.gov](mailto:cheri.gouthier@dot.ca.gov)
VI. ACTION CALENDAR

A. REGIONAL SURFACE TRANSPORTATION PROGRAM AND CONGESTION MITIGATION AND AIR QUALITY CALL FOR PROJECTS—FY 2016/2017 TO 2018/2019
July 17, 2015

Bruce Kuhn, Chair
Imperial County Transportation Commission
1405 N. Imperial Ave Suite 1
El Centro, CA 92243

SUBJECT: Regional Surface Transportation Program and Congestion Mitigation and Air Quality Call for Projects – FY 2016/2017 to FY 2018/2019

Dear Commission Members:

The Imperial County Transportation Commission has received revenue information for the Regional Surface Transportation Program (RSTP) and the Congestion Mitigation and Air Quality (CMAQ) funding by staff at the Southern California Association of Governments (SCAG).

Approximately $10.9 million may be available over a three-year period beginning in federal fiscal year 2016/2017 and ending in FFY 2018/2019. SCAG staff has recommended that the subregions proceed with a call for projects as we wait for confirmation of future funding.

ICTC staff reviewed the draft guidelines with the ICTC Technical Advisory Committee on July 2, 2015. The TAC recommends that a competitive call for projects be conducted for member agencies under the local program guidelines approved by ICTC and used previously in 2008 and 2012. The attachment summarizes the revenue estimates, the eligibility criteria under the RSTP and CMAQ programs, the proposed schedule, the selection criteria and a draft application. It should be noted that RSTP and CMAQ are two separate programs and different backup documentation is required, please refer to the attached guidelines for details.

The Management Committee met on July 8, 2015 and forward this item to the Commission for their review and approval after public comment, if any:

1. Direct staff to open a competitive call for projects for member agencies for estimated RSTP and CMAQ funds, effective August 2015 through November 2015;
2. Direct staff to convene an evaluation committee to score and rank the projects; and,
3. Direct staff to return with a list of recommended projects for approval by the Commission.

Sincerely,

MARK BAZA
Executive Director

MARK BAZA

CITIES OF BRAWLEY, CALEXICO, CALIPATRIA, EL CENTRO, HOLTVILLE, IMPERIAL, WESTMORLAND, IMPERIAL IRRIGATION DISTRICT AND COUNTY OF IMPERIAL
Congestion Mitigation & Air Quality (CMAQ) Program

2015 CALL FOR PROJECTS

1405 N. IMPERIAL AVENUE, SUITE 1, EL CENTRO, CA 92243
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INTRODUCTION

The Congestion Mitigation and Air Quality Improvement Program (CMAQ) is a federal funding program reauthorized under Moving Ahead for Progress in the 21st Century, known as MAP-21. The purpose of the CMAQ program is to fund transportation projects or programs that will contribute to attainment or maintenance of the National Ambient Air Quality Standards (NAAQS) for ozone, carbon monoxide (CO), and particulate matter (both PM$_{10}$ and PM$_{2.5}$).\(^1\)

**Project Eligibility**

Each CMAQ project must meet three basic criteria: *it must be a transportation project, it must generate an emissions reduction, and it must be located in or benefit a nonattainment or maintenance area.* CMAQ projects may be located on any public road with no restriction to functional classification (such as with the RSTP program where road improvements are restricted to federal-aid highways only). CMAQ funds cannot be used to remove and/or replace existing pavement on or off the federal-aid system.

**Overview**

ICTC, acting in its role as the Regional Transportation Planning Agency (RTPA), has begun the process to program future federal CMAQ revenues anticipated during FYs 16/17, 17/18 and 18/19. CMAQ funds are reimbursable federal aid funds, subject to the requirements of Title 23, United States code. Eligible costs for funds include preliminary engineering, right-of-way acquisition, capital code, and constructions costs association with an eligible activity. Upon approval by ICTC, approved projects will be included in the Federal Transportation Improvement Program (FTIP) prior to reimbursement of federal funding. Due to the time and effort required to process federal-aid funds, these projects should be included in the FTIP in a timely manner in order to ensure sufficient time for project delivery.

**Tentative Timeline**

The tentative schedule for the Call for Projects is as follows.

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<td>July 2, 2015</td>
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<td>July 8, 2015</td>
<td>Management Committee approves CMAQ &amp; RSTP Guidelines</td>
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<td>July 22, 2015</td>
<td>ICTC approves CMAQ &amp; RSTP Guidelines</td>
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<td>Call for Projects begins</td>
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<td>Nov. 18, 2015</td>
<td>Management Committee and ICTC approve project selection recommendations</td>
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ELIGIBLE PROJECTS

Eligibility information is provided below. Not all possible requests for CMAQ funding are covered-this section provides examples of general project types that may be eligible for CMAQ funds.

1. Diesel Engine Retrofits & Other Advanced Truck Technologies

The MAP-21 continues the emphasis SAFETEA-LU placed on diesel engine retrofits and the various types of projects that fall under this broad category. These efforts are defined as vehicle replacement, repowering (replacing an engine with a cleaner diesel engine, alternative fuels, etc.), rebuilding an engine, or other technologies determined by the EPA as appropriate for reducing emissions from diesel engines. This latter point, highlighting developing technologies, establishes a degree of flexibility and a need for periodic adjustment in the definition by the EPA. The legislation defines retrofit projects as applicable to both on-road motor vehicles and non-road construction equipment; the latter must be used in Title 23 projects based in nonattainment or maintenance areas for either PM or ozone. The MAP-21 expands the prior focus created by the SAFETEA-LU. Specifically for PM$_{2.5}$ areas, diesel retrofits are called out as eligible projects in the Priority Consideration section. Similarly, such efforts are again highlighted in the discussion of the PM$_{2.5}$ priority set-aside, and emphasized again in the closely related section on construction vehicles and equipment. More than 13 million diesel engines make up the legacy fleet operating in the U.S. The vast majority of these power on-road heavy-duty and medium-duty trucks, locomotives, and off-road construction equipment—all of which may be eligible for CMAQ funding. There are a number of specific project types in the diesel retrofit area for which CMAQ funds are eligible. Assuming all other CMAQ criteria are met, eligible projects could include diesel engine or full vehicle replacement; full engine rebuilding and reconditioning; and purchase and installation of after-treatment hardware, including particulate matter traps and oxidation catalysts, and other technologies; and support for heavy-duty vehicle retirement programs. Project agreements involving replacements for either engines or full vehicles should include a provision for disposal or destruction of the engine block, verification that the engine is no longer contributing emissions in the nonattainment or maintenance area, or for other processes at the State's discretion that track the retirement of the vehicle or engine in accordance with the State's or sub-grantee's program. The MAP-21 provided one change to the approach in establishing eligibility for emissions control equipment. After-treatment and other on-board control devices are restricted to those EPA or the California Air Resources Board (CARB) verified and/or technologies as defined in section 791 of the Energy Policy Act of 2005 (42 U.S.C. 16131). A strong component of the SAFETEA-LU focus on diesel retrofits,
construction vehicles and equipment also are eligible under MAP-21. Eligible acquisitions or retrofits would be for those capital items used for highway construction projects in PM2.5 nonattainment or maintenance areas. Equipment or vehicles used predominantly in a maintenance role would not qualify. These would include loaders or backhoes in yard or depot work, tractors assigned to mowing or other median maintenance, impactors or rollers involved in routine work, such as pothole repair, and others. The CMAQ funds may be used to purchase and install emission control equipment on school buses. (Such projects, generally, should be administered by FHWA; see Transit Improvements, below). In addition, although CMAQ funds should not be used for the initial purchase of conventionally fueled airport parking lot shuttles, funds may be used for purchase and installation of after treatment hardware or repowering (with a hybrid drive train, for example). Refueling is not eligible as a stand-alone project, but is eligible if it is required to support the installation of emissions control equipment, repowering, rebuilding, or other retrofits of non-road engines. In addition to equipment and technology, outreach activities that provide information exchange and technical assistance to diesel owners and operators on retrofit options are eligible investments. These projects could include the actual education and outreach program, construction or acquisition of appropriate classroom buildings, and other efforts to promote the use of retrofit technologies. Non-road mobile source projects also are eligible for CMAQ funding. Most notably, a considerable amount of CMAQ support has been directed to locomotive retrofit and the acquisition of clean locomotives, such as railyard switchers and shunters that fit the generator-set criterion (See Freight and Intermodal, Section VII. F.4). The FHWA acknowledges that diesel retrofit projects may include non-road mobile source endeavors, which traditionally have been outside the Federal-aid process. However, the MAP-21 clarifies CMAQ eligibility for non-road diesel retrofit projects. Areas that fund these projects are not required to take credit for the projects in the transportation conformity process. For areas that want to take credit, the EPA developed guidance for estimating diesel retrofit emission reductions and for applying the credit in the SIP and transportation conformity processes.

2. Idle Reduction
Idle reduction projects that reduce emissions and are located within, or in proximity to and primarily benefiting, a nonattainment or maintenance area are eligible for CMAQ investment. (The geographic requirement mainly applies to off-board projects, i.e., truck stop electrification (TSE) efforts.) However, if CMAQ funding is used for an on-board project (i.e. auxiliary power units, direct fired heaters, etc.) the vehicle-usually a heavy-duty truck-should travel within, or in proximity to and primarily benefiting, a nonattainment or maintenance area. Idle reduction
devices are verified by the EPA. There have been several instances where operating assistance funds have been requested for TSE services. The CMAQ funding for TSE projects has been limited to capital costs (i.e. deployment of TSE infrastructure). Operating assistance for TSE projects should not be funded under the CMAQ program since TSE projects generate their own revenue stream and therefore should be able to cover all operating expenses from the accumulated revenue. Commercial idle reduction facilities cannot be located within rest areas of the Interstate right-of-way (ROW). The SAFETEA-LU initially provided for these facilities in the ROW. However, this provision was removed with the SAFETEA-LU Technical Corrections Bill that followed.

3. Congestion Reduction & Traffic Flow Improvements

Traffic flow improvements may include the following:

a. Traditional Improvements

Traditional traffic flow improvements, such as the construction of roundabouts, HOV lanes, left-turn or other managed lanes, are eligible for CMAQ funding provided they demonstrate net emissions benefits through congestion relief.

b. Intelligent Transportation Systems

ITS projects, such as traffic signal synchronization projects, traffic management projects, and traveler information systems, can be effective in relieving traffic congestion, enhancing transit bus performance, and improving air quality. The following have the greatest potential for improving air quality:

- Regional multimodal traveler information systems
- Traffic signal control systems
- Freeway management systems
- Electronic toll-collection systems
- Transit management systems
- Incident management programs.

The FHWA has provided a lengthier discussion of the benefits associated with various operational improvements.

c. Value/Congestion Pricing

Congestion pricing is a market-based mechanism that allows tolls to rise and fall depending on available capacity and demand. Tolls can be charged electronically, thereby eliminating the need for full stops at tollbooths. In addition to the benefits associated with reducing congestion, revenue is generated that can be used to pay for a wide range of transportation improvements, including Title 23-eligible transit services in
the newly tolled corridor. Parking pricing can include time-of-day parking charges that reflect congested conditions. These strategies should be designed to influence trip-making behavior and may include charges for using a parking facility at peak periods, or a range of employer-based parking cash-out policies that provide financial incentives to avoid parking or driving alone. Parking pricing integrated with other pricing strategies is encouraged.

Pricing encompasses a variety of market-based approaches such as:

- **HOT lanes**, or High Occupancy Toll lanes, on which variable tolls are charged to drivers of low-occupancy vehicles using HOV lanes, such as the "FasTrak" Lanes on I-15 in San Diego and the recently converted I-394 in Minneapolis in which prices vary dynamically every 2 minutes based on traffic conditions.
- **New variably tolled express lanes** on existing toll-free facilities, such as the "91 Express Lanes" on State Route 91 in Orange County, CA.
- **Variable tolls on existing or new toll roads**, such as on the bridges and tunnels operated by the Port Authority of New York and New Jersey.
- **Network-wide or cordon pricing**, such as implemented in Stockholm, London, and Singapore.
- **Usage-based vehicle pricing**, such as mileage-based vehicle taxation being explored by the State of Oregon, or pay-per-mile car insurance.

As with any eligible CMAQ project, value pricing should generate an emissions reduction. Marketing and outreach efforts to expand and encourage the use of eligible pricing measures may be funded indefinitely. Eligible expenses for reimbursement include, but are not limited to: tolling infrastructure, such as transponders and other electronic toll or fare payment systems; small roadway modifications to enable tolling, marketing, public outreach, and support services, such as transit in a newly tolled corridor. Innovative pricing approaches yet to be deployed in the U.S. also may be supported through the **Value Pricing Pilot Program**. Operating expenses for traffic operating centers (TOCs) are eligible for CMAQ funding if they can be shown to produce air quality benefits, and if the expenses are incurred from new or additional capacity. The operating assistance parameters discussed in Section VII.A.2 apply. Projects or programs that involve the purchase of integrated, interoperable emergency communications equipment are eligible for CMAQ funding.
4. Freight/Intermodal
Projects and programs targeting freight capital costs-rolling stock or ground infrastructure-are eligible provided that air quality benefits can be demonstrated. Freight projects that reduce emissions fall generally into two categories: primary efforts that target emissions directly or secondary projects that reduce net emissions. Successful primary projects could include new diesel engine technology or retrofits of vehicles or engines. See discussion in Section VII.F.1. Eligibility under CMAQ is not confined to highway projects, but also applies to non-road mobile freight projects such as rail. Secondary projects reduce emissions through modifications or additions to infrastructure and the ensuing modal shift. Support for an intermodal container transfer facility may be eligible if the project demonstrates reduced diesel engine emissions when balancing the drop in truck VMT against the increase in locomotive or other non-highway activity. Intermodal facilities, such as inland transshipment ports or near/on-dock rail, may generate substantial emissions reductions through the decrease in miles traveled for older, higher-polluting heavy-duty diesel trucks. This secondary, indirect effect on truck traffic and the ensuing drop in diesel emissions help demonstrate eligibility. The transportation function of these freight/intermodal projects should be emphasized. Marginal projects that support freight operations in a very tangential manner are not eligible for CMAQ funding. Warehouse handling equipment, for example, is not an eligible investment of program funds. Warehouses, themselves, or other similar structures, such as transit sheds, bulk silos or other permanent, non-mobile facilities that function more as storage resources are not eligible. However, equipment that provides a transportation function or directly supports this function is eligible, such as railyard switch locomotives or shunters that fall into the generator-set or other clean engine category. Similarly, large-scale container gantry cranes, or other heavy-duty container handling equipment that is a clear link in the intermodal process can be eligible as well. Also, on the ground operations side of aviation, the purchase or retrofit of airport handling equipment can be eligible, including baggage handlers, aircraft tow motors, and other equipment that plays a role in this intermodal link.

5. Transportation Control Measures (TCM)
Most of the TCMs included in Section 108 of the CAA, listed below, are eligible for CMAQ funding. We would note that one particular CAA TCM, created to encourage removal of pre-1980 light-duty vehicles, is specifically excluded from CMAQ eligibility.

i. Programs for improved public transit;

ii. Restriction of certain roads or lanes to, or construction of such roads or lanes for use by, passenger buses or HOV;
iii. Employer-based transportation management plans, including incentives;
iv. Trip-reduction ordinances;
v. Traffic flow improvement programs that reduce emissions;
vi. Fringe and transportation corridor parking facilities serving multiple-occupancy vehicle programs or transit service;

vii. Programs to limit or restrict vehicle use in downtown areas or other areas of emission concentration particularly during periods of peak use;
viii. Programs for the provision of all forms of high-occupancy, shared-ride services;
ix. Programs to limit portions of road surfaces or certain sections of the metropolitan area to the use of non-motorized vehicles or pedestrian use, both as to time and place;
x. Programs for secure bicycle storage facilities and other facilities, including bicycle lanes, for the convenience and protection of bicyclists, in both public and private areas;

xi. Programs to control extended idling of vehicles;
xii. Reducing emissions from extreme cold-start conditions;
xiii. Employer-sponsored programs to permit flexible work schedules;
xiv. Programs and ordinances to facilitate non-automobile travel, provision and utilization of mass transit, and to generally reduce the need for SOV travel, as part of transportation planning and development efforts of a locality, including programs and ordinances applicable to new shopping centers, special events, and other centers of vehicle activity; and

xv. Programs for new construction and major reconstructions of paths, tracks, or areas solely for the use by pedestrian or other non-motorized means of transportation when economically feasible and in the public interest.

6. Transit Improvements

Many transit projects are eligible for CMAQ funds. The general guideline for determining eligibility is whether the project increases transit capacity and would likely result in an increase in transit ridership and a potential reduction in congestion. As with other types of CMAQ projects, there should be a quantified estimate of the project’s emissions benefits accompanying the proposal. The FTA administers most transit projects. For such projects, after the FTA determines a project eligible, CMAQ funds will be transferred, or "flexed," from the FHWA to the FTA, and the project will be administered according to the appropriate FTA program requirements. Certain types of eligible transit projects for which FTA lacks statutory authority, such as diesel retrofit equipment for public school bus fleets, may be the responsibility of the State or other eligible project sponsor and are administered by FHWA.
a. Facilities
New transit facilities (e.g., lines, stations, terminals, transfer facilities) are eligible if they are associated with new or enhanced public transit, passenger rail, or other similar services. Routine maintenance or rehabilitation of existing facilities is not eligible, as it does not reduce emissions. However, rehabilitation of a facility may be eligible if the vast majority of the project involves physical improvements that will increase transit service capacity. In such cases there should be supporting documentation showing an expected increase in transit ridership that is more than minimal. If the vast majority of the project involves capacity enhancements, other elements involving refurbishment and replacement-in-kind also are eligible.

b. Vehicles and Equipment
New transit vehicles (bus, rail, or van) to expand the fleet or replace existing vehicles are eligible. Transit agencies are encouraged to purchase vehicles that are most cost-effective in reducing emissions. Diesel engine retrofits, such as replacement engines and exhaust after-treatment devices, are eligible if certified or verified by the EPA or California Air Resources Board (CARB). See discussion in Section VII.F.1. Routine preventive maintenance for vehicles is not eligible as it only returns the vehicles to baseline conditions. Other than diesel engine retrofits, other transit equipment may be eligible if it represents a major systemwide upgrade that will significantly improve speed or reliability of transit service, such as advanced signal and communications systems.

c. Fuel
Fuel, whether conventional or alternative fuel, is an eligible expense only as part of a project providing operating assistance for new or expanded transit service under the CMAQ program. This includes fuels and fuel additives considered diesel retrofit technologies by the EPA or CARB. Purchase of alternative fuels is authorized in some States based on the continuation of a series of exemptions for uses expressly eligible for CMAQ funding under SAFETEA-LU section 1808(k) and certain provisions in subsequent appropriations acts. The maximum allowable assistance level and time limitation described in Section VII.A.2. will apply.

d. Operating Assistance
Operating assistance to introduce new transit service or expand existing transit service is eligible. The eligibility applies regardless of the size of the urbanized area (UZA) or whether a particular grantee is or was previously authorized to use funding under Chapter 53 of Title 49 U.S.C. for operating assistance. There are several general conditions for operating assistance eligibility under the CMAQ program:
a. Operating assistance is limited to new transit, commuter and intercity passenger rail services, intermodal facilities, travel demand management strategies, including traffic operation centers, inspection and maintenance programs, and the incremental cost of expanding these services.

b. In using CMAQ funds for operating assistance, the intent is to help start up viable new transportation services that can demonstrate air quality benefits and eventually cover costs as much as possible. Other funding sources should supplement and ultimately replace CMAQ funds for operating assistance, as these projects no longer represent additional, net air quality benefits but have become part of the baseline transportation network. The provisions in 23 U.S.C. 116 place responsibilities for maintenance of transportation facilities on the States. Since facility maintenance is akin to operations, a time-limited period of CMAQ assistance provides adequate incentive and flexibility while not creating a pattern of excessive or even perpetual support.

c. Operating assistance includes all costs of providing new transportation services, including, but not limited to, labor, fuel, administrative costs, and maintenance.

d. When CMAQ funds are used for operating assistance, non-Federal share requirements still apply.

e. With the focus on start-up, and recognizing the importance of flexibility in the timing of financial assistance, the 3 years of operating assistance allowable under the CMAQ program may now be spread over a longer period, for a total of up to 5 sequential years of support. Grantees who propose to use CMAQ funding for operating support may spread the third year amount (an amount not to exceed the greater of year 1 or year 2) across an additional 2 years (i.e. years 4 and 5). This will provide an incremental, taper-down approach, while other funding is used for a higher proportion of the operating costs as needed. See Table 3 for examples of possible funding allocations. At the conclusion of the 5-year period, operating costs would have to be maintained with non-CMAQ funding. It is anticipated that this may enable a transition to more independent system operation. The amounts, which apply to years 1 and/or 2, are established at the discretion of the State or local sponsor.
Table 3 - Example Allocations of CMAQ Funds for Operating Assistance

<table>
<thead>
<tr>
<th>Example</th>
<th>Year 1</th>
<th>Year 2</th>
<th>Year 3</th>
<th>Year 4</th>
<th>Year 5</th>
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<tbody>
<tr>
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<td>$300</td>
<td>$300</td>
<td>$200</td>
<td>$50</td>
<td>$50</td>
<td>$900</td>
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<td>100</td>
<td>900</td>
</tr>
<tr>
<td>C</td>
<td>100</td>
<td>400</td>
<td>200</td>
<td>100</td>
<td>100</td>
<td>900</td>
</tr>
</tbody>
</table>

f. Eligible activities that used CMAQ funds for operating support in FY 2012, as described in the 2008 CMAQ Program Guidance, and that had not received operating assistance for three fiscal years as of September 30, 2012, may continue to receive operating assistance under MAP-21, transitioning into the 5-year schedule described above. The number of prior years of operating assistance will determine which year of the 5-year cycle applies in FY 2013. Except as noted in this paragraph, activities that already have received 3 years of operating support under prior authorizations of the CMAQ program are not considered to be in a start-up phase and are not eligible for the expanded assistance period. Those transportation uses expressly eligible for CMAQ funding under SAFETEA-LU sections 1808(g)-(k) and certain provisions in appropriations acts are eligible for CMAQ dollars for an additional 5 years consistent with this Section. The maximum allowable assistance level and the 5-year time period described above will apply.

g. Elements of operating assistance prohibited by statute or regulation are not eligible for CMAQ participation, regardless of their emissions or congestion reduction potential.

7. Transit Fare Subsidies

The CMAQ funds may be used to subsidize regular transit fares in an effort to prevent the NAAQS from being exceeded, but only under the following conditions: The reduced or free fare should be part of a comprehensive area-wide program to prevent such an anticipated exceedance. For example, "Ozone Action" programs vary in scope around the country, but they generally include actions that individuals and employers can take, and they are aimed at all major sources of air pollution, not just transportation. The subsidized fare should be available to the general public and may not be limited to specific groups. It may only be offered during periods of elevated pollution when the threat of exceeding the NAAQS is greatest; e.g., it is not
intended for the entire high-ozone season. The fare subsidy proposal should demonstrate that the responsible local agencies will combine the reduced or free fare with a robust marketing program to inform SOV drivers of other transportation options. Because the fare subsidy is not strictly a form of operating assistance, it would not be subject to the 5-year limit.

8. Bicycle and Pedestrian Facilities and Programs
Bicycle and pedestrian facilities and programs are included as a TCM in section 108(f)(1)(A) of the CAA (42 U.S.C. 7408(f)(1)(A)). The following are eligible projects:

- Constructing bicycle and pedestrian facilities (paths, bike racks, support facilities, etc.) that are not exclusively recreational and reduce vehicle trips.
- Non-construction outreach related to safe bicycle use.
- Establishing and funding State bicycle/pedestrian coordinator positions for promoting and facilitating nonmotorized transportation modes through public education, safety programs, etc. (Limited to one full-time position per State).

Bicycle and pedestrian programs that are not supported under 23 CFR Part 652, *Pedestrian and Bicycle Accommodations and Projects*, also are not eligible for CMAQ funding. For example, under 23 CFR 652.9(b)(3), a non-construction bicycle project does not include salaries for administration, maintenance costs, and other items akin to operational support under 23 CFR 652.9(b)(3), and, therefore, these are not allowable CMAQ costs. Additional activities related to bicycle and pedestrian programs can be supported by other elements of the Federal-aid highway program. These efforts are described at the FHWA's [Bicycle and Pedestrian Programs Web site](#).

9. Travel Demand Management
Travel demand management (TDM) encompasses a diverse set of activities that focus on physical assets and services that provide real-time information on network performance and support better decisionmaking for travelers choosing modes, times, routes, and locations. Such projects can help ease congestion and reduce SOV use—contributing to mobility, while enhancing air quality and saving energy resources. Similar to ITS and Value Pricing, today's TDM programs seek to optimize the performance of local and regional transportation networks. The following activities are eligible if they are explicitly aimed at reducing SOV travel and associated emissions:

- Fringe parking
- Traveler information services
- Shuttle services
- Guaranteed ride home programs
The CMAQ funds may support capital expenses and, as discussed in Section VII.A.2, up to 5 years of operating assistance to administer and manage new or expanded TDM programs. Marketing and outreach efforts to expand use of TDM measures may be funded indefinitely, but only if they are broken out as distinct line items. Eligible telecommuting activities include planning, preparing technical and feasibility studies, and training. Construction of telecommuting centers and computer and office equipment purchases should not be supported with CMAQ funds.

10. Public Education and Outreach Activities
The goal of CMAQ-funded public education and outreach activities is to educate the public, community leaders, and potential project sponsors about connections among trip making and transportation mode choices, traffic congestion, and air quality. Public education and outreach can help communities reduce emissions and congestion by inducing drivers to change their transportation choices. More important, an informed public is likely to support larger regional measures necessary to reduce congestion and meet CAA requirements. A wide range of public education and outreach activities is eligible for CMAQ funding, including activities that promote new or existing transportation services, developing messages and advertising materials (including market research, focus groups, and creative), placing messages and materials, evaluating message and material dissemination and public awareness, technical assistance, programs that promote the Tax Code provision related to commute benefits, transit "store" operations, and any other activities that help forward less-polluting transportation options. Using CMAQ funds, communities have disseminated many transportation and air quality public education messages, including maintain your vehicle; curb SOV travel by trip chaining, telecommute and use alternate modes; fuel properly; observe speed limits; don't idle your vehicle for long durations; eliminate "jack-rabbit" starts and stops; and others. Long-term public education and outreach can be effective in raising awareness that can lead to changes in travel behavior and ongoing emissions reductions; therefore, these activities may be funded indefinitely.
11. Transportation Management Associations
Transportation Management Associations (TMAs) are groups of citizens, firms, or employers that organize to address the transportation issues in their immediate locale by promoting rideshare programs, transit, shuttles, or other measures. The TMAs can play a useful role in brokering transportation services to private employers. Subject to applicable cost principles under 2 CFR Part 225, CMAQ funds may be used to establish TMAs provided that they reduce emissions. Eligible expenses include TMA start-up costs and up to 5 years of operating assistance as discussed in Section VII.A.2. Eligibility of specific TMA activities is addressed throughout this guidance.

12. Carpooling and Vanpooling
Eligible activities can be divided into two types of costs: marketing (which applies to both carpools and vanpools) and vehicle (which applies to vanpools only).

a. Carpool/vanpool marketing covers existing, expanded, and new activities designed to increase the use of carpools and vanpools, and includes purchase and use of computerized matching software and outreach to employers. Guaranteed ride home programs are also considered marketing tools. Marketing costs may be funded indefinitely.

b. Vanpool vehicle capital costs include purchasing or leasing vans for use in vanpools. Eligible operating costs, limited to 5 years as set forth in Section VII.A.2, empty-seat subsidies, maintenance, insurance, administration, and other related expenses. Prorated cost sharing plans that establish grant proportions for undefined shares of capital and operating costs need to be broken down to the specific components or line items that establish the capital-operating shares.

The CMAQ funds should not be used to buy or lease vans that would directly compete with or impede private sector initiatives. States and MPOs should consult with the private sector prior to using CMAQ funds to purchase vans, and if private firms have definite plans to provide adequate vanpool service, CMAQ funds should not be used to supplant that service.

In accordance with 23 U.S.C. 120(c)(1), carpooling and vanpooling activities may be supported with up to 100 percent Federal funding, under certain limitations.
13. Carsharing
The MAP-21 specifically highlights carsharing projects in the amended section on traffic demand. These efforts involve the pooling of efficient, low-emission vehicles, provided to travelers who have occasional need for a vehicle but not the constant, daily necessity that demands ownership. As with any CMAQ project, sponsors need to demonstrate an emissions reduction from the carsharing program. If a programwide emissions reduction cannot be demonstrated, CMAQ funding may be available to support vehicle costs under Alternative Fuels and Vehicles eligibility, discussed in Section VII.F.17.

14. Extreme Low-Temperature Cold Start Programs
Projects intended to reduce emissions from extreme cold-start conditions are eligible for CMAQ funding. Such projects include retrofitting vehicles and fleets with water and oil heaters and installing electrical outlets and equipment in publicly owned garages or fleet storage facilities.

15. Training
States and MPOs may use Federal-aid funds to support training and educational development for the transportation workforce. Such activities are subject to applicable cost principles in 2 CFR Part 225. The FHWA encourages State and local officials to weigh the air quality benefits of such training against other cost-effective strategies detailed elsewhere in this guidance before using CMAQ funds for this purpose. Training funded with CMAQ dollars should be directly related to implementing air quality improvements and be approved in advance by the FHWA Division office.

16. Inspection/Maintenance (I&M) Programs
Funds under the CMAQ program may be used to establish either publicly or privately owned I&M facilities. Eligible activities include construction of facilities, purchase of equipment, I&M program development, and one-time start-up activities, such as updating quality assurance software or developing a mechanic training curriculum. The I&M program must constitute new or additional efforts, existing funding (including inspection fees) should not be displaced, and operating expenses are eligible for 5 years as discussed in Section VII.A.2. States or other sponsors planning new or expanded I&M programs that incorporate other elements of a State's vehicle administrative function, e.g. registration, safety inspection, titling, etc., must remove these line items from the CMAQ project. These tasks are not linked to the CMAQ purpose and are, therefore, not allowable costs.
Privately Owned I&M Facilities

In States that rely on privately owned I&M facilities, State or local I&M program-related administrative costs may be funded under the CMAQ program as in States that use public I&M facilities. However, CMAQ support to establish I&M facilities at privately owned stations, such as service stations that own the equipment and conduct emission test-and-repair services, requires a PPP. The establishment of "portable" I&M programs, including remote sensing, is also eligible under the CMAQ program, provided that they are public services, reduce emissions, and do not conflict with statutory I&M requirements or EPA regulations.

17. Innovative Projects

State and local organizations have worked with various types of transportation services to better meet the travel needs of their constituents. These innovative projects also may show promise in reducing emissions, but do not yet have supporting data. The FHWA has supported and funded some of these projects as demonstrations to determine their benefits and costs. Such innovative strategies are not intended to bypass the definition of basic project eligibility, but seek to better define the projects' future role in strategies to reduce emissions. For a project or program to qualify as an innovative project, it should be defined as a transportation project and be expected to reduce emissions by decreasing VMT, fuel consumption, congestion, or by other factors. The FHWA encourages States and MPOs to creatively address their air quality problems and to consider new services, innovative financing arrangements, PPPs, and complementary approaches that use transportation strategies to reach clean air goals. Given the untried nature of these innovative projects, before-and-after studies should be completed to determine actual project impacts on air quality as measured by net emissions reduced. These assessments should document the project's immediate impacts in addition to long-term benefits. A schedule for completing the study should be a part of the project agreement. Completed studies should be submitted to the FHWA Division office within 3 years of implementation of the project or 1 year after the project's completion, whichever is sooner.

18. Alternative Fuels and Vehicles

The FHWA issued a memorandum in April 2011, covering the relationship between the required emissions reduction benefits of alternative fuel vehicles and the associated cost principles at 2 CFR Part 225. Essentially, this guidance illustrates the cost-benefit relationship between different vehicle types and functions and the air quality benefit provided as a cost basis under the CMAQ program. The memorandum, outlining the requirements in 23 U.S.C. 149, supports eligibility only for the incremental cost, limited to the marginal emissions-reducing elements of
the alternative fuel vehicles that are acquired through PPPs or that are purchased by public sponsors. Program funds may be used to support projects involving the alternative or renewable fuels defined in the Energy Policy Act of 1992 or the Energy Independence and Security Act of 2007. All standard eligibility criteria apply. Aside from fuel acquisitions that are part of a transit operating support effort, stand-alone purchase of any fuel-alternative or otherwise-is not an eligible CMAQ cost. However, the few exceptions provided by Section 1808(k) of SAFETEA-LU continue under MAP-21, subject to the limitation on operating assistance as described in Section VII.A.2. Generally, CMAQ support for alternative fuel vehicle projects can be broken into the following areas:

**Infrastructure**

Except as noted below, establishing publicly owned fueling facilities and other infrastructure needed to fuel alternative-fuel vehicles is an eligible expense, unless privately-owned fueling stations are in place and reasonably accessible. Fueling facilities can dispense one or more of the alternative fuels identified in section 301 of the 1992 Energy Policy Act or biodiesel, or provide recharging for electric vehicles. Additionally, CMAQ funds may support converting a private fueling facility to support alternative fuels through a public-private partnership agreement. In accordance with 23 U.S.C. 149(c)(2), and 23 U.S.C. 111, regarding the prohibition of commercial activities in the Interstate ROW, CMAQ-funds may be used to establish or support refueling facilities within the Interstate ROW, providing these services are offered at no charge.

**Non-transit Vehicles**

The CMAQ funds may be used to purchase publicly-owned alternative fuel vehicles, including passenger vehicles, service trucks, street cleaners, and others. However, only publicly owned vehicles providing a dominant transportation function can be fully funded, such as paratransit vans, incident management support vehicles, refuse haulers, and others. Costs associated with converting fleets to run on alternative fuels are also eligible. When non-transit vehicles are purchased through PPPs, only the cost difference between the alternative fuel vehicles and comparable conventional fuel vehicles is eligible. Such vehicles should be fueled by one of the alternative fuels identified in section 301 of the 1992 Energy Policy Act or biodiesel. Eligible projects also include alternatives to diesel engines and vehicles. Alternative fuel vehicle projects that are implemented as diesel retrofits and involve the replacement of an operable engine-not standard fleet turnover-would be eligible for full Federal participation, i.e. an 80 percent Federal share of the full vehicle cost.
Hybrid Vehicles

Although not defined by the Energy Policy Act of 1992 as alternative fuel vehicles, certain hybrid vehicles that have lower emissions rates than their non-hybrid counterparts may be eligible for CMAQ investment. Hybrid vehicle models that are in part the focus of State legislation addressing HOV exemptions for alternative fuel and low emissions vehicles are considered eligible for CMAQ support. Other hybrid vehicles will be assessed on a case specific basis, as there is no specific EPA regulation available to rate the lower emissions and energy efficiency advantages of the models involved. Projects involving heavier vehicles, including refuse haulers and delivery trucks, also may be appropriate for program support. Eligibility should be based on a comparison of the emissions projections of these larger candidate vehicles and other comparable models.

Projects Ineligible for CMAQ Funding

The following projects are ineligible for CMAQ funding:

1. Light-duty vehicle scrappage programs.
2. Projects that add new capacity for SOVs are ineligible for CMAQ funding unless construction is limited to high-occupancy vehicle (HOV) lanes. This HOV lane eligibility includes the full range of HOV facility uses authorized under 23 U.S.C 166, such as high-occupancy toll (HOT) and low-emission vehicles.
3. Routine maintenance and rehabilitation projects (e.g., replacement-in-kind of track or other equipment, reconstruction of bridges, stations, and other facilities, and repaving or repairing roads) are ineligible for CMAQ funding as they only maintain existing levels of highway and transit service, and therefore do not reduce emissions.
4. Administrative costs of the CMAQ program may not be defrayed with program funds, e.g., support for a State's "CMAQ Project Management Office" is not eligible.
5. Projects that do not meet the specific eligibility requirements of Titles 23 and 49, United States Code, are ineligible for CMAQ funds.
6. Stand-alone projects to purchase fuel.
7. Models and Monitors-Acquisition, operation, or development of models or monitoring networks are not eligible for CMAQ funds. As modeling or monitoring emissions, traffic operations, travel demand or other related variables do not directly lead to an emissions reduction, these activities or acquisitions are not eligible. Such efforts may be appropriate for Federal planning funds.
8. Litigation costs surrounding CMAQ or other Federal-aid projects.
The table below summarizes the anticipated CMAQ funds available for programming for the three-year period FY 2016/17 - 2018/19. Actual fund amounts may vary depending on federal legislative outcomes.

<table>
<thead>
<tr>
<th>FY2016/17</th>
<th>FY2017/18</th>
<th>FY2018/19</th>
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<tr>
<td>$1,200,000</td>
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<td>$1,470,000</td>
<td>$4,140,000</td>
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**General Intent:** The purpose of the CMAQ program is to fund transportation projects or programs that will contribute to attainment or maintenance of the National Ambient Air Quality Standards (NAAQS) for ozone, carbon monoxide (CO), and particulate matter (both PM$_{10}$ and PM$_{2.5}$). The ICTC CMAQ program is designed to create a balanced program of transportation projects that will improve our air quality. Major emphasis is placed on projects that support alternative modes of transportation, and provide new technologies/improvements geared toward providing a more efficient and safer transportation system. ICTC has developed the following funding targets by project category aimed at developing a balanced CMAQ program.

### CMAQ Funding Category Targets

<table>
<thead>
<tr>
<th>Project Category</th>
<th>Percentage</th>
<th>Funding Targets</th>
</tr>
</thead>
<tbody>
<tr>
<td>Transit Improvements/Miscellaneous</td>
<td>15%</td>
<td>$621,000</td>
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<tr>
<td>Traffic Flow Improvements</td>
<td>30%</td>
<td>$1,242,000</td>
</tr>
<tr>
<td>Pedestrians / Bicycle</td>
<td>15%</td>
<td>$621,000</td>
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<tr>
<td>PM-10 Reduction</td>
<td>40%</td>
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<tr>
<td><strong>Total</strong></td>
<td><strong>100.00%</strong></td>
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</tr>
</tbody>
</table>

The dollar amounts listed in the table above are based on the estimated CMAQ revenue presented in the previous page and subject to change.

- **up to 20-points** *Congestion Relief*
  Has impact on congestion and increases service capacity and/or reliability.

- **up to 20-points** *Air Pollutant Emissions Reduction*
  Incorporates transportation control measure, reduces emissions of volatile organic compounds, nitrogen oxides, and/or particulate matter.

- **up to 20-points** *Cost-Effectiveness*
  Air pollutant emissions reduction divided by annualized project cost.

- **up to 20-points** *Project Readiness / Ability to Deliver*
  Project schedules should be fully identified in the project submittal with target dates including, proposed capital purchase(s), identification of in-kind match source and readiness for capital purchases.

- **up to 20-points** *Factors of Overriding Concern*
  Consider factors of overriding concern, including, but not limited to promotes energy conservation, improves quality of life, leverage other funds, etc.

**100 TOTAL POINTS AVAILABLE**
CMAQ SCORING CRITERIA DESCRIPTION

CONGESTION RELIEF up to 20-points range

TRANSIT

HIGH Impact: Significantly reduces transit vehicle crowding, increases service capacity significantly, Transportation Control Measure, increases service reliability significantly. Interconnect or fare coordination project, bus turnouts at major intersections, intermodal facility accommodating major transfers, reduces travel time.

MEDIUM Impact: Increases service reliability in a minor capacity, interconnect or fare coordination project, general bus turnouts, intermodal facility accommodating major transfers.

LOW Impact: Increases passenger comfort or convenience, bike racks.

ROADS

HIGH impact: Transportation Control Measure, signal coordination of multiple (>3) signals, gap closure projects, Traffic Operations System, left turn pockets, other intersection improvements, and traffic flow improvements.

MEDIUM impact. signal coordination, park and ride lots.

LOW impact. New signals where none currently exists and is warranted by volume or delay, ramp metering with HOV bypasses (when shown not to adversely affect surface streets).

BICYCLE/PEDESTRIAN

HIGH impact: Transportation Control Measure, facility that will primarily serve commuters and/or school sites, sidewalks where none exist.

MEDIUM impact: Public educational, promotional, and safety programs that promote and facilitate increased use of non-motorized modes of transportation.

LOW impact: Mixed-use bicycle/pedestrian facility (recreation & commuter), usable sidewalk segments including upgrades and new installations and signage.
AIR POLLUTANT EMISSIONS REDUCTION up to 20-points range

Projects will be evaluated on a relative basis (i.e., how they compare to each other) based on the amount of air pollution reduced.

COST-EFFECTIVENESS up to 20-points range

Projects will be evaluated on a relative basis (i.e., how they compare to each other).

PROJECT READINESS / ABILITY TO DELIVER up to 20-points range

Project schedules should be fully identified in the project submittal with target dates including, proposed capital purchase(s), identification of in-kind match source and readiness for capital purchases. Project sponsors should also describe proposed activities that will ensure and/or accelerate project delivery as proposed in the application.

FACTORS OF OVERRIDING CONCERN up to 20-points range

The Evaluation Committee may use this category to consider factors of overriding concern. Examples may include, but are not limited to: promotes energy conservation, improves quality of life, identification of match source, acceptable project delivery schedule, timely use of funding, regional benefit, etc.
CMAQ PROJECT SUBMITTAL FORM

Agency

Project Category:

Priority #:  ____ of ____

Detailed Project Description (Purpose of Project/Scope of Work):

Warrant Study (Submit calculations as attachment):

Route # or Name:

Postmile/Project Limits/Length:

Air Pollution Reduction:

Cost-Effectiveness (Submit calculations as attachment):

Average Daily Traffic Volume (ADT):

Accident Rate:

Photo of Facility/Project (Please Attach)

Air Quality Screening Criteria Code(s):

Environmental Document Type:

Environmental Document Completion Date:

Contract (Vehicle Purchase) Award Date:

ROW Acquisition Date:

Project Completion Date:

PROJECT DELIVERY SCHEDULE

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<th>Work Phase</th>
<th>Fund Type</th>
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</table>
**Step #1 (Agency):** Indicate the name of your Jurisdiction or Agency.

**Step #2 (Project Category):** The proposing agency should choose one (1) of the following categories that best fits the projects: Transit Improvements, Alternative Fuel / Diesel Retrofits (Non-Transit), Traffic Flow Improvements, Pedestrians / Bicycle, PM-10 Reduction, Miscellaneous

**Step #3 (Priority #):** The proposing agency should rank the projects that are submitted in accordance with their own priorities.

**Step #4 (Detailed Project Description):** Describe the type of vehicle that you propose to scrap and the vehicle you propose to buy with sufficient detail so that the Scoring Committee can understand the purpose and extent of your project, to include but not limited, year, make, model, year of engine (if different from year of vehicle), and fuel type.

**Step #5 (Warrant Study):** If project is a traffic signal project, include —Warrant Study to include level of service and traffic volumes (on each leg).

**Step #6 (Route # or Name):** List the name of the road or highway if applicable.

**Step #7 (Project Location/ Length):** Indicate the length of the facility (road, highway, bikeway, etc.) measured in miles including tenths of a mile. If postmiles are available, indicate postmile limits if applicable. Indicate the nearest cross street at each end of the travelway. (Example: Belmont Avenue between Clovis and Temperance Avenues)

**Step #8 (Air Pollution Reduction) & Step #9 (Cost-effectiveness):** Utilize the ARB methodology —Methods to Find the Cost-Effectiveness of Funding Air Quality Projects (http://www.arb.ca.gov/planning/tsaq/mvrfp/mvrfp.htm) to estimate the amount of emissions to be reduced by the project after implementation (in kilograms per day of VOC, NOx, and PM10 pollutants). The ARB model calculates the cost effectiveness of the project measured in total cost per pound of pollutants reduced.

**Step #10 (ADT):** Average Daily Traffic Volume on a road facility, or equivalent volume levels for transit/bicycle/pedestrian facilities if applicable.

**Step #11 (Accident Rate):** Accidents divided by millions of vehicle miles. For traffic signal or bridge, use accidents divided by millions of vehicles. Would need number of accidents over past three years.

**Step #12 (Photo of Facility/Project):** Photos should be included.

**Step #13 (Air Quality Screening):** Please select the applicable —air quality screening code(s) found on pages 28-29.

**Step #14 (Env. Doc. Type):** Enter the environmental document type such as CE, EIR/EIS, etc.

**Step #15 (Env. Doc. Completion Date):** Enter the anticipated milestone date for completing the project environmental phase.
Step #16 (Contract Award Date): Enter the anticipated contract award date or vehicle purchase date.

Step #17 (ROW Acquisition Date): Please identify the anticipated right-of-way acquisition date if applicable.

Step #18 (Project Completion Date): Enter the estimated project completion date.

Step #19 (Project Delivery Schedule): Please program the specific work phase and dollar amount into the appropriate Fiscal Year.

Please note that the MINIMUM local match is 11.47%. Agencies may provide a higher percentage match, if possible.

CODES (for Fund Type and Work Phase):

FUND TYPE:
CMAQ: Congestion Mitigation & Air Quality
Local: Local Agency Funds

PHASE Definition:
PE: Environmental Document Phase (PA&ED) & Design (PS&E)
ROW: Right-of-Way Acquisition
CONST: Construction
SAMPLE TRANSIT PURCHASE SUBMITTAL FORM

____________________________________City of xxxxx________________________________

Agency

Priority #:  _1_ of _1_

Project Category: Transit Improvements

Project Description: Transit Van Purchase

Purchase of 2 Compressed Natural Gas Modified Vans to expand existing IVT Transit System in order to provide greater levels of service and meet the present and future transportation needs of the County. Major air quality benefits include reduction of ozone, carbon monoxide, and particulate by using —clean air vans.

Warrant Study: N/A

Route # or Name: N/A  (FCRTA Sub-Systems)

Postmile Limits/Length: N/A

Air Pollution Reduction: Kilograms Per Day Reduced
   ROG = 0.37; NOX = 0.50

Cost Effectiveness:  $25.00/lb. reduced

(See attached calculations)

Average Daily Traffic Volume (ADT): N/A

Accident Rate: Accident rates should decrease as a result of a decrease in miles traveled.

Photo of Facility/Project: Photos attached.

Air Quality Screening Criteria Code: 4.02

Proposed Environmental Document Type: CE

Proposed Environmental Document Date: 7-1-18

Proposed Contract Award Date: 12-1-18

ROW Acquisition Date: N/A

Project Completion Date: 12-31-19

PROJECT DELIVERY SCHEDULE

<table>
<thead>
<tr>
<th>Work Phase</th>
<th>Fund Type</th>
<th>FY 14/15</th>
<th>FY 15/16</th>
<th>FY 16/17</th>
<th>FY 17/18</th>
<th>FY 18/19</th>
<th>Fund Total</th>
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</thead>
<tbody>
<tr>
<td>PE</td>
<td>CMAQ~88.53%</td>
<td></td>
<td></td>
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<td></td>
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<tr>
<td>PE</td>
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<tr>
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</tr>
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</table>
SAMPLE SIGNAL PROJECT SUBMITTAL FORM

City of xxxx

Agency

Priority #: _3_ of _4_

Project Category: Traffic Flow Improvements

Project Description: Replace existing four-way stop control at the intersection of Ashlan and Van Ness Avenues with a traffic signal to reduce delay, congestion, and air pollution.

Warrant Study: See attached study.

Route # or Name: Intersection of Ashlan and Van Ness Avenues.

Postmile Limits/Length: N/A

Air Pollution Reduction: Kilograms Per Day Reduced
  ROG = 0.37
  NOX = 0.50

Cost Effectiveness: $50.00 per pound reduced

Average Daily Traffic Volume (ADT): Ashlan ADT is 18,688 (1999) and Van Ness ADT is 2,510 (1999)

Accident Rate: There have been 23 accidents over the last five years at this intersection for an accident rate of 0.85 accidents per million vehicle miles.

Photo of Facility/Project (Optional-Please Attach): Photographs of the intersection are attached.

Air Quality Screening Criteria Code: 3.06

Proposed Environmental Document Type: CE

Proposed Environmental Document Date: 7-1-18

Proposed Contract Award Date: 12-1-18

ROW Acquisition Date: N/A

Project Completion Date: 12-31-19

PROJECT DELIVERY SCHEDULE

<table>
<thead>
<tr>
<th>Work Phase</th>
<th>Fund Type</th>
<th>FY 14/15</th>
<th>FY 15/16</th>
<th>FY 16/17</th>
<th>FY 17/18</th>
<th>FY 18/19</th>
<th>Fund Total</th>
</tr>
</thead>
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<td><strong>180.00</strong></td>
</tr>
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</table>
Air Quality Screening Codes

1.00 SAFETY PROGRAMS
1.01 Railroad/Highway Crossing
1.02 Hazard Elimination Program
1.03 Safer non Federal-aid system roads
1.04 Shoulder improvements
1.05 Increasing sight distance
1.06 Safety Improvement Program
1.07 Traffic control devices and operating assistance other than signalization projects
1.08 Railroad/highway crossing warning devices
1.09 Guardrail, median barriers, crash cushions
1.10 Pavement resurfacing and/or rehabilitation
1.11 Pavement marking demonstration
1.12 Emergency Relief (23 U.S.C. 125)
1.13 Fencing
1.14 Skid treatments
1.15 Safety roadside rest areas
1.16 Adding medians
1.17 Truck climbing lanes outside the urbanized area
1.18 Lighting improvements
1.19 Widening narrow pavements or reconstructing bridges (no additional travel lanes)
1.20 Emergency truck pullovers

2.00 MASS TRANSIT
2.01 Operating assistance to transit agencies
2.02 Purchase of support vehicles
2.03 Rehabilitation of transit vehicles
2.04 Purchase of office, shop and operating equipment for existing facilities
2.05 Purchase of operating equipment for vehicles (e.g. radios, fareboxes, lifts, etc.)
2.06 Construction or renovation of power, signal, and communications systems
2.07 Construction of small passenger shelters and information kiosks
2.08 Reconstruction or renovation of transit buildings and structures
2.09 Rehabilitation or reconstruction of track structures, track, and trackbed in existing right-of-way
2.10 Purchase of new buses and rail cars to replace existing vehicles or for minor expansions of fleet
2.11 Construction of new bus, rail storage/maintenance facilities categorically excluded (23 CFR 771)

3.00 AIR QUALITY
3.01 Continuation of ride-sharing and van-pooling promotion activities at current levels
3.02 Bicycle and pedestrian facilities

4.00 LANDSCAPING/SIGNS
4.01 Specific activities that do not involve or lead directly to construction
4.05 Engineering to assess social, economic, and environmental effects of the proposed action or alternatives to that action
4.06 Noise attenuation
4.07 Emergency or hardship advance land acquisitions [23 CFR 712.204(d)].
4.08 Acquisition of scenic easements
4.09 Plantings, landscape, etc.
4.10 Sign removal
4.11 Directional and informational signs
4.12 Transportation enhancement activities (excepting rehabilitation and operation of historic buildings, structures, or facilities).
4.13 Repair of damage caused by natural disasters, civil unrest, or terrorist acts, except projects involving substantial functional, locational or capacity increase.

5.00 OTHER
5.01 Intersection channelization projects
5.02 Intersection signalization projects at individual intersections
5.03 Changes in vertical and horizontal alignment
5.04 Interchange reconfiguration projects
5.05 Truck size and weight inspection stations
5.06 Bus terminals and transfer points
5.07 Traffic signal synchronization
Approval of AB 1012 requires that both State and Federal funds be used in a timely manner. In order to avoid losing any Federal or State funds to our Region, the “use-it-or-lose-it” requirements of AB 1012 place local governmental agencies in a position that they must be able to deliver their projects on time as proposed and as programmed within the Federal Transportation Improvement Program (FTIP).

Since the issue of project delivery is so important, the CMAQ Scoring Committee may take into consideration as a part of a project's factors of overriding concern its evaluation score (10-points), local agency's ability to deliver projects timely (i.e. past performance/current ability to deliver projects rapidly).

Each agency must be able to assure that their project(s) can be delivered timely. Therefore, each application MUST be submitted with provided forms and accompanied by a formal Council/Board Resolution stating that each project will meet project delivery schedules and that staff be directed to insure that projects are delivered timely. The sample resolution on the next page has been included as a guide for helping prepare the required resolution.
BEFORE THE
(NAME OF CITY/COUNTY/DISTRICT COUNCIL/BOARD)
RESOLUTION NO. 2015-__

In the Matter of:

ICTC RESOLUTION SUPPORTING
CMAQ FUNDING Project Delivery Schedules and timely use of funding

WHEREAS, AB 1012 has been enacted into State Law in part to provide for the timely use of State and Federal funds; and

WHEREAS, the (City/County) is able to apply for and receive Federal and State funding including Congestion Mitigation and Air Quality (CMAQ) funds; and

WHEREAS, the (City/County/District) desires to ensure that its projects are delivered in a timely manner to preclude losing funds for non-delivery; and

WHEREAS, it is understood by the (City/County) that failure for not meeting project delivery dates for any phase of a project may jeopardize federal or state funding to the Region; and

NOW THEREFORE BE IT RESOLVED, that the (Council/Board) hereby agrees to ensure that all project delivery deadlines for all project phases will be met or exceeded.

BE IT FURTHER RESOLVED, that failure to meet project delivery deadlines may be deemed as sufficient cause for the Imperial County Transportation Commission Policy Board to terminate an agency’s project and reprogram Federal/State funds as deemed necessary.

BE IT FURTHER RESOLVED, that the (City/County/District) (Council/Board) does direct its management and engineering staffs to ensure all federal and state-funded projects are carried out in a timely manner as per the requirements of AB 1012 and the directive of the (City/County/District) (Council/Board).

THE FOREGOING RESOLUTION was passed and adopted by the (Council/Board) on __________, 2015.

AYES: __________________________
NOES: Mayor, City of (-----)
ABSTAIN: Chair, Board of (-----)
ABSENT Chair, (-----) Board

ATTEST:

I hereby certify that the foregoing is a true copy of a resolution of the (Council/Board) duly adopted at a regular meeting thereof held on the ______ day of ____________________, 2015.

Signed: __________________________

(------------------, City/County Clerk)
1. Air Pollution Control District
2. Imperial County Transportation Commission
3. Caltrans – District 11
4. Each city will have the choice to include 1 TAC member on the review panel.

***The city representative will not score his or her respective cities project but will be available to answer any questions regarding the projects posed by the scoring committee.
For further information on eligible projects, submittal of applications or other questions related to the CMAQ program, please contact Virginia Mendoza.

Please submit all applications by 5:00 p.m. on Wednesday, September 30, 2015 via mail and all correspondence to:

Imperial County Transportation Commission
1405 N. Imperial Ave., Suite 1
El Centro, CA 92243
Attention: Virginia Mendoza
Regional Surface Transportation Program (RSTP)

2015 CALL FOR PROJECTS
Imperial County Transportation Commission

REGIONAL SURFACE TRANSPORTATION PROGRAM (RSTP)

2015 CALL FOR PROJECTS APPLICATION PACKET

Draft Revised July 6, 2015

1405 N. Imperial Ave., Suite 1
El Centro, CA  92243
TABLE OF CONTENTS

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Resolution Supporting Delivery Schedule ........... 13
Sample Council / Board Resolution .................. 14
RSTP Program Scoring Committee Representatives 15
Contact /Submittal Information ....................... 16
The Regional Surface Transportation Program (RSTP) is a federal funding program authorized under MAP-21 and identified in Section 133 of Title 23 of the United States Code. The purpose of the RSTP program is to provide flexible funding that may be used by States and localities for projects to preserve and improve the conditions and performance on any Federal-aid highway, bridge and tunnel projects on any public road, pedestrian and bicycle infrastructure, and transit capital projects, including intercity bus terminals.

**Project Eligibility**

In general, RSTP projects must be located on eligible Federal-aid roads and may not be located on local or rural minor collectors. However, there are a number of exceptions to this requirement including: ADHS local access roads, bridge and tunnel replacement and rehabilitation (not new construction), bridge and tunnel inspection, carpool projects, fringe/corridor parking facilities, bike/pedestrian walkways, safety infrastructure, Transportation Alternatives, recreational trails, port terminal modifications, minor collectors in NHS corridors, and the two new bridge eligibilities brought over from the HBP.

**Overview**

ICTC, acting in its role as the Regional Transportation Planning Agency (RTPA), has begun the process to program future federal RSTP revenues anticipated during FYs 16/17, 17/18 and 18/19. RSTP funds are reimbursable federal aid funds, subject to the requirements of Title 23, United States code. Eligible costs for funds include preliminary engineering, right-of-way acquisition, capital code, and constructions costs association with an eligible activity.

Once projects have been approved by the ICTC, they will be included in the Federal Transportation Improvement Program (FTIP) prior to reimbursement of federal funding. Due to the time and effort required to process federal-aid funds, these projects should be included in the FTIP in a timely manner in order to ensure sufficient time for project delivery.
The tentative schedule for the Call for Projects is as follows.

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>July 2, 2015</td>
<td>Technical Advisory Committee approves CMAQ &amp; RSTP Guidelines</td>
</tr>
<tr>
<td>July 8, 2015</td>
<td>Management Committee approves CMAQ &amp; RSTP Guidelines</td>
</tr>
<tr>
<td>July 22, 2015</td>
<td>ICTC approves CMAQ &amp; RSTP Guidelines</td>
</tr>
<tr>
<td>Aug. 3, 2015</td>
<td>Call for Projects begins</td>
</tr>
<tr>
<td>Sept. 30, 2015</td>
<td>Call for Projects ends</td>
</tr>
<tr>
<td>Oct. 1, 2015</td>
<td>Project selection process begins</td>
</tr>
<tr>
<td>Oct. 15, 2015</td>
<td>Project selection process ends (project recommendation list generated)</td>
</tr>
<tr>
<td>Oct. 22, 2015</td>
<td>TTAC approves ICTC staff project selection recommendations</td>
</tr>
<tr>
<td>Nov. 18, 2015</td>
<td>Management Committee and ICTC approve project selection recommendations</td>
</tr>
</tbody>
</table>
Projects eligible for RSTP funds:

1. Construction, reconstruction, rehabilitation, resurfacing, restoration, preservation, or operational improvements for highways, including construction of designated routes of the Appalachian development highway system and local access roads under section 14501 of title 40.

2. Replacement (including replacement with fill material), rehabilitation, preservation, protection (including painting, scour countermeasures, seismic retrofits, impact protection measures, security countermeasures, and protection against extreme events) and application of calcium magnesium acetate, sodium acetate/formate, or other environmentally acceptable, minimally corrosive anti-icing and deicing compositions for bridges (and approaches to bridges and other elevated structures) and tunnels on public roads of all functional classifications, including any such construction or reconstruction necessary to accommodate other transportation modes.

3. Construction of a new bridge or tunnel at a new location on a Federal-aid highway.

4. Inspection and evaluation of bridges and tunnels and training of bridge and tunnel inspectors (as defined in section 144), and inspection and evaluation of other highway assets (including signs, retaining walls, and drainage structures).

5. Capital costs for transit projects eligible for assistance under chapter 53 of title 49, including vehicles and facilities, whether publicly or privately owned, that are used to provide intercity passenger service by bus.

6. Carpool projects, fringe and corridor parking facilities and programs, including electric vehicle and natural gas vehicle infrastructure in accordance with section 137, bicycle transportation and pedestrian walkways in accordance with section 217, and the modifications of public sidewalks to comply with the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.).
7. Highway and transit safety infrastructure improvements and programs, installation of safety barriers and nets on bridges, hazard eliminations, projects to mitigate hazards caused by wildlife, and railway-highway grade crossings.

8. Highway and transit research and development and technology transfer programs.

9. Capital and operating costs for traffic monitoring, management, and control facilities and programs, including advanced truck stop electrification systems.

10. Surface transportation planning programs.

11. Transportation alternatives.

12. Transportation control measures listed in section 108 (f)(1)(A) (other than clause (xvi)) of the Clean Air Act (42 U.S.C. 7408 (f)(1)(A)).

13. Development and establishment of management systems.

14. Environmental mitigation efforts relating to projects funded under this title in the same manner and to the same extent as such activities are eligible under section 119 (g).

15. Projects relating to intersections that—

   (A) have disproportionately high accident rates;
   (B) have high levels of congestion, as evidenced by—
      (i) interrupted traffic flow at the intersection; and
      (ii) a level of service rating that is not better than “F” during peak travel hours, calculated in accordance with the Highway Capacity Manual issued by the Transportation Research Board; and
   (C) are located on a Federal-aid highway.

16. Infrastructure-based intelligent transportation systems capital improvements.

17. Environmental restoration and pollution abatement in accordance with section 328.
18. Control of noxious weeds and aquatic noxious weeds and establishment of native species in accordance with section 329.

19. Projects and strategies designed to support congestion pricing, including electric toll collection and travel demand management strategies and programs.

20. Recreational trails projects eligible for funding under section 206.

21. Construction of ferry boats and ferry terminal facilities eligible for funding under section 129 (c).


23. Truck parking facilities eligible for funding under section 1401 of the MAP–21.

24. Development and implementation of a State asset management plan for the National Highway System in accordance with section 119, including data collection, maintenance, and integration and the costs associated with obtaining, updating, and licensing software and equipment required for risk based asset management and performance based management, and for similar activities related to the development and implementation of a performance based management program for other public roads.

25. A project that, if located within the boundaries of a port terminal, includes only such surface transportation infrastructure modifications as are necessary to facilitate direct intermodal interchange, transfer, and access into and out of the port.

26. Construction and operational improvements for any minor collector if—

   (A) the minor collector, and the project to be carried out with respect to the minor collector, are in the same corridor as, and in proximity to, a Federal-aid highway designated as part of the National Highway System;
   (B) the construction or improvements will enhance the level of service on the Federal-aid highway described in subparagraph (A) and improve regional traffic flow; and
(C) the construction or improvements are more cost-effective, as determined by a benefit-cost analysis, than an improvement to the Federal-aid highway described in subparagraph (A).
The table below summarizes the anticipated RSTP funds available for programming for the three-year period FY 2016/17 - 2018/19. Actual fund amounts may vary depending on federal legislative outcomes.

<table>
<thead>
<tr>
<th>FY2016/17</th>
<th>FY2017/18</th>
<th>FY2018/19</th>
<th>TOTAL</th>
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<tr>
<td>$2,265,000</td>
<td>$2,265,000</td>
<td>$2,265,000</td>
<td>$6,795,000</td>
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</table>
Baseline Screening Criteria – Local Approval

Projects must have local approval through endorsement of the City Council of Board of Supervisors via resolution indicating:

a. The opportunity for public comment was provided at a public meeting;
b. Identification of a specific local match amount with source and type of funds used to leverage the project;
c. Compliance with the agency’s planning process (i.e., circulation element of the agency’s general plan);
d. An adopted pavement management plan for rehabilitation projects.

Baseline Scoring Criteria

<table>
<thead>
<tr>
<th>Community Benefit</th>
<th>Projects should result in demonstrated benefits for the community including increased safety, employment, air quality, connectivity between communities, aesthetics, etc.</th>
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<tbody>
<tr>
<td>0 to 30 points</td>
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</table>

<table>
<thead>
<tr>
<th>Project Readiness</th>
<th>Project schedules should be fully identified in the project submittal with target dates including: consultant selection, environmental review schedule and document type, design, right of way acquisition, construction and anticipated completion date.</th>
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<tbody>
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<td>0 to 40 points</td>
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<table>
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<tr>
<th>Regional Significance</th>
<th>Projects should be submitted based upon previously approved planning documents; traffic analysis, circulation analysis, project study report, inclusion in regional plans including the 20-year Local Transportation Plan, the FTIP, etc.</th>
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<tbody>
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<table>
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<tr>
<th>Continuity</th>
<th>Projects previously funded or in various stages of development should receive continued support.</th>
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<tbody>
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<td>0 to 10 points</td>
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</table>

100 points total
Applicant: ________________________________

Project Description: ________________________________

_________________________________________________

Project Amount: ________________________________

Priority of Project: (if agency submits more than one project i.e. 1 of 2) ________

1. **Baseline Screening Criteria**

   Local approval through a City Council or Board of Supervisors’
   Resolution indicating:
   A. Opportunity for public comment was provided at Council/Board meeting
   B. Identification of specific local match amount, and, source or type of any
      other funds used to leverage the project
   C. Compliance with the circulation element of the agency’s general plan
   D. Confirmation that a pavement management plan is in place for rehab
      projects

   Resolution approved on ____________________________ (attach copy)

   Additional Comments:

1. **General Description (required for RTIP amendment process)**

   a. Description of the transportation issue or problem
   b. Location including project limits
   c. Project scope
   d. Functional classification
   e. Is this project capacity enhancing?
   f. Condition of existing facility, if applicable
   g. Consequences, if any, of not completing the project
2. **Project results in community benefit** (30 points max.)

Explain/illustrate how the project results in the demonstration of benefits for the community including but not limited to increasing; safety, employment, air quality, connectivity between communities, aesthetics, etc. provide supporting documentation as an attachment.

3. **Project Readiness** (40 points max.)

Explain/illustrate the project schedule with target start and completion dates, and specific components including but not limited to consultant selection, environmental review, schedule and document type, design, right of way acquisition, construction and anticipated completion date. Provide supporting documentation as an attachment.

4. **Regional Significance** (20 points max.)

Explain/illustrate the regional significance through the use of but it is not limited to; previously approved planning documents; traffic analysis, project study report, inclusion in regional plans, including the 20 Year Local Transportation Plan and the RTP, etc. provide supporting documentation as an attachment.
5. **Continuity** (10 points max.)

Explain/illustrate how project was previously funded and/or is in various stages of development so that it should receive continued support. Provide supporting documentation as an attachment.

6. **Project Budget**

Explain/illustrate the project budget separating it into fiscal years and a minimum of three segments for the design and engineering, right of way acquisition and construction.

7. **List of Attachments**

   (Check box if the California Road Systems (CRS) map that identifies the project location is attached).

8. **Prepared By** ________________________________
   
   Date: __________________
   
   Authorized Signature
Approval of AB 1012 requires that both State and Federal funds be used in a timely manner. In order to avoid losing any Federal or State funds to our Region, the “use-it-or-lose-it” requirements of AB 1012 place local governmental agencies in a position that they must be able to deliver their projects on time as proposed and as programmed within the Federal Transportation Improvement Program (FTIP).

Each agency must be able to assure that their project(s) can be delivered timely. Therefore, each application MUST be submitted with provided forms and accompanied by a formal Council/Board Resolution stating that each project will meet project delivery schedules and that staff be directed to insure that projects are delivered timely. The sample resolution on the next page has been included as a guide for helping prepare the required resolution.
BEFORE THE
(NAME OF CITY/COUNTY/DISTRICT COUNCIL/BOARD)
RESOLUTION NO. 2015-__

In the Matter of:

ICTC RESOLUTION SUPPORTING
RSTP FUNDING Project Delivery Schedules and timely use of funding

WHEREAS, AB 1012 has been enacted into State Law in part to provide for the timely use of State and Federal funds; and

WHEREAS, the (City/County) is able to apply for and receive Federal and State funding including Regional Surface Transportation Program (RSTP) funds; and

WHEREAS, the (City/County/District) desires to ensure that its projects are delivered in a timely manner to preclude losing funds for non-delivery; and

WHEREAS, it is understood by the (City/County) that failure for not meeting project delivery dates for any phase of a project may jeopardize federal or state funding to the Region; and

NOW THEREFORE BE IT RESOLVED, that the (Council/Board) hereby agrees to ensure that all project delivery deadlines for all project phases will be met or exceeded, and:

a. The opportunity for public comment was provided at a public meeting;

b. Local funds in the amount of $_________ from _________ (source and type of funds) will be used to leverage the federal funds for the project;

c. Project(s) is consistent with the ___________ (plan: i.e., circulation element of the agency’s general plan) planning process;

d. Project(s) is consistent with the adopted pavement management plan (for rehabilitation projects only).

BE IT FURTHER RESOLVED, that failure to meet project delivery deadlines may be deemed as sufficient cause for the Imperial County Transportation Commission Policy Board to terminate an agency’s project and reprogram Federal/State funds as deemed necessary.

BE IT FURTHER RESOLVED, that the (City/County/District) (Council/Board) does direct its management and engineering staffs to ensure all federal and state-funded projects are carried out in a timely manner as per the requirements of AB 1012 and the directive of the (City/County/District) (Council/Board).

THE FOREGOING RESOLUTION was passed and adopted by the (Council/Board) on __________, 2015.

AYES: Signed: __________________________
NOES: Mayor, City of (------)
ABSTAIN: Chair, Board of (------)
ABSENT Chair, (------) Board
ATTEST:

I hereby certify that the foregoing is a true copy of a resolution of the (Council/Board) duly adopted at a regular meeting thereof held on the _____ day of ___________________,2015.

Signed: ______________________________
(-------------------, City/County Clerk)

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1. Air Pollution Control District
2. Imperial County Transportation Commission
3. Caltrans – District 11
4. Each city will have the choice to include 1 TAC member on the review panel.

***The city representative will not score his or her respective cities project but will be available to answer any questions regarding the projects posed by the scoring committee.
For further information on eligible projects, submittal of applications or other questions related to the RSTP program, please contact Virginia Mendoza

Please submit all applications by 5:00 p.m. on Wednesday, September 30, 2015 via mail and all correspondence to:

Imperial County Transportation Commission
1405 N. Imperial Ave., Suite 1
El Centro, CA 92243
Attention: Virginia Mendoza
VI. ACTION CALENDAR

B. REVISED MEMORANDUM OF UNDERSTANDING (MOU); ICTC—QUECHAN INDIAN TRIBE—YUMA COUNTY INTERGOVERNMENTAL PUBLIC TRANSIT AUTHORITY (YCIPTA) FOR TURQUOISE ROUTE #10 AND BLUE ROUTE #5
July 17, 2015

Bruce Kuhn, Chair  
Imperial County Transportation Commission  
1405 N. Imperial Ave Suite 1  
El Centro, CA  92243

SUBJECT: Revised Memorandum of Understanding (MOU); ICTC - Quechan Indian Tribe - Yuma County Intergovernmental Public Transit Authority (YCIPTA) for Turquoise Route #10 and Blue Route #5

Dear Members of the Commission:

In 2012, ICTC staff entered into discussions, at the request of staff of the Quechan Tribe and YCIPTA, regarding the potential for a public transit route between Yuma AZ, the Winterhaven Ca. area, and El Centro, CA. Discussions ensued over an eight month period regarding operational issues including routing, scheduling, funding, access to bus stop locations and the continuation of travel once in El Centro on Imperial Valley Transit (IVT) for access to social service and commercial activities.

The project required the Boards of the three agencies to approve and give final direction on implementation for services. The Turquoise Route 10 started operation in January 2013. The business plan proposed twice daily roundtrips, three days a week on a YCAT bus. The new YCAT route offered travel opportunities that connected in El Centro to IVT intercity and intracity routes at 7th and State Streets. The price was established at a $2.00 one way fare.

As a result of the current federal transportation bill, *Moving Ahead for Progress in the 21st Century Act (MAP-21)*, it appears that FTA 5311(c) funding will no longer be available to the Quechan Indian Tribe in the future. 5311(c) funding is also known as the Tribal Transit Grant Funding Program and allowed the tribe to apply and be a direct recipient of public transit operational funding. Previously those 5311(c) funds were used to operate the Blue Route 5 in cooperation with YCIPTA. Blue Route 5 is a circulator route with stops in the eastern Imperial County, the Fort Yuma Indian reservation and Yuma. ICTC has now received a request to share in the future cost to provide funding for the Blue Route 5 service, as it does serve eastern Imperial County residents.
The current evaluations have determined that while modest, the Turquoise Route 10 and Blue Route 5 have shown a slight increase in ridership over the previous year.

ICTC staff continues to support and recommends the participation in the revised MOU due to the increased access for Eastern Imperial County residents. However, ICTC will continue to meet with both agencies and continue to monitor both the Turquoise Route 10 and Blue Route 5, in cooperation with YCIPTA and the Quechan Tribe, in order to ensure the proper portion of funding is provided to supplement the transit service in eastern Imperial County. Recommendations from ICTC staff for funding in future years will be based on service needs and service performance for the eastern Imperial County, Winterhaven community.

Funding for this service is derived from the Transportation Development ACT (TDA) Fund, a contribution from the Quechan Tribe, the YCIPTA organization and passengers fares, and is in the recently approved FY 2015-16 ICTC Overall Work Program and Budget.

The Table for the breakdown of the subsidy allocations is on page 9 of the attached “Eastern Imperial County Transit Services Operations and Implementation Business Plan”.

ICTC Staff recommends that the Commission review and approve after public comment, if any:

1. Authorize the Chairperson to sign the Memorandum of Understanding (MOU) between the Yuma County Intergovernmental Public Transportation Authority (YCIPTA), The Imperial County Transportation Commission (ICTC) and the Quechan Indian Tribe for the continued implementation and operation of a regional connector bus service (YCAT Turquoise #10) between Yuma AZ, Winterhaven and El Centro, California; and, a circulator route from Yuma with stops in the eastern Imperial County area (YCAT Blue #5) effective July 1, 2015 through June 30, 2016 and provide a not to exceed subsidy to the Quechan and YCIPTA in an amount of $172,270.

Sincerely,

MARK BAZA
Executive Director

MB/ksw/ds
Eastern Imperial County Transit Services
Operations and Implementation Business Plan

Presented by:
Yuma County Intergovernmental Public Transportation Authority
October 2012
Amended October 2013
Amended September 2014
Amended July 2015
Eastern Imperial County
Transit Operations and Implementation Business Plan

Table of Contents

Section 1  Overview of Routes
           Statement of Purpose and Need

Section 2  Roles and Responsibilities

Section 3  Overview of Operating Plan & Funding

Section 4  Marketing and Outreach Plan

Section 5  Additional Details of Operating Plan

Exhibits   1. Schedules and Route Maps Effective July 1, 2015
Section 1

Overview of Routes
The Yuma County Intergovernmental Public Transportation Authority ("YCIPTA"), on behalf of the Quechan Indian Tribe ("QUECHAN"), is proposing to operate the following transit services in eastern Imperial County effective July 1, 2015:

Yuma County Area Transit Service Summary – Effective July 1 2015

<table>
<thead>
<tr>
<th>Route Number/Name</th>
<th>Type of Route</th>
<th>Number of Stops</th>
<th>Frequency Of Route</th>
<th>Peak Bus Requirement</th>
<th>Service Hours</th>
<th>Where Does Route Go?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Blue Route 5 Quechan Shuttle</td>
<td>Rural Flex Route</td>
<td>43 Stops</td>
<td>60 minutes</td>
<td>1</td>
<td>7:15 am to 7:10 pm – Monday, Friday, 9:15 am to 4:10 pm – Saturday</td>
<td>Flex route service in a counter clockwise direction within the Fort Yuma Indian Reservation and Winterhaven from Paradise Casino via Picacho Road and Interstate 8 to Andrade Port of Entry, Downtown Yuma Transit Center and Quechan Casino Resort.</td>
</tr>
<tr>
<td>Turquoise Route 10 Interstate 8/Ei Centro</td>
<td>Special Service</td>
<td>29 Stops</td>
<td>2 round trips</td>
<td>1</td>
<td>9:15 am to 11:30 am/2:00 pm to 5:30 pm Monday &amp; Wednesday 10:15 am to 1:30 pm/3:00 pm to 5:30 pm Saturday</td>
<td>Fixed route service from Yuma Palms Regional Center to downtown El Centro via Paradise Casino, Winterhaven, Quechan Casino Resort and Interstate 8 with service to Imperial Valley Mall on request.</td>
</tr>
</tbody>
</table>

These routes do not operate on Sundays and major holidays observed by YCIPTA. YCIPTA-observed holidays are: New Year's Day, Dr. Martin Luther King, Jr. Day, Presidents Day, Memorial Day, Independence Day, Labor Day, Veterans Day, Thanksgiving Day and Christmas Day. Saturday service operates on the day after Thanksgiving, Christmas Eve and New Year's Eve. One (1) bus will operate on each route for a maximum peak vehicle demand of two (2) in eastern Imperial County.

YCIPTA shall oversee and operate these routes in conjunction with the QUECHAN and Imperial County Transportation Commission ("ICTC").

Under the California Transportation Development Act ("TDA"), new routes that are implemented could be exempt from the farebox recovery ratio requirements or other performance measures for three (3) years. Blue Route 5 would be treated as a new route for the purposes of the use of TDA funding effective July 1, 2014. Turquoise
Route 10 is in its second year using an exemption due to the route's inability to meet the 18% farebox recovery ratio standard established by ICTC.

This business plan will replace the Regional Connector Operations and Implementation Plan developed in October, 2012, and amended in October, 2013 due to the inclusion of the Blue Route 5 and the re-designation of the business plan to focus on Eastern Imperial County Transit Services. The routes identified in the plan will continue to act as an extension of the Imperial Valley Transit (IVT) system and continue to replace the former IVT Route 3 between Holtville and Winterhaven, California on Wednesdays. IVT Route 3 continues to operate west of Holtville to El Centro, Monday through Saturday.

Statement of Purpose and Need
The purpose of operating transit services in eastern Imperial County is to provide mobility for Winterhaven and Fort Yuma Indian Reservation residents and visitors within eastern Imperial County and to Yuma, Arizona. Six (6) days a week the Blue Route 5 services extend to Andrade Port of Entry as well as providing access to services Yuma. Three (3) days a week the Turquoise Route 10 services would be extended to El Centro to access services at the County Seat, as well as other quality of life opportunities that are not available in Winterhaven.

Regional and local travel needs were identified below:

- Access to California State and Imperial County agencies and services in El Centro (DMV, courts, Imperial County Public Health Department, Imperial County Department of Social Services).
- Access to medical care in El Centro (health specialists, El Centro Regional Medical Center, Pioneer Memorial Hospital).
- Access to medical care in San Diego, Phoenix (Phoenix Indian Medical Center), and Tucson.
- Access to destinations within Winterhaven and the Fort Yuma Indian Reservation.
- Access to medical care, social services and other destinations in Yuma.

Two (2) studies were completed to assess the potential demand for improved service; Winterhaven Quechan Reservation Rural Connector Report (October, 2007) and the Quechan – Tribal Transit Planning, Service Strategies Report (July, 2011), and a recommendation was derived from these studies to provide a local shuttle connecting the Fort Yuma Indian Reservation within Winterhaven and Yuma as well as a lifeline service connecting the Fort Yuma Indian Reservation with El Centro to provide additional access for the eastern portion of Imperial County with the County Seat.
Section 2
Roles and Responsibilities

YCIPTA - Operating and Contract Authority and Oversight: YCIPTA will use its present transit operations contractor (National Express Transit Services Corporation) to operate both Blue Route 5 - Quechan Shuttle and Turquoise Route 10 – Interstate 8/EI Centro/Yuma. However, YCIPTA, in its sole discretion, reserves the right to replace the transit operations contractor with another company or entity as it deems appropriate.

YCIPTA will administer the operating contract; provide the legal operating authority for this transit service as well as umbrella operating insurance through its operations contractor. YCIPTA will receive monthly reports on project operations and program results, as prepared by the operations contractor. YCIPTA’s Project Liaison shall be the primary contact between the operations contractor, QUECHAN and ICTC.

YCIPTA Project Liaison - Planning, Contract Management and Marketing: YCIPTA shall designate its Transit Director, or designee, as the Project Liaison. The Project Liaison shall conduct daily interactions with the operations contractor, ensuring compliance with all contract terms and conditions, receipt and review of all reports required by the operations contractor, and the coordination of all marketing and promotional programs designed and implemented to support the routes. The Project Liaison will ensure the development and implementation of all programs so that employers, YCIPTA, the contractor, and other partners work together to maximize ridership and the overall effectiveness of the routes.

The Project Liaison shall be responsible for the review and payment of monthly subsidy statements provided by the transit operations and maintenance contractor.

ICTC – Supporting Role:
ICTC will provide a supporting role related to these routes, including providing recommendations to YCIPTA through technical and policy levels, marketing the service in Imperial County and contributing up to One Hundred Seventy Two Thousand Two Hundred Seventy Dollars and No Cents ($172,270.00) of Transportation Development Act ("TDA") Local Transportation Fund ("LTF") Article 8(c) funds for a continuation of these routes.

QUECHAN – Supporting Role:
QUECHAN will provide a supporting role related to these funds, including providing recommendations to YCIPTA through technical and policy levels, marketing the route on the Fort Yuma Indian Reservation and contributing Eighteen Thousand Eight Hundred and Thirty Three Dollars and No Cents ($18,833.00) of Federal Transit Administration ("FTA") Section 5311(c) to operate these routes.

YCIPTA would continue to use FTA Section 5307 allocated to the Winterhaven area, FTA Section 5311 allocated by ADOT to the small portion of the Fort Yuma Indian Reservation that is in Arizona, plus YCIPTA-generated match, fare revenue collected
from the routes, and a portion of the Quechan Business Enterprise parking lot in-kind revenue to cover those expenses not included in the per-hour rate.

Section 3
Overview of Operating Plan

Route Plans
The transit service will cover two (2) routes, Blue Route 5, Quechan Shuttle operating between Yuma, Winterhaven and Fort Yuma Indian Reservation, and Turquoise Route 10 between Yuma, Arizona, Winterhaven, California and El Centro via Interstate 8. The routes would be branded under the name Yuma County Area Transit (“YCAT”).

The routes and bus stop placement are subject to concurrence by QUECHAN, City of El Centro, Imperial County and ICTC. YCIPTA staff shall work with the staff from these agencies regarding route changes/development and to obtain approval to place a YCAT bus stop sign in their area of jurisdiction.

Bus stops in the City of Yuma and Fort Yuma Indian Reservation would be coordinated through YCIPTA’s existing encroachment permits for bus stops that are already in place in those jurisdictions.

Imperial Valley Transit (IVT) shall have priority use of its bus stops within the El Centro-Calexico Urbanized Area (“UZA”) as well as other areas of Imperial County served by IVT buses that YCAT would also serve and if a conflict arises where two (2) buses arrive at the bus stop at the same time, IVT’s use of the bus stop shall take priority. IVT’s use of the bus stops shall not, however, unreasonably interfere with YCIPTA’s obligations under this Business Plan and other agreements between YCIPTA, City of El Centro, Imperial County, ICTC and/or QUECHAN.

Exhibit 1 includes the route map, bus stop list and schedules effective July 1, 2015.

The Blue Route 5 will travel 23.9 miles one way, in a clockwise loop from Downtown Yuma Transit Center, through Fort Yuma Indian Reservation and Winterhaven, California serving 41 bus stops. The Turquoise Route 10 will travel 69.4 miles one way, between Yuma, Arizona, and El Centro, California, serving 27 bus stops.

Service Hours
The service hours, days and routes are outlined in Section One – Overview of Proposed Routes above.
### Fares – Effective January 9, 2012

<table>
<thead>
<tr>
<th>Description</th>
<th>Basic</th>
<th>Discount</th>
<th>Express</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$2.00</td>
<td>$1.00</td>
<td>$5.00</td>
</tr>
<tr>
<td>One Way</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>One Way (Using Smart Card)</td>
<td>$1.75</td>
<td>$0.75</td>
<td>$4.00</td>
</tr>
<tr>
<td>Day YCAT Pass</td>
<td>$5.00</td>
<td>$2.50</td>
<td>$12.50</td>
</tr>
<tr>
<td>Day YCAT Pass (Using Smart Card)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Day YCAT Pass (Using Smart Card)</td>
<td>$3.50</td>
<td>$1.75</td>
<td>$10.00</td>
</tr>
<tr>
<td>10-Ride YCAT Pass (Use Smart Card)</td>
<td>$17.50</td>
<td>$7.50 ($0.75 per ride)</td>
<td>$45.00 ($4.50 per ride)</td>
</tr>
<tr>
<td>31-Day YCAT Pass (Use Smart Card)</td>
<td>$60.00 ($1.50 per ride/20 days/2 trips each)</td>
<td>$30.00 ($0.75 per ride/20 days/2 trips each)</td>
<td>$150.00 ($3.75 per ride/20 days/2 trips each)</td>
</tr>
<tr>
<td>Express Fare Up-Charge</td>
<td>$2.25</td>
<td>$2.25</td>
<td>N/A</td>
</tr>
</tbody>
</table>

- No transfers – use Day YCAT Pass or pay one-way fares.
- Cocopah Tribe members can ride free by showing their tribal ID card.
- AWC, UA and NAU students and employees can ride free by showing their student ID card with the current semester sticker.
- YPIC Charter High School and Aztec High School students and employees can ride free by showing their student or employee ID card with current semester sticker.
- YRMC and ACCT employees can ride free by showing their employee ID card.
- Children under 5 years old ride free – up to four (4) children; five (5) or more children pay discount fare.
- Smart Card Initial Fee - $2.00.
- Lost Smart Card Replacement Fee - $5.00.
- Yuma Sun or Imperial Valley Press newspaper on buses - $0.50.
- Class Pass - $45.00 (Up to 5 adults and 40 students @ $1.00 per ride).
- This fare structure would be applicable on the evening NightCAT service from AWC/NAU/UA.

---

1 Fares are subject to change based upon the costs associated with YCIPTA’s operation of the route.
Ridership Forecasts
While the two studies identified in Section One did not provide any ridership forecasts, based on historical data in regard to Blue Route 5 and Turquoise Route 10, YCRIPTA staff projects that approximately fifty (50) passengers may ride Blue Route 5 each operating day and that approximately fifteen (15) passengers may ride Turquoise Route 10 each operating day.

Based on data from YCRIPTA in regard to fiscal year 2013-2014, Blue Route 5 carried approximately 4.82 passengers per hour which is an increase from 3.41 from FY12-13, as this was the second fiscal year of the route’s operation. (Blue Route 5 started on June 1, 2012).

Based on data from ICTC in regard to fiscal year 2011-2012, IVT Routes 3/300/350 carried approximately 3.75 passenger trips in the morning and 3.50 passenger trips in the afternoon/evening on Wednesdays. With the transition to Turquoise Route 10, the route performance was 3.41 passengers per hour which is an increase from 2.99 from FY12-13.

In determining a forecast ridership number for the route, several factors should be considered. This includes reconciliation of passengers boarding from Winterhaven on IVT Route 3/300/350, the use of the demographic information in the Winterhaven /Quechan Reservation Rural Connector Report and Quechan Service Strategies Report and data from public workshops held by QUECHAN.

Fare Revenue Forecasts
Based on the projected ridership and historical data for each of the two routes and to take a conservative approach, the fare revenue forecast of Twenty Seven Thousand Six Hundred Eighteen Dollars and Twenty Seven Cents ($27,618.27) for Blue Route 5 and Eleven Thousand Eighteen Dollars and Three Cents ($11,018.03) for Turquoise Route 10 is projected. It is imperative that a fare structure is established to ensure the maximum farebox recovery in compliance with the TDA. As part of the performance measures, ICTC would review the farebox recovery ratio to ensure compliance with TDA requirements. The proposed farebox ratio and route classification requirements are defined below:

<table>
<thead>
<tr>
<th>Route</th>
<th>Proposed Classification</th>
<th>Route</th>
<th>Proposed Farebox Recovery Ratio</th>
</tr>
</thead>
<tbody>
<tr>
<td>Blue Route 5</td>
<td>Rural Flex Route</td>
<td>10%</td>
<td></td>
</tr>
<tr>
<td>Turquoise Route 10</td>
<td>Special Service</td>
<td>12% (blended rural/urban)</td>
<td></td>
</tr>
</tbody>
</table>

Cost and Subsidy Projections
ICTC will pay QUECHAN an amount not to exceed the annual subsidy amount of One Hundred Seventy Two Thousand Two Hundred Seventy Dollars and No Cents ($172,270.00) to fund Eastern Imperial County Transit Services after QUECHAN files a TDA Article 8c claim and supporting documentation with ICTC and QUECHAN will pay YCRIPTA the monthly costs based on revenue service hours with these ICTC funds
along with QUECHAN funds of an amount not to exceed the annual subsidy of Twenty Four Thousand, Five Hundred Ninety Dollars and No Cents ($24,590.00) to operate Eastern Imperial County Transit Services, to be paid based on revenue vehicle service hours as established through a separate Memorandum Of Understanding between YCIPTA and QUECHAN.

For cost and subsidy projections, see the charts below.

**Performance Standards**
Since ICTC would provide TDA-LTF Article 8(c) funds as contributions to this route, the following proposed performance standards would apply towards these routes, and YCIPTA would report these figures to ICTC and QUECHAN monthly. These reports may be reviewed by ICTC’s Social Services Transportation Advisory Council.

<table>
<thead>
<tr>
<th></th>
<th>1</th>
<th>2</th>
<th>3</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Routes</strong></td>
<td>Blue Route 5</td>
<td>Turquoise Route 10</td>
<td></td>
</tr>
<tr>
<td>Days Operating</td>
<td>Monday-Saturday</td>
<td>Mon, Wed, Sat</td>
<td></td>
</tr>
<tr>
<td>Fiscal Year 2015/2016</td>
<td>Budget</td>
<td>Budget</td>
<td></td>
</tr>
<tr>
<td>a</td>
<td>Fully Allocated Operating Cost <em>(minus ADA paratransit, other YCAT hours, YMPO Audit, Vanpool and Greyhound)</em></td>
<td>$276,182.71</td>
<td>$91,816.92</td>
</tr>
<tr>
<td>b</td>
<td>Fare Revenue Collected</td>
<td>$277,618.27</td>
<td>$11,018.03</td>
</tr>
<tr>
<td>c</td>
<td>Subsidy Required</td>
<td>$248,564.44</td>
<td>$80,798.89</td>
</tr>
<tr>
<td>d</td>
<td>Quechan Subsidy</td>
<td>$12,295.00</td>
<td>$12,295.00</td>
</tr>
<tr>
<td>e</td>
<td>ICTC Subsidy</td>
<td>$120,633.64</td>
<td>$31,982.32</td>
</tr>
<tr>
<td>f</td>
<td>YCIPTA Subsidy</td>
<td>$115,635.80</td>
<td>$36,521.57</td>
</tr>
<tr>
<td>g</td>
<td>TOTAL SUBSIDY (Over)/Under</td>
<td>$248,564.44</td>
<td>$80,798.89</td>
</tr>
<tr>
<td>h</td>
<td>Total Miles</td>
<td>89,132.80</td>
<td>22,651.20</td>
</tr>
<tr>
<td>i</td>
<td>Total Revenue Miles</td>
<td>87,187.20</td>
<td>21,652.80</td>
</tr>
<tr>
<td>j</td>
<td>Total Deadhead Miles</td>
<td>1,945.60</td>
<td>998.40</td>
</tr>
<tr>
<td>k</td>
<td>service days</td>
<td>304</td>
<td>153</td>
</tr>
<tr>
<td>l</td>
<td>Total Hours</td>
<td>2,669.16</td>
<td>959.08</td>
</tr>
<tr>
<td>m</td>
<td>Total Revenue Hours</td>
<td>2,565.80</td>
<td>853.00</td>
</tr>
<tr>
<td>n</td>
<td>Total Deadhead Hours</td>
<td>103.36</td>
<td>106.08</td>
</tr>
<tr>
<td>o</td>
<td>employees</td>
<td>1.50</td>
<td>1.50</td>
</tr>
</tbody>
</table>
According to the TDA requirements, if the farebox recovery ratio remains below the established standard adopted, efforts must be made to modify the route(s) to improve performance within the (3) three year time frame.

As necessary and required by the FTA, financial and non-financial data shall be collected and reported to the National Transit Database (NTD). YCIPTA would report miles both in the Yuma UZA and El Centro-Calexico UZA.

A re-evaluation of the routes shall take place in March, 2016 to provide recommendations regarding the future of the routes to the governing boards of YCIPTA, ICTC and QUECHAN.

Per TDA requirements, a claimant (ICTC) may receive exemptions from the various ratio requirements for services provided to new areas or along new routes. The exemptions apply until the end of the second, full fiscal year of operation. If a claimant fails to meet a required ratio for a fiscal year, its TDA funding level will be reduced by the amount of required revenues that was not maintained.

**Fiscal Audits and Triennial Performance Audits**

Though ICTC payment of TDA funds to QUECHAN to fund a portion of these routes, QUECHAN will track its expense associated with the use of these funds, TDA funds will be listed as a separate line item of funds in the Basic Financial Statements each year and submit a copy of the report to ICTC before December 31 of the given funded year.
ICTC will send a triennial performance auditor to audit this service and its performance measures.

Section 4
Marketing and Community Outreach Plan

Branding, Marketing and Community Outreach
Marketing to support these routes will be essential to its success. Consistent, coordinated marketing collateral and programs will be developed by YCIPTA, with input and assistance from ICTC and QUECHAN. The Marketing Plan will include printed ads, flyers, rack cards, media, coordination with employers and other advertising materials. The buses will be marketed and branded as YCAT routes.

The marketing program outlined above will be targeted in Yuma and Imperial Counties. YCIPTA, QUECHAN and ICTC will work to engage the support of residents in the Yuma, Fort Yuma and Winterhaven areas to help ensure project success and sustainability. The marketing program is funded by YCIPTA administrative budget and these costs are not reflected in the business plan.

- YCIPTA will focus the routes’ marketing efforts in Yuma County.
- ICTC will focus the routes’ marketing efforts in Imperial County.
- QUECHAN will focus the routes’ marketing efforts on the Fort Yuma Indian Reservation.

YCIPTA will have the YCAT Rider's Guide distributed through its networks in Yuma County, including on YCAT buses. The routes will be included in YCAT Rider's Guide, online at www.ycat.az.gov and on all YCAT marketing pieces. YCIPTA will seek vendors in El Centro to sell bus passes on behalf of YCIPTA. This includes El Centro City Hall and Circle K.

ICTC will have the Imperial Valley Transit Rider's Guide distributed throughout Imperial County, on IVT buses and have information related to Blue Route 5 and Turquoise Route 10 operated by YCIPTA inside its Rider's Guide, online at www.ivtransit.com and www.imperialctc.org and on appropriate IVT marketing pieces. In addition, signs will be placed on the IVT buses to promote the routes at ICTC discretion.

QUECHAN will have IVT and YCAT Rider's Guides available for distribution throughout the Reservation, promote the routes through door-to-door distribution of information, placement of route information online, on Kwatsan Radio, on Casino bulletin boards and will allow the sale of IVT and YCAT bus passes at its retail enterprises and casinos on the Reservation.
Section 5
Additional Details of the Operating Plan
Daily operations of the routes are the responsibility of the contractor, as described in Section 2 Roles and Responsibilities, and managed through YCIPTA, consistent with the terms of the Operating Contract. The Project Liaison, as designated by YCIPTA, has the responsibility to ensure that the contractor complies with all terms of the Operating Contract. The Project Liaison also has the lead responsibility for development and implementation of the Marketing and Outreach Plan, to be accomplished with support from YCIPTA, QUECHAN and ICTC.

1. Transit Service Information
The schedules and route information will be maintained on the www.ycat.az.gov and www.ivtransit.com websites and available via the YCAT telephone information system at 928.783.2235 and the IVT telephone information system at 760.482.2900. Service will be noted as a YCAT service.

2. Dispatch
A dispatcher will be on duty to support all service hours of the program to ensure excellent customer service. Contingency plans must be made to reasonably accommodate for service delays due to weather, traffic and vehicle failure by the transit operations contractor.

Dispatchers must have a communications system in place with their drivers via two-way radio or cell phone (depending on distance). Under no circumstances should the bus operators use the communications system in such a manner as to endanger the lives of the passengers or in violation of any laws. YCIPTA intends to use radios from the Yuma Regional Communication System on Blue Route 5 and the San Diego-Imperial County Regional Communication System on Turquoise Route 10.

3. Spare Ratio
YCIPTA would be responsible for providing road support to the YCIPTA vehicle should the vehicle experience any maintenance difficulties. YCIPTA shall be responsible to ensure that a replacement vehicle is provided within sixty (60) minutes of a determination that a YCAT bus is inoperable, and that ample comfort, such as water, is provided on the vehicle on days with extreme temperature (115 degrees or higher) and when extended breakdowns occur.

4. Bus Operators
Bus Operators are expected to be courteous, friendly and professional at all times.

Bus Operators shall be bilingual in English and Spanish to ensure that the distribution of information is available to both languages.

Bus Operator uniforms will be required to be consistent with the branding/marketing of YCIPTA transit services. Uniforms must be kept clean and ironed for a professional appearance at all times.
Bus Operator are prohibited from smoking in the vehicles. Smoking outside of the vehicles is also prohibited near the door of the vehicle or in the presence of customers. Eating is prohibited in front of customers or while driving.

Bus Operator breaks shall be established with dispatch according to transit operations contractor policy. Bus Operator breaks should never be allowed to disrupt customer service or routing.

Training shall be given to all Bus Operators so that clear expectations are in place to ensure excellent customer service. Bus Operators will keep the inside of the vehicles neat and tidy, i.e. picking up trash and newspapers left behind.

5. Vehicles

YCIPTA will provide two (2) vehicle types to operate the routes as outlined in this Business Plan. The vehicles used on these routes can carry up to 32 seated passengers, is 34 feet in length and have up to two (2) wheelchair tie down spaces. To comply with the California Air Resources Board ("CARB") requirements, YCIPTA will only operate vehicles in California with a level 3 diesel particulate trap. YCIPTA currently has nine (9) of these buses called the El Dorado National Passport, a low floor cutaway vehicle on a medium duty chassis. Furthermore, the bus is durable for highway travel. In addition, YCIPTA has six (6) 21-foot El Dorado National Aerolite buses which may also be used on these routes as these buses seat six (6) to eight (8) passengers and has up to two (2) wheelchair tie down spaces, which uses gasoline fuel and are exempt from the CARB Transit Fleet Rule.

Vehicles must be kept clean. Mechanical and cosmetic repairs must be prompt. There should be a spare vehicle that would easily fit into the program when one of the main vehicles is out for maintenance. All YCIPTA vehicles are ADA compliant and use a low floor ramp for the loading/unloading of mobility devices.

These types of vehicles will provide the most passenger comfort and meet passenger demand. Their size and relative maneuverability will be better suited for the identified routes than larger vehicles, such as transit buses. They will also be more cost effective to operate than larger transit buses.

The Passport buses features two (2) bicycle spaces, electronic destination signs, farebox, smart card system and security cameras. The Aerolite buses features manual destination signs, farebox and smart card system (only on two of these buses).
Pictures of the buses used on these routes are below:

Maintenance of the buses will take place at the YCAT bus facility located at 2715 East 14th Street, Yuma, Arizona.

6. Customer Service
Customer service, marketing and safety are paramount to the success of this program. Service and mechanical failures will be logged and used as a tool by the contractor to ensure quality control and maintenance standards. On board customer surveys will be used to help guide route improvements and to adjust marketing plans, as appropriate.

7. Schedules
Schedules are defined in Exhibit A and are subject to change. Schedules have been developed to ensure that there are no conflicts between YCAT and IVT buses at all shared bus stops in El Centro.

8. Newspapers
Yuma Sun newspapers on Blue Route 5 and Imperial Valley Press on Turquoise Route 10 would be placed, Monday through Saturday, under an existing arrangement. As it
relates to the Imperial Valley Press, a newspaper box will be placed at El Centro Regional Bus Transfer Terminal to allow YCRIPTA to obtain newspapers.

9. Transfer Agreements
At the present time, passengers transferring to IVT would be required to pay a full fare as if they transferred back to YCAT.

10. Complementary ADA Paratransit Program
Blue Route 5 is treated as a flex route and is exempt from the ADA paratransit requirement since flex routes are treated as "general public demand response services" under the 49 C.F.R. Part 37 of Federal Regulations. The route deviation component is available to all passengers for an additional $2.00 fare unless passengers board at specific bus stop locations defined by YCRIPTA. Turquoise Route 10 has been designated as a commuter route under 49 C.F.R. Part 37 of Federal Regulations, therefore ADA complementary paratransit requirements do not apply. Passengers requesting ADA paratransit service would either ride YCAT OnCall in Yuma County or IVT Access in Imperial County, both within a ¾ mile radius of a non-commuter or flex bus route. Timed connections between the paratransit services and these routes would be established. YCRIPTA allows for free transfers between YCAT OnCall and YCAT fixed route buses for these patrons.

11. Former Route 3 to Winterhaven
It is YCRIPTA's and QUECHAN's desire that ICTC continue the discontinuance of Route 3 east of Holtville.

12. The Future
With the transition of ICTC funding to cover all eastern Imperial County transit services, ICTC would start taking a more active role in the planning and operation of transit services in eastern Imperial County. Under Moving Ahead with Progress for the 21st Century (MAP-21), Tribal Transit funding was reduced to the extent that Quechan Indian Tribe will only be eligible for formula funding unless the Quechan Indian Tribe applies for capital expenses (excluding preventative maintenance). It is estimated that Quechan Indian Tribe will receive Fifteen Thousand Three Hundred Twenty Four Dollars and No Cents ($15,324.00) on an annual basis for the foreseeable future.

Starting with Federal Fiscal Year 2014 (FY 2015-2016), the Quechan Indian Tribe would need to request a minimum of One Hundred Sixty Nine Thousand, Fifty Two Dollars ($169,052) from ICTC to continue transit services at the present levels. This is due to not being able to use discretionary Tribal Transit funds for operations. YCRIPTA would continue to use FTA Section 5307 allocated to the Winterhaven area, FTA Section 5311 allocated by ADOT to the small portion of the reservation that is still in Arizona, plus YCRIPTA generated match, fare revenue collected from the routes and Quechan Business Enterprises parking lot in-kind revenue to cover these expenses not included in the per hour rate. Exhibit B provides an estimated funding plan for these routes.
A comprehensive review of these routes occurred in Spring 2015, prior to the YCIPTA, QUECHAN and ICTC budget planning to determine the appropriate level of transit service and population in eastern Imperial County as compared to central and northern Imperial County. This review will also took into consideration need in eastern Imperial County and the routes’ ability to meet TDA and MOU specific performance measures.

Any continuation of transit services beyond June 30, 2016 at the present levels will require additional contributions by ICTC. If service reductions are to occur based on available funding by QUECHAN, YCIPTA and ICTC that are known today, public hearings for route changes would take place in May 2016 as part of the adoption of the YCIPTA fiscal year 2016-2017 operating and capital budget with the route changes taking effect on July 1, 2016. To assist in the determination of future service levels and contribution shares by all parties for fiscal year 2016-2017 ICTC will minimally need from YCIPTA a sample of daily ridership data (boardings and alightings) by route direction and bus stop locations during the months of January through March 2016. The sample of data shall be agreed to by all parties prior to December 15, 2015. The sample of daily ridership data should be provided to all parties by April 17, 2016. This would allow a comprehensive analysis of recommended service levels, contribution shares, and funds available for fiscal year 2016-2017.
MEMORANDUM OF UNDERSTANDING BETWEEN THE YUMA COUNTY INTERGOVERNMENTAL PUBLIC TRANSPORTATION AUTHORITY, IMPERIAL COUNTY TRANSPORTATION COMMISSION AND QUECHAN INDIAN TRIBE FOR TRANSIT SERVICES IN EASTERN IMPERIAL COUNTY

This Memorandum of Understanding (hereinafter “MOU”) made and entered into this ________ day of _____, 2015, by and between Yuma County Intergovernmental Public Transportation Authority, a political subdivision of the State of Arizona (hereinafter “YCIPTA”), Imperial County Transportation Commission, a regional transit and transportation planning agency and political subdivision of the State of California (hereinafter “ICTC”), and Quechan Indian Tribe (hereinafter “QUECHAN”). The terms “Party” or “Parties” shall mean the collective or individual participants of this MOU, as appropriate, who agree as follows:

I. Recitals

A. YCIPTA is the administrator of the public transit service in Yuma County, which is known to the general public as Yuma County Area Transit (“YCAT”) and provides public transit services within and between the Cities of Yuma, San Luis, Somerton, Arizona, the Fort Yuma-Quechan and Cocopah Tribal Reservations lands, unincorporated eastern Imperial County, incorporated Imperial and Yuma County areas, and the Town of Wellton, Arizona; and whose primary objective is providing public transportation and has its principal office at 2715 East 14th Street, Yuma, Arizona 85365.

B. ICTC is a public entity whose primary objective is regional transportation planning, including providing public transit services, and has its principal office located at 1405 North Imperial Avenue, Suite 1, El Centro, California 92243.

C. QUECHAN is a federally-recognized Indian Tribe whose primary objective is to provide funding for the provision of public transportation services to its tribal members and has its principal offices at 350 Pecano Road, Winterhaven, California 92283.

D. ICTC has operated bus service from El Centro through Holtville, California to Winterhaven since 1989 as part of the Imperial Valley Transit (“IVT”) service; and

E. The Southern California Association of Governments (“SCAG”) and QUECHAN conducted studies which made recommendations to implement an improved level of transit service between Winterhaven and El Centro, California; and

F. QUECHAN has implemented a three-way partnership with ICTC and YCIPTA to provide transit service between Winterhaven and El Centro, California and between the Fort Yuma Indian Reservation, Yuma, Arizona and Winterhaven, California (“Service or Eastern Imperial County Transit Services”), with YCIPTA as the operator of the Service and QUECHAN providing initial funding from a Federal Transit Administration (“FTA”) Tribal Transit Discretionary Grant received in 2011; and

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G. In January 2013, ICTC discontinued the portion of IVT Route 3 service between Holtville and Winterhaven that operated on Wednesdays and subsequently provided an equivalent amount of funding to YCRIPTA for the new Service implemented for a one (1) year demonstration period, which ended on December 31, 2013. ICTC, QUECHAN and YCRIPTA amended that Memo Of Understanding to continue the demonstration period to June 30, 2014. With the implementation of the Turquoise Route 10, the IVT Route 3 currently only operates from El Centro to Holtville.

H. QUECHAN and YCRIPTA implemented the Blue Route 5 Fort Yuma Indian Reservation, Yuma, Arizona and Winterhaven, California in June, 2012, which provides connections to the YCAT system.

II. Scope of Services

A. General:

YCRIPTA, in conjunction with ICTC and QUECHAN, has created an Operations and Implementation Plan which is titled “Eastern Imperial County Transit Operations and Implementation Business Plan,” attached hereto as Exhibit A and incorporated by reference as though fully set forth herein. This Operations and Implementation Business Plan provides the framework for transit operations in eastern Imperial County.

YCRIPTA will operate Blue Route 5 - Quechan Shuttle and Turquoise Route 10 – Interstate 8/El Centro/Yuma (collectively known as the Eastern Imperial County Transit Services), using its own coach operators and equipment, in accordance with the schedule, route map and bus stop list specified in Exhibit A.

B. Services Provided By YCRIPTA:

1. YCRIPTA shall serve as the lead agency and be the administrator of this MOU ensuring the timely and proper execution of all terms and conditions.

2. YCRIPTA shall provide public transit vehicles equipped with wheelchair lifts/ramps that meet all requirements of the Americans with Disabilities Act and California Air Resources Board requirements, and are clearly marked as YCAT/Yuma County Area Transit with a United States Department of Transportation number and name of the operator.

3. YCRIPTA shall operate a transit bus service on Blue Route 5 and Turquoise Route 10 as specified in Exhibit A.

4. YCRIPTA shall provide all supervisory staff necessary to ensure successful operations.

5. YCRIPTA shall provide, at its own cost and expense, emergency response services, including road call maintenance services and spare vehicles.
6. YCIPTA shall provide a detailed accounting with performance measures per the Transportation Development Act ("TDA"); an example of the necessary format is attached hereto in Exhibit B and incorporated by reference as though fully set forth herein. YCIPTA’s reporting must be submitted to QUECHAN and ICTC within thirty (30) working days after the end of each month.

7. YCIPTA shall provide bus stop installation along the designated route, as outlined in Exhibit A, within Yuma County and Imperial County and bus stop maintenance in Yuma County, eastern Imperial County and the Fort Yuma Indian Reservation, as necessary.

8. YCIPTA shall provide bilingual customer services, including telephone information service and in-person customer service information at YCIPTA transit facilities, including Blue Route 5 and Turquoise Route 10 service on printed and published materials, posting Blue Route 5 and Turquoise Route 10 information and an IVT link on YCIPTA’s website, and a process for accepting and investigating all complaints and suggestions related to the Service.

9. All services shall comply with the FTA Section 5335 National Transit Database requirements.

10. YCIPTA will operate the Eastern Imperial County Transit Services to the best of its ability, but the Parties recognize that the bus trips may be off schedule due to traffic, detours, accidents, strikes, Federal, State or locally-declared disasters and other events beyond the control of YCIPTA.

11. YCIPTA shall not be liable for such off schedule trips or missed trips that are beyond the control of YCIPTA.

12. YCIPTA shall affix a placard in the right hand corner of the bus windshield designating that Eastern Imperial County Transit Services is operated by YCIPTA in cooperation with ICTC/IVT and QUECHAN.

13. YCIPTA may utilize a third-party contractor to operate the Eastern Imperial County Transit Services. Utilization of a third-party contractor shall not relieve YCIPTA of any responsibility or liability under this MOU.

C. Services Provided By ICTC:

1. ICTC shall coordinate the necessary bus stop placements, as designated by YCIPTA and agreed upon by all Parties of this MOU, with the City of El Centro and Imperial County along the designated route, as outlined in Exhibit A, as necessary.

2. ICTC shall provide customer services which shall include telephone information service, in-person customer service information at ICTC transit facilities, inclusion of Blue Route 5 and Turquoise Route 10 service on printed and published materials, posting of Blue Route 5 and Turquoise Route 10 information and a YCIPTA link on
ICTC's and IVT's websites, and ICTC's process for accepting and investigating all complaints and suggestions related to the Service.

D. Services Provided by QUECHAN:

1. QUECHAN shall install all the necessary bus stops within Fort Yuma Indian Reservation, as designated by YCIPTA, along the designated route, as outlined in Exhibit A.

2. QUECHAN shall provide customer services which shall include telephone information service, in-person customer service information at QUECHAN designated facilities, inclusion of Eastern Imperial County Transit Services on printed and published transportation related materials, posting of Eastern Imperial County Transit Services information, and QUECHAN’s process for accepting and investigating all complaints and suggestions related to the Service.

3. QUECHAN shall submit a TDA 8c claim to ICTC to fund a portion of such routes. QUECHAN shall provide required TDA 8c claim and supporting documentation, and track its expense associated with the use of these funds. TDA funds will be listed as a separate line item of funds in the Basic Financial Statements each year and QUECHAN shall submit a copy of the report to ICTC before December 31 of the given funded year. ICTC shall send a triennial performance auditor to audit this service and its performance measures.

E. Services Provided By All Parties:

1. Representatives of each Party to this MOU shall meet in person or by conference call at least quarterly, or as necessary, to discuss the Service, scheduling, routing, marketing, connections, fares and other issues related to the Service, including, but not limited to, actual costs of the Service and any necessary adjustments based on actual costs of the Service. Such meetings shall be held in the second month of the quarter to discuss issues related to the preceding full quarter and any issues that may affect the Service in the future, or at a time agreed to by the Parties. YCIPTA will coordinate the scheduling of such meetings and will convene the meetings at a location as convenient as possible for the Parties. The representatives of the agencies signing this MOU may modify the routing, schedule, fares and stops as long as each representative at the meeting provides written agency authorization for such modification. YCIPTA shall be responsible for the necessary public hearings in accordance with FTA requirements.

III. Compensation, Reporting and Performance Standards

A. Payments to YCIPTA

ICTC will pay QUECHAN an amount not to exceed the annual subsidy amount of One Hundred Seventy Two Thousand Two Hundred Seventy Dollars and No Cents ($172,270.00) to fund Eastern Imperial County Transit Services, as provided for in
Section II.B.6 and reflected in Exhibit B. In no event shall ICTC be liable to QUECHAN for payments that exceed One Hundred Seventy Two Thousand Two Hundred Seventy Dollars and No Cents ($172,270.00).

QUECHAN will pay YCIPTA the monthly costs based on revenue service hours with these ICTC funds along with QUECHAN funds of an amount not to exceed the annual subsidy of Twenty Four Thousand, Five Hundred Ninety Dollars and No Cents ($24,590.00) to operate Eastern Imperial County Transit Services, to be paid based on revenue vehicle service hours as established through a separate Memorandum Of Understanding between YCIPTA and QUECHAN, and such payments are due within thirty (30) days after receipt of invoice and supporting documentation from YCIPTA, as provided for in Section II.B.6 and reflected in Exhibit B. In no event shall QUECHAN be liable to YCIPTA for payments that exceed Twenty Four Thousand, Five Hundred Ninety Dollars and No Cents ($24,590.00).

In no event shall QUECHAN be liable to YCIPTA for payments to be made by ICTC. In no event shall ICTC be liable to YCIPTA for payments to be made by QUECHAN.

B. Fare Revenue

YCIPTA shall retain all fare revenue collected, and shall reserve the right to establish the fare policy for this Service, but YCIPTA shall consult with ICTC and QUECHAN.

C. Ridership Reports

YCIPTA will provide ridership reports as specified in Exhibit A.

D. Quarterly Surveys

In consultation with the other Parties to this MOU, YCIPTA may conduct quarterly surveys, or use other means agreed to by the Parties to determine the ridership levels and revenues by service increment of the Eastern Imperial County Transit Services.

E. Performance Standards

The Services shall be subject to the performance standards as defined in Exhibit A and shall be evaluated by all Parties to determine cost effectiveness and feasibility for funding all, or some of the Services or Route(s) currently in operation and their continuance beyond the Term of this MOU. YCIPTA shall provide monthly reports to ICTC and QUECHAN tracking the performance standards as described herein and in Exhibit A.

IV. Fares and Passes

The Parties agree that the initial one-way regular cash fare for the Eastern Imperial County Transit Services is defined in Exhibit A.
Any subsequent changes in the fares for this Service are within the sole discretion of YCRIPTA. However, YCRIPTA shall solicit input from ICTC and QUECHAN prior to the implementation of any fare adjustment.

There will be no reciprocal transfer agreement between ICTC and YCRIPTA services. YCRIPTA shall inform passengers transferring to IVT services that full fare is required on IVT’s routes for travel within Imperial County. ICTC shall inform passengers transferring to YCAT services that full fare is required on Turquoise Route 10 for travel to Winterhaven, California, the Fort Yuma Indian Reservation or Yuma County, Arizona.

V. Publicity and Marketing

YCRIPTA shall conduct a marketing and information dissemination program, including the production of a brochure or Rider’s Guide, containing a timetable, designed to increase public awareness of the route and to stimulate ridership. ICTC and QUECHAN shall coordinate with YCRIPTA regarding the marketing of this Service.

Each Party agrees to submit to the other Parties any and all advertising, sales promotion and other publicity matters relating to the Eastern Imperial County Transit Services wherein the Parties’ names are mentioned or language is used from which the connection of the Parties’ names therewith may, within reason, be inferred or implied. Each Party further agrees not to publish or use any such advertising, sales promotion or publicity matters relating to Eastern Imperial County Transit Services without the prior written consent of the other affected Parties.

VI. Indemnification and Insurance

YCRIPTA, ICTC and QUECHAN ("Indemnitors"), including each entities respective members, agents, representative, principals, employees, officers, volunteers and directors, each hereby agree to defend, indemnify and hold the other Parties, including the other Parties’ respective members, agents, representatives, principals, employees, officers, volunteers and directors ("Indemnitees"), harmless from and against any and all claims, losses, damages or expenses including, without limitation, reasonable attorneys’ fees, incurred or suffered by, or threatened against, an Indemnitee in connection with, or as a result of, any claim for death, personal injury or property damage brought by or on behalf of any third–party person, firm or corporation arising from or committed in the course of performing an Indemnitor’s obligations under this MOU, but only to the extent such claim arises from, or is caused by, any act or omission of an Indemnitor, and only to the extent such claim is not the result of any act or omission of such Indemnitee.

It is understood and agreed that the Parties shall maintain insurance policies or self-insurance programs to fund their respective liabilities. The Parties agree that such respective programs or policy coverage for Workers’ Compensation shall contain a waiver of subrogation as to the other Parties and each of its board members, directors, officers, officials, employees, agents and volunteers. Evidence of Insurance, (e.g.,
Certificates of Insurance or other similar documentation) shall be available upon the request of any Party.

This section shall survive termination or expiration of this MOU.

VII. Term and Termination

A. The term of this MOU is for one (1) year, commencing on July 1, 2015, and continuing until June 30, 2016. This MOU may be extended on an annual basis, upon mutual, written agreement of all the Parties. Such an extension must be requested by April 31, and the extension shall be approved and executed by all of the Parties by June 30.

B. Any Party may terminate its participation in this MOU for any reason, or no reason whatsoever, upon ninety (90) days written notification to the other Parties to this MOU.

C. In the event of termination of participation by a Party, the rights and obligations of the terminating Party, which by their nature survive termination of the Services covered by this MOU, shall remain in full force and effect after termination. Notwithstanding the above, the monthly payment obligation due as of the effective date of termination under Section III.A shall not survive termination. Compensation and revenues due from one Party to the other under this MOU shall be paid, loaned equipment and materials shall be returned to their respective owners, and the indemnification provision contained in Section VI shall remain in full force and effect.

D. The Parties acknowledge that this MOU is subject to cancellation pursuant to Arizona Revised Statutes ("A.R.S.") § 38-511. The Parties agree that ICTC shall enjoy the same rights to terminate this MOU as YCIPTA enjoys under A.R.S. § 38-511.

E. Upon termination, YCIPTA will send a final invoice to the terminating Party within thirty (30) days of the actual date of termination. ICTC and QUECHAN shall remit final payment, in full, within thirty (30) business days of the date of said invoice.

VIII. General Provisions

A. Independent Contractor

No relationship of employer and employee is created by this MOU.

In the performance of its work and duties, YCIPTA is at all times acting and performing as a political subdivision of the State of Arizona and the administrator of the public transit service in Yuma County, which is known to the general public as YCAT, and whose sole purpose is to provide public transportation services. The other Parties to this MOU shall neither have, nor exercise, control or direction over the methods by which YCIPTA performs the Services pursuant to this MOU; provided, however, that YCIPTA agrees that all work performed pursuant to this MOU shall be in strict accordance with
currently approved methods and practices in its profession, the State of California and the Federal Transit Administration.

The sole interest of the Parties is to ensure that such Services are performed and rendered in a competent and cost-effective manner and in accordance with this MOU.

B. Federal, State and Local Laws

The Parties warrant that in the performance of this MOU, each Party shall comply with all applicable Federal, State and local laws and ordinances and all lawful orders, rules and regulations thereunder.

This MOU is subject to a financial assistance contract between the Parties and the United States of America ("Federal Government"), acting through the Department of Transportation ("USDOT"), FTA, Arizona Department of Transportation ("ADOT") and California Department of Transportation ("Caltrans"). The Parties shall at all times comply with all applicable FTA regulations, policies, procedures and directives including, without limitation, those listed directly or by reference in the procedures and directives in the FTA Master Agreement between the Parties and FTA, ADOT and Caltrans, as amended, and are incorporated herein by this reference. YCIPTRA shall comply with these FTA requirements and as they may be amended or promulgated from time to time during the term of this MOU. The Parties shall not perform any act, fail to perform any act, or refuse to comply with any of the Parties’ directives, which would cause the Parties to be in violation of the FTA and/or Caltrans terms and conditions. The Parties’ failure to comply with these FTA requirements and the Parties directives shall constitute a material breach of this MOU. Federal Regulations are available at http://www.fta.dot.gov/documents/21-Master.pdf.

C. No Conflict of Interest

Each Party represents that it currently has no interest, and shall not have any interest, direct or indirect, that would conflict in any manner with the performance of services required under this MOU.

D. Time of the Essence

Time is of the essence in each and every provision of this MOU.

E. No Consent to Breach or Waiver

No term or provision hereof shall be deemed waived and no breach excused, unless such waiver or consent shall be in writing and signed by the Party claimed to have waived or consented. Any consent by any Party to, or waiver of, a breach by the other, whether express or implied, shall not constitute consent to, waiver of, or excuse for any other different or subsequent breach.
F. Non-Assignment

No Party shall encumber, assign or otherwise transfer this MOU or any right or any interest in this MOU without prior express, written consent of each of the Parties. A consent to one assignment shall not be deemed to be a consent to any other assignment. Any encumbrance, assignment or transfer of interest in this MOU without prior, written permission or consent of the Parties, whether it be voluntary or involuntary by operation of law or otherwise, is void and shall be just cause at the option of each Party to terminate this MOU.

G. Force Majeure

This MOU may be suspended upon the written notification of one Party to all the others when causes beyond the control and without the fault or negligence of the party giving notice irrevocably disrupt or render impossible that Party’s performance of this MOU. Further, none of the Parties shall be deemed in violation of this MOU if it is prevented from performing any of its obligations by reason of labor disputes, embargoes, shortage of material, acts of God, acts of the public enemy, acts of superior governmental authority, weather conditions, riots, rebellion, sabotage or any other similar circumstances for which it is not responsible or which is not in its control. These provisions shall not apply to failures of QUECHAN or ICTC to pay annual subsidies, fees and charges here in specified.

H. Audit and Records

Each Party shall maintain books, accounts, records and data related to this MOU in accordance with applicable federal and/or state requirements, and shall maintain those books, accounts, records and data for five (5) years after the termination of this MOU. For the duration of this MOU and for a period of five (5) years thereafter, either Party's representatives and representatives of the USDOT, the Comptroller General of the United States and the Auditor General of the State of California shall have the right to examine these books, accounts, records, data and other information relevant to this MOU for the purpose of auditing and verifying statements, invoices, bills and revenues pursuant to this MOU.

I. Notices

All notices under this MOU shall be deemed duly given upon delivery, if delivered by hand, email, facsimile, or three (3) days after posting, if sent by registered mail, return receipt requested; to a Party hereto at the address set forth herein or to such other address as a Party may so designate by written notice pursuant hereto:

If to YCIPTA:

YCIPTA

c/o Transit Director

2715 East 14th Street

Yuma, Arizona 85365
Tel: (928) 539-7076, ext 237
Fax: (928) 783-0309
Email: skreger@ycipta.az.gov

If to ICTC: ICTC
           c/o Senior Transit Planner
           1405 N. Imperial Ave., Suite 1
           El Centro, California 92243
           Tel: (760) 592-4494
           Fax (760) 592-4497
           Email: kathjiwilliams@imperialctc.org

If to QUECHAN: QUECHAN
               c/o President
               P.O. Box 1899
               Yuma, AZ 85366-1899
               Tel: (760) 572-0213
               Fax: (760) 572-2102
               Email: b.golding@quechantribe.com

J. Amendment

This MOU may be amended at any time by mutual agreement of the Parties, but any such amendment must be in writing, dated, signed by duly authorized representatives of each Party to the MOU and attached hereto.

K. Entire MOU

This MOU, together with all subordinate and other documents incorporated by reference herein, constitutes the entire agreement between the Parties with respect to the subject matter contained herein and may only be modified by an amendment executed in writing by all Parties hereto. All prior agreements, representations, statements, negotiations, understandings and undertakings are cancelled and superseded hereby.

L. Authority

Each Party has full power and authority to enter into and perform this MOU, and the person signing this MOU on behalf of each Party has been properly authorized and empowered to enter into this MOU. Each Party further acknowledges that it has read this MOU, understands it, and agrees to be bound by it.

M. Dispute Resolution

If a dispute arises between the Parties regarding the interpretation or enforcement of this MOU, the Parties agree to work together in good faith to resolve such dispute. If the Parties are unable to resolve a dispute, the matter in question may be submitted for
arbitration according to the Arizona Arbitration Act. Requests for arbitration must be
filed in writing with the other Parties to this MOU.

N. Governing Law

The laws of the State of Arizona shall govern this MOU as to validity, interpretation and
performance.

O. Venue

The Parties agree that any and all legal actions or other judicial proceedings arising from
or brought pursuant to this MOU shall lie in a Superior Court of Yuma County, Arizona,
exclusively, and any such action or proceeding shall be maintained in Yuma County,
Arizona.

P. Severability

If any provision of this MOU is held invalid, the remainder of the MOU shall not be
affected thereby and all other parts of this MOU shall be in full force and effect.

Q. Attorney’s Fees

If any party is required to commence any proceeding or legal action to enforce or
interpret any term, covenant or condition of this MOU, the prevailing party in such
proceeding or action shall be entitled to recover from the other party its reasonable
attorneys’ fees and legal expenses.

R. Headings

The titles and headings contained in this MOU are used only to facilitate reference, and in
no way define or limit the scope or intent of any of the provisions of this MOU, and shall
not be deemed relevant in construing this MOU.

S. Authorship

This MOU, and its terms and conditions, shall not be construed for or against a particular
Party hereto by virtue of the authorship or drafting of the provisions hereof.

T. Successors and Assigns

Subject to the limitations upon assignment and transfer herein contained, this MOU shall
be binding upon and inure to the benefits of the Parties hereto, their respective heirs,
successors and assigns.
U. No Authority to Bind

No Party has the authority to enter into, or negotiate, contracts on behalf of the other Parties. This MOU does not create a partnership, joint venture or any other relationship between the Parties, other than as described herein.

----SIGNATURES ON THE NEXT PAGE----
IN WITNESS WHEREOF, the Parties hereto have executed this Memorandum of Understanding Between the Yuma County Intergovernmental Public Transportation Authority, Imperial County Transportation Commission and Quechan Indian Tribe For Transit Services in Eastern Imperial County this ___ day of _____________, 2015.

YUMA COUNTY INTERGOVERNMENTAL PUBLIC TRANSPORTATION AUTHORITY

By: ____________________________
    Shelly Kreger, Transit Director

ATTEST:

By: ____________________________
    Carol Perez, Administrative Assistant

APPROVED AS TO FORM:

By: ____________________________
    Wayne C. Benesch, YCIPTA Legal Counsel

IMPERIAL COUNTY TRANSPORTATION COMMISSION

By: ____________________________
    ____________________________, Chairperson

ATTEST:

By: ____________________________
    Cristi Lerma, Secretary to the Commission

APPROVED AS TO FORM:

By: ____________________________
    Geoffrey P. Holbrook, Senior Deputy County Counsel

QUECHAN INDIAN TRIBE

By: ____________________________
    Keeny Escalanti, Sr., President

APPROVED AS TO FORM:
By: ____________________________
    Frank R. Jozwiak, Tribal Attorney

Attachments:

- Exhibit A: Eastern Imperial County Transit Services Operations and Implementation Business Plan
- Exhibit B: Sample Monthly Report Format
EXHIBIT B: SAMPLE MONTHLY REPORT FORMAT