CHAIR: LAWRENCE D. RITCHIE VICE CHAIR: BRUCE KUHN

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. APPROVAL OF CONSENT CALENDAR
   (Executive Director recommends approval of consent calendar items)

A. Approval of ICTC Board Draft Minutes: July 23, 2014 Pages 4-15
B. Receive and File:
   1. ICTC Management Committee Minutes August 13, 2014
   2. ICTC TAC Draft Minutes: July 24, 2014
C. ICTC Disadvantaged Business Enterprise (DBE) Goal for FY 2014-15 for Federal Transit Funds Page 17

ICTC Management Committee met on August 13, 2014 and forwards this item to the Commission for review and approval after public comment, if any:

1. Approve the proposed FY 2014-15 DBE goal of 2%
V. REPORTS

A. ICTC Executive Director
   • See attached Executive Director Report on page 55

B. Southern California Association of Governments
   • See attached report on page 58

C. California Department of Transportation – District 11
   • See attached report on page 62

D. Commission Member Reports

VI. ACTION CALENDAR

A. 2014 Imperial County Transportation Commission Disparity Study  Page 67

   A representative of BBC Research Consulting will provide an overview of the study completed for ICTC.

   ICTC Staff request that the Commission take the following actions for review and approval after public comment, if any:

   1. Approval of the 2014 ICTC Disparity Study document after a presentation from the consultant

B. Update to the 2014 Competitive Bid for the Coordination of Public Dial-a-Ride Paratransit Services – IVT RIDE Public Outreach, Branding and Marketing  Page 91

   ICTC Management Committee met on August 13, 2014 and forwards this item to the Commission for review and approval after public comment, if any:

   1. Authorize the Chairman to sign the IVT RIDE Public Outreach, Branding and Marketing Consultant Agreement with the firm of Spectrum Advertising, for the not to exceed fees as listed, effective September 1, 2014 through June 30, 2017.
      a) FY 2014-15  $58,226
      b) FY 2015-16  $50,764
      c) FY 2016-17  $49,500

C. Active Transportation Program (ATP) Project Nomination List for FY 2014/2015  Page 94

   ICTC Staff requests that the Commission take the following actions for review and approval after public comment, if any:

   1. Approve the Project Nomination List for Fiscal Year 2014/15 Active Transportation Program (ATP)
   2. Approve the award of the City of El Centro’s Pedestrian and Bike Improvement Project in the amount of $718,000
   3. Direct staff to submit a Formal Nomination List to SCAG and proceed with the State/Federal programming and documentation

VII. NEXT MEETING DATE AND PLACE

A. The next meeting of the Imperial County Transportation Commission will be held on Wednesday, September 24, 2014 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. APPROVAL OF CONSENT CALENDAR

A. APPROVAL OF BOARD DRAFT MINUTES:
   JULY 23, 2014

B. RECEIVE AND FILE:
   1. ICTC MANAGEMENT DRAFT MINUTES:
      AUGUST 13, 2014
   2. ICTC TAC MINUTES:
      JULY 24, 2014
VOTING MEMBERS PRESENT:  
City of Brawley  George A. Nava  
City of El Centro  Sedalia Sanders  
City of Holtville  Jim Predmore  
City of Imperial  Mark Gran  
City of Westmorland  Lawrence D. Ritchie (Chair)  
County of Imperial  Jack Terrazas  
Imperial Irrigation District  Bruce Kuhn

NON-VOTING MEMBERS PRESENT:  
Caltrans District 11  Bill Figge

STAFF PRESENT:  
Mark Baza, Kathi Williams, David Salgado, Cristi Lerma, Michelle Bastidas

OTHERS PRESENT:  
Sam Amen, Ross Cather: Caltrans; Tomas Oliva: SCAG; Charles Brockwell, Josh Hood: First Transit-IVT, Krista Daly: IV Press; Phil Kern and Manuel Oncina, Consultants

The following action minutes are listed as they were acted upon by the Imperial County Transportation Commission and as listed on the agenda for the meeting held Wednesday July 23, 2014 together with staff reports and related documents attached thereto and incorporated therein by reference.

I. CALL TO ORDER AND ROLL CALL  
Chair Ritchie called the Commission meeting to order at 6:00 p.m. Roll call was taken.

II. EMERGENCY ITEMS
A. There were none.

III. PUBLIC COMMENTS
There were none.

IV. APPROVAL OF CONSENT CALENDAR
A motion was made by Nava and seconded by Sanders to approve consent item A through F, with one abstention from Ms. Nava-Froelich, Motion carried.

A. Approval of ICTC Board Draft Minutes:  
June 25, 2014

B. Receive and File:  
1. ICTC Management Committee Draft Minutes  
July 9, 2014  
2. ICTC TAC Draft Minutes:  
June 26, 2014  
3. ICTC SSTAC Minutes:  
June 4, 2014

C. Section 457 Deferred Compensation Plan for ICTC Employees  
1. Authorized the Executive Director to sign the Specimen Copy of Order/Resolution and application to allow ICTC employees to contribute to Nationwide 457 deferred compensation plan.

D. Appoint Representative to Imperial Valley Emergency Communication Authority (IVECA)  
1. Authorized Mr. Terry Hagen to be the public works representative to IVECA
V. REPORTS

A. ICTC Executive Director
   Mr. Baza and staff had the following announcements:
   - Staff is pressing forward with the Consolidated Paratransit Dial-A-Ride project and is on the action calendar today.
   - Currently in the process of scheduling a meeting regarding the Calexico east POE toll pilot project. It is an opportunity that would require stakeholders on both sides of the border. More information will be presented at the next meeting.
   - A copy of the Executive Director’s Report is on page 24 of the Commission agenda.

B. Southern California Association of Governments (SCAG)
   Mr. Oliva had the following announcements:
   - A meeting is going to be held in Los Angeles regarding the issue of poverty on August 20, 2014. An invitation was extended to the Commission. Mr. Oliva stated that a recent study indicated that ¼ children in the SCAG region live in poverty. A small discussion was held in Coachella Valley and Mayor Walker will be holding one here in Imperial Valley.
   - A full report is on page 26 of the Commission agenda.

C. California Department of Transportation (Caltrans)
   Mr. Figge had the following announcements:
   - A full report is on page 36 of the Commission agenda.
   - ATP deadline was in May. Statewide 767 were received, 66 in District 11 and 11 from Imperial County. Currently, Caltrans is evaluating the application and a recommendation will be presented to the CTC in their August meeting.
   - Caltrans is seeking public input on a statewide freight mobility plan. Mr. Figge encouraged all to view the report online at www.cfmp.dot.ca.gov
   - Mr. Nava stated that there was an accident on Hovely and SR-78 that resulted in a fatality. Mr. Figge stated Caltrans will be looking at all accident reports in the area.

D. Commission Member Report
   - Mr. Terrazas stated that there is an appeal regarding the termination of the Essential Air Service (EAS) for Imperial Airport.
   - Mr. Kuhn stated that IID will be using Sea Port Airlines as much as possible for employee travel.
   - Ms. Sanders suggested more advertising for Sea Port Airlines, especially for outsiders/visitors. Mr. Gran said he would make the suggestion to Geoff Dale.
   - Mr. Nava stated that the next League of Cities meeting will take place in September.
   - Mr. Predmore stated that the City of Holtville has a project moving forward that will include the widening of Ninth St. The city is working with IID.
   - Mr. Terrazas stated that bidding is currently taking place for a project in the Salton Sea area.
   - Mr. Ritchie stated that Westmorland began a project that began on July 7, 2014 and had to be shut down due to the smell of gasoline.

VI. ACTION CALENDAR

A. Imperial County Transportation Commission (ICTC) Bus Stop Safety and Design Standards Guidelines Project – FY 2013-14
   A presentation was made by the consultants, Phil Kern and Manuel Oncina.
ICTC Management Committee met on July 9, 2014 and forwards this item to the Commission for review and approval after public comment, if any:

1. Approved the 2013-14 ICTC Bus Stop Safety and Design Standards Guidelines Project.

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

**B. Update to the 2014 Competitive Bid for the Coordination of Public Dial-a-Ride Paratransit Services – IVT RIDE**

Ms. Williams had the following presentation.

As a continuation of the prior direction from the Commission, ICTC recently completed a second competitive bid focused on the consolidation of the public dial-a-ride services in the June/July time frame. Three proposals were received and reviewed by the Evaluation Committee comprised of staff from Brawley, Calexico, Caltrans and ICTC.

The Evaluation Committee determined that two goals of this project; greater efficiencies and a reduction of agency staff workload could be achieved. This included achieving better compliance with regulations through the consolidation of the administration and operational management. There would also be benefits through improved dispatch, co-located reservationists, in house maintenance and marketing etc. under one turnkey contractor with new technology and resources.

The range of costs in the proposals (not including marketing) for the eight-year period were between a 3% reduction in cost, to a 20% increase in cost when compared to the current ICTC budgeted year projected over the eight year period, with a 3% escalator per the consumer price index, at $7,274,963.

<table>
<thead>
<tr>
<th>Provider</th>
<th>8 Year Proposal Costs</th>
<th>Estimated Budget vs. Proposal Comparison</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. First Transit</td>
<td>$7,960,327</td>
<td>9%</td>
</tr>
<tr>
<td>2. MV Transportation</td>
<td>$8,738,972</td>
<td>20%</td>
</tr>
<tr>
<td>3. ARC – Imperial Valley</td>
<td>$7,030,796</td>
<td>-3%</td>
</tr>
</tbody>
</table>

*pricing for the first and second provider is reflective of the proposed use of newer technology and software for dispatch, reservations, performance data management and reporting, and fleet maintenance not currently in use. The newer technology and software will allow for timely reporting to meet ICTC’s mandates for local State and federal requirements.

For management and accountability, a new Paratransit Coordination Committee (PCC) of member agency staff would be created by which the participating public agencies will retain the ability to be responsive to their constituents, review system performance and make recommendations as necessary to the Commission.

The Evaluation Committee recommended to the Executive Director, that a contract be awarded to the most responsive provider, First Transit, Inc.

ICTC Staff requested that the Commission take the following actions for review and approval after public comment, if any:

1. Awarded the contract for the IVT RIDE Consolidated Paratransit service to First Transit, Inc.
2. Authorized the Executive Director to finalize contract negotiations, including final pricing and service start date
3. Directed staff to return for execution of the IVT RIDE contract

A motion was made by Gran and seconded by Kuhn. Motion Carried unanimously.

VII. DISCUSSION CALENDAR

A. General Assembly Discussion

Mr. Baza stated that ICTC plans to have a General Assembly during this new fiscal year. As part of our Commission meeting discussion, Mr. Baza reviewed a proposal and concept in partnership with the Imperial Valley Economic Development Corporation (IVEDC) to have an "Economy and Workforce Development Summit and Regional Assembly." Management Committee met on July 9, 2014 and following their review fully supports proceeding with development of the concept pending the Commission's review and direction. A "Working Draft" of the agenda and background attachments was provided to all for review.

The draft agenda concerned some of the Commissioners. They stated that the focus of the ICTC’s General Assembly should be transportation. Some suggestions were made. Mr. Baza thanked them for their feedback and will return next month with more information.

VIII. NEXT MEETING DATE AND PLACE

A. The next meeting of the Imperial County Transportation Commission will be held on Wednesday, August 27, 2014 at 6:00 p.m., at the County of Imperial Board Chambers, at 940 W. Main Street, El Centro, CA.

IX. ADJOURNMENT

A Motion was made to adjourn by Kuhn, seconded by Nava, Motion Carried. Meeting adjourned at 7:35 p.m.
IMPERIAL COUNTY TRANSPORTATION COMMISSION
MANAGEMENT COMMITTEE
DRAFT MINUTES OF August 13, 2014
10:30 a.m.

VOTING MEMBERS PRESENT:
City of Brawley          Rosanna Bayon Moore
City of Calipatria       Rom Medina
City of El Centro        Kenneth Herbert for Ruben Duran
City of Holtville        Alex Meyerhoff (Chair)
City of Imperial         Marlene Best

STAFF PRESENT:           Kathi Williams, Virginia Mendoza, David Salgado, Beatriz Cruz

OTHERS PRESENT:          Tomas Oliva and Amber Valenzuela, SCAG; Erwin Gojuangco, Caltrans

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, August 13, 2014 together with staff reports and related documents attached thereto and incorporated therein by reference.

I. CALL TO ORDER AND ROLL CALL
   Chair Meyerhoff called the Committee meeting to order at 10:40 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 Medina seconded by Meyerhoff to approve consent items 4A through 4C, Motion carried unanimously.

    A. Approved ICTC Management Committee Minutes for July 9, 2014
    B. Received and filed:
       1. ICTC Board Draft minutes for July 23, 2014
       2. ICTC TAC Minutes for July 24, 2014
    C. ICTC Disadvantaged Business Enterprise (DBE) Goal for FY 2014-15 for Federal Transit Funds

       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. Approve the proposed FY 2014-15 DBE goal of 2%

V. REPORTS
    A. ICTC Executive Director
       Mr. Baza and staff had the following updates:
Following the recent actions of the participating agencies and the Commission to proceed regarding the Consolidated Paratransit (Dial-A-Ride) Requests for Proposal (IVT Ride), a contract is being drafted with First Transit Inc. and discussions have been held with the bus sales vendor. The contract is anticipated to be executed at a Commission meeting on September 24, 2014. IVT RIDE service start dates are then anticipated as follows: Brawley – January 2, 2015; Calexico – October 1, 2014; Imperial – October 1, 2014; and West Shores – December 1, 2014.

A meeting was held on Tuesday, August 5, 2014 at 2:00 p.m. at the Imperial County Transportation Commission office to discuss the opportunity for a Toll Pilot Project at the Calexico East Port of Entry (POE). Present at this meeting were staff from Caltrans District 11 and Headquarters, General Services Administration (GSA), Customs and Border Protection (CBP), Office of State Senator Ben Hueso, Office of Congressman Juan Vargas, Mexican Consulate Calexico, Baja California State Department of Infrastructure (SIDUE), among others. The discussion led towards taking next steps to achieve federal and state authority to finance the project. Some of the next steps noted were, including the Federal Highway Administration as part of the discussion, identifying Caltrans’ jurisdiction within the project scope, and obtaining concurrence from CBP/GSA and Mexican agencies.

The next step of the California / Baja California Pedestrian and Bicycle Transportation Access Study project is to conduct an existing conditions evaluation which will take place on August 18th and 19th. Mr. Meyerhoff expressed interest in attending.

The City of Westmorland was successful in obtaining a statewide ATP award. There were no other awards granted for the Imperial County in the 1st cycle.

A full Executive Director Report is on Page 55 of the agenda.

B. Southern California Association of Governments (SCAG)
- Mr. Oliva had the following updates:
  - Mr. Oliva introduced the SCAG Intern, Amber Valenzuela.
  - A Poverty Summit is being held on August 20, 2014 from 9 a.m. to 3 p.m. in Los Angeles.
  - A first fly over is scheduled for the end of August, beginning of September for the Aerial Imagery Project.
  - The MOU for the Safe Routes to School Master Plan was completed. Staff will be moving forward with the RFP.

C. Caltrans Department of Transportation – District 11
- Mr. Gojuangco had the following updates:
  - Recently local agencies and the Districts have expressed concerns regarding the amount of effort, both in terms of calendar days and resources, involved in processing invoices. A Risk-Based Invoice (RBI) Team was assembled with representatives from Caltrans (Districts and HQ), regional and local agencies, and FHWA. The RBI Team determined that the actual workload being expended on invoice reviews by the Districts was over 20 Personnel Years, with the average invoice taking 5.0 hours of District staff time to process, which translates to roughly 12% of all District Local Assistance time. Therefore, providing a consistent statewide invoice review process became the first order of work for the RBI Team. This Office Bulletin (OB) provides guidance to determine which documentation is appropriate for local agencies to include and Districts to review with the various invoices. It also introduces a “Local Agency Invoice Review Checklist” which will assist both the local agencies and the Districts in completing an invoice review. Please refer to the link provided below for a complete instructions and examples: http://www.dot.ca.gov/hq/LocalPrograms/lpp/lpp1r1.htm
  - The main purpose of this LPP is to update LAPM Chapter 9 Civil Rights and Disadvantaged Business Enterprise (DBE) and its accompanying Exhibits to reflect changes that have occurred to the DBE program since 2009. The DBE program is dynamic and has experienced several policy changes over the past several years regarding
roles and responsibilities, contract goal setting, required contract provisions and Good Faith Efforts (GFEs). These changes are captured in this LPP. LAPM Chapter 9 has been re-issued in its entirety. References to AADPL and UDBE are removed. A new contract goal setting methodology and spreadsheet are developed. Agencies may now consider the goal commitment of the second and third bidders when evaluating the DBE responsiveness of the low bidder. Finally, several sections are rewritten to clarify responsibilities, reduce redundancy, and maintain consistency with current laws, regulations and Exhibits. Three Office Bulletins (DLA-OB 10-07 Discontinuance of AADPL, 11-04 Good Faith Efforts, and 12-04 Race Conscious Measures) expire upon issuance of this LPP.

- “Save the Date” for the upcoming SCLAM Meeting being held in San Diego on September 25, 2014 at the County of San Diego operations Center located at 5560 Overland Ave., San Diego 92123.

- Form PR-1391 applies to all prime contractors and subcontractors, regardless of tier, who have Federal-aid contracts that exceed $10,000 and that worked all or any part of the last full week of July, July 20 to 26, 2014. If the project is completed before the last full week in July or does not begin until August, no report needs to be filed. The form is an excel document. Contractors should download the document to their computers to report the information. If no work was physically performed during this week, then a Form 1391 is not required. Contractors’ must submit the completed form PR-1391 to their local agency Resident Engineers no later than Friday, August 15, 2014. Local Agency Resident Engineers’ must submit forms to their respective DLAEs by Friday, August 29, 2014.

- District 11 received 65 ATP Cycle 1 applications. Fifteen of these applications were recommended by CTC staff. A list of these projects was posted online on 08/08/14. Please refer to the link provided below for the statewide ATP list of recommended projects: [http://www.catc.ca.gov/programs/ATP/2014_ATP_Adoption_BI_final.pdf](http://www.catc.ca.gov/programs/ATP/2014_ATP_Adoption_BI_final.pdf)

  The total ATP funds requested for the 15 recommended District 11 projects $14,707,000, with the total project costs of $18,552,000. The City of Westmorland’s ATP application was the only project selected for the Imperial Region. The Westmorland project costs $1,113,000 including ATP funds of $985,000. The California Transportation Commission (CTC) is anticipated to adopt the successful Statewide applicants at its August 20, 2014 meeting. Projects not programmed at the CTC meeting will be distributed to large Metropolitan Planning Organizations (MPOs) the same day.

- District 11 will be hosting the Local Assistance Resident Engineer (RE) Academy this fall. The date and specific location for the academy is yet to be determined, however it is anticipated to be held in October or November of 2014. District 11 will also be hosting another round of the Federal Aid Series. The training is scheduled for May 11-May 15, 2015 and will be held at the Caltrans District 11 office. For questions and to enroll in an upcoming training, please contact the District 11 Local Assistance Training Coordinator Debora Ledesma-Ribera at Debora.Ledesma-Ribera@dot.ca.gov or by calling 619- 278-3766.

- The deadline to submit an invoice, for this cycle of inactive projects is **August 20, 2014**. An invoice must be received to District 11’s DLAE to avoid de-obligation of the inactive funds. As of 8/12/2014, the following projects need to be submitted from the Imperial Region Agencies:
  - CML 5134(016) - City of Imperial, Mechanical Maintenance Yard, Construction Of Fast Fill CNG Station
  - CMSTPL 5134(017) – City of Imperial, Intersection Of Aten Blvd And Dogwood Road In The City Of Imperial, Intersection Traffic Flow Improvements -Submitted to DLAE 8-14-2014
  - STPL 5167(034) – City of Brawley, West A St. Between Western Ave And Imperial Ave, Rehab

  The following have been submitted and are currently under review:

  - District 11 received 65 ATP Cycle 1 applications. Fifteen of these applications were recommended by CTC staff. A list of these projects was posted online on 08/08/14. Please refer to the link provided below for the statewide ATP list of recommended projects: [http://www.catc.ca.gov/programs/ATP/2014_ATP_Adoption_BI_final.pdf](http://www.catc.ca.gov/programs/ATP/2014_ATP_Adoption_BI_final.pdf)

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      - STPL 5167(034) – City of Brawley, West A St. Between Western Ave And Imperial Ave, Rehab

...
D. Committee Member Reports
- Ms. Best stated that the new property site of the Imperial Transfer Park is located next to IID on Barioni Rd. (old IV Lumber location). The Score event will be held on September 25-26, 2014 in Downtown Imperial with a monster truck jumping exhibit on the 25th.
- Mr. Medina stated that the City of Calipatria will be out to bid on the first week of September for the North International Avenue project.
- Mr. Meyerhoff stated they are currently out to bid on the 4th Street project and the 9th Street project is ongoing.

VI. ACTION CALENDAR

A. Update to the Competitive Bid for the Coordination of Public Dial-a-Ride Paratransit Services – IVT RIDE Public Outreach, Branding and Marketing

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. Authorize the Chairman to sign the IVT RIDE Public Outreach, Branding and Marketing Consultant Agreement with the firm of Spectrum Advertising, for the not to exceed fees as listed, effective September 1, 2014 through June 30, 2017.
   a) FY 2014-15 $58,226
   b) FY 2015-16 $50,764
   c) FY 2016-17 $49,500

A motion was made by Medina seconded by Meyerhoff, Motion carried unanimously.

VII. NEXT MEETING DATE AND PLACE

The next meeting of the Management Committee will be held on September 10, 2014 at the City of Calexico, Calexico, CA.

VIII. ADJOURNMENT

A. Motion to adjourn (Bayon Moore/Medina), meeting adjourned at 11:44 a.m.
TECHNICAL ADVISORY COMMITTEE
MINUTES

July 24, 2014

Present:

Yazmin Arellano  City of Brawley
Gordon Gaste  City of Brawley
Oscar Valenzuela  City of Calexico
Terry Hagen  City of El Centro
Abraham Campos  City of El Centro
Nick Wells  City of Holtville
Jesus Villegas  City of Imperial
Gracie Hauvermale  City of Imperial
Joel Hamby  City of Westmorland
Bill Brunet  County of Imperial

Others:

Mark Baza  ICTC
David Salgado  ICTC
Virginia Mendoza  ICTC
Cristi Lerma  ICTC
Luis Medina  Caltrans
Angel Hernandez  The Holt Group
Tomas Oliva  SCAG
Amber Valenzuela  SCAG Intern
Jack Fleming  City of El Centro

1. The meeting was called to order by Chair Wells at 10:00 a.m. A quorum was present. Introductions were made.

2. A motion was made to adopt the minutes for June 26, 2014. (Brunet/Hagen) **Motion Carried.**

3. Presentation by eRoads on E-Krete and Flex-Krete products

   A presentation was made by Ms. Moradkhan on the E-Krete product and by Mr. on the Flex-Krete product.

   E-Krete, a polymer composite micro overlay, is highly engineered asphalt, concrete and metal
restoration and preservation material with a field proven history of endurance. The finished product is 1/8 inch thick and it comes in many primary colors.

- E-Krete has a 5 year manufacturer warranty and a 15 year proven life span
- Unaffected by UV, water, automotive fuels and fluids
- Cost effective, price stable, low maintenance, and 100% environmentally friendly
- Reduces heat in asphalt, Non-skid, No loose stones and no road noise and cures in less than an hour
- It has gone through rigorous testing by appropriate governmental agencies such as NASA, DOD, FAA, US Navy, DOT and NCAT

Flex-Krete is a two part polymer composite and can repair elevated sidewalks, broken curbs and major pothole with compromised structures.

- Flex-Krete bonds permanently to concrete, asphalt, metal or wood
- It is 2.5 times harder/stronger than concrete yet retains a bit of flexibility
- Can be used to make repairs on horizontal, vertical and overhead surfaces on both concrete and asphalt
- It is unaffected by road salts, freeze/thaw cycle, auto lubricants or other chemicals
- 13 years of working history with no reported cases of product failure
- It has controllable cure rates, with repair being placed back into service in as few as 15 minutes

For more information on E-Krete and/or Flex-Krete you can contact Klara Moradkhan at klaramoradkhan@gmail.com or Ed McSwain at ed@terracontracting.com.

4. ICTC Updates / Announcements
   a. Transit Updates
      Mr. Salgado had the following updates:
      - The Commission approved the 2013-14 ICTC Bus Stop Safety and Design Standards Guidelines Project and will be posted on the ICTC website.
      - The Commission also directed staff to move forward with contract negotiations of the Public Dial-a-Ride Paratransit Services – IVT RIDE.

   b. Pedestrian & Bicycle Transportation Access Study
      - The goal of the study is to analyze all 6 Ports of Entry and identify pedestrian and bicycle projects at each location. Ms. Mendoza stated that the Border Community Workshops concluded the day prior. It was a great experience to receive input from border crossers. Some of the input received included: more shade, restroom facilities, and issues with the turnstiles for bicycles.

   c. Calexico Intermodal Transportation Center Study
      - Ms. Mendoza stated that this project is at the tail end of the study. The top 3 sites have been selected, with the presentation to Calexico City Council attached to the agenda backup.

   d. LTA Updates
      - Ms. Mendoza stated that a letter was sent to City Managers with a cc to Public Works Directors/Finance Managers regarding a request from LTA staff. To recap the letter, the items requested were as follows:
        1. The MOE letter for FY 2013-14 for the Cities of Calexico, El Centro and Imperial only
        2. An updated 5-year expenditure plan for FY 2014-15
        3. A list of projects completed or underway in FY 2013-14
        4. A projected list of projects for the next 3-5 years
e. Other Updates
- A request was made to all the cities/county to submit their maintained mileage as soon as possible, or if it hasn’t changed notify ICTC staff.
- ATP applications update: 11 applications were submitted by Imperial County agencies. Applications are currently being reviewed by Caltrans. Those application not approved by the state will be forwarded to SCAG for regional and local review.
- The Commission approved the appointment of Terry Hagen to the IVECA Board at the meeting in July.

5. Cities and County Planning / Public Works Updates:
- Ms. Arellano stated she received a quote from HDR for the regional storm water annual report for next year.
- Mr. Hagen stated that the City of El Centro is going to adopt an updated water conservation plan that will limit lawn watering to two days. The City will be notifying residents of the change via mail, door hangers and newspaper. Mr. Wells stated that Holtville is exempt due under the urban water plan. Ms. Arellano stated that Brawley will be using the current ordinance.
- Mr. Villegas stated that staff if working with IID to ensure that the City of Imperial’s Holiday Inn project continues to move forward. Next, will be the Hwy 86 and Neckel Rd. signage project.
- Mr. Brunet stated that the BOS approved a project on SR 86 and S22 in the Salton Sea area. Construction will begin in the Fall with completion early 2015.

6. SCAG Updates / Announcements
Mr. Oliva had the following announcements:
- The 2015 FTIP and the 2012-2015 RTP/SCS, Amendment #2 have been released for public comment. A public hearing is scheduled for 3 p.m. in the small conference room.
- A meeting is going to be held in Los Angeles regarding the issue of poverty on August 20, 2014. An invitation was extended to the Commission. Mr. Oliva stated that a recent study indicated that ¼ children in the SCAG region live in poverty. A small discussion was held in Coachella Valley and Mayor Walker will be holding one here in Imperial Valley.
- Mr. Oliva introduced the SCAG intern, Amber Valenzuela. Amber is from Calexico High School and will be attending UC Davis in the Fall and majoring in Nutrition. She will be recognized at the SCAG Regional Council meeting on August 7, 2014.

7. Caltrans Updates / Announcements (by Luis Medina)
- Mr. Medina provided a PowerPoint presentation on Lapsing Funds.
- The Obligation Plan was reviewed with cities/county.
- Caltrans is working on a Web program to assist agencies check on status of their projects.
- The Federal Code of Regulations 23, Part 230.121 requires annual EEO Reports (Form FHWA PR-1391) from contractors who perform work on Federal-aid contracts. The purpose of the PR-1391 is to show the composition of the workforce by race and gender for each craft classification. Form PR-1391 applies to all prime contractors and subcontractors, regardless of tier, who have Federal-aid contracts that exceed $10,000 and that worked all or any part of the last full week of July, July 20 to 26, 2014. If the project is completed before the last full week in July or does not begin until August, no report needs to be filed. The form is an excel document. Contractors should download the document to their computers to report the information. Contractors’ must submit the completed form PR-1391 to their local agency Resident Engineers no later than Friday, August 15, 2014. Local Agency Resident Engineers’ must submit forms to their respective DLAEs by Friday, August 29, 2014. FHWA Form PR-1391 was revised September 2013. All previous versions of this form are now obsolete. Data
submitted on previous versions, including LAPM Exhibit 16-0 (rev 3.92), will not be accepted. The current version of the form can be found on the FHWA website. Attachments to this update will provide you with instructions to complete the form and an example of the spreadsheet.

- **New Office Bulletin (OB) 14-05- Risk Based Invoicing.** Recently local agencies and the Districts have expressed concerns regarding the amount of effort, both in terms of calendar days and resources, involved in processing invoices. A Risk Based Invoice (RBI) Team was assembled with representatives from Caltrans (Districts and HQ), regional and local agencies, and FHWA. The RBI Team determined that the actual workload being expended on invoice reviews by the Districts was over 20 Personnel Years, with the average invoice taking 5.0 hours of District staff time to process, which translates to roughly 12% of all District Local Assistance time. Therefore, providing a consistent statewide invoice review process became the first order of work for the RBI Team. This Office Bulletin (OB) provides guidance to determine which documentation is appropriate for local agencies to include and Districts to review with the various invoices. It also introduces a "Local Agency Invoice Review Checklist" which will assist both the local agencies and the Districts in completing an invoice review.

8. **General Discussion / New Business**
   - There were none.

9. Meeting adjourned at 11:42 a.m.
C. ICTC DBE GOAL FOR FY 2014-15 FOR FEDERAL TRANSIT FUNDS
August 20, 2014

Lawrence D. Ritchie
Imperial County Transportation Commission
1405 N. Imperial Ave Suite 1
El Centro, CA 92243

SUBJECT: ICTC Disadvantaged Business Enterprise Goal for FY 2014-15 for FTA funds

Dear Commission Members:

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 2014-15 DBE goal of 2% in May 2014 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 August 2014. 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 2014-15 Overall Work Program and Budget.

ICTC Management Committee met on August 13, 2014 and forwards this item to the Commission for review and approval, after the receipt of public comment, if any:

1. Approve the proposed FY 2014-15 DBE goal of 2%

Sincerely,

MARK BAZA
Executive Director

Attachment
MB/ksw/el

CITIES OF BRAWLEY, CALEXICO, CALIPATRIA, EL CENTRO, HOLTVILLE, IMPERIAL, WESTMORLAND, IMPERIAL IRRIGATION DISTRICT AND COUNTY OF IMPERIAL
Disadvantaged Business Enterprise Plan (DBE)
For Projects Funded Through
the Federal Transit Administration (FTA)
FY 2013-15  (revised FY 2015)
DRAFT
Section 26.1, 26.23 Objectives/Policy Statement

The Imperial County Transportation Commission has established a Disadvantaged Business Enterprise (DBE) program in accordance with regulations of the U.S. Department of Transportation (DOT), 49 CFR Part 26. The ICTC has received federal financial assistance from the Department of Transportation, and as a condition of receiving this assistance, the ICTC has signed an assurance that it will comply with 49 CFR Part 26.

It is the policy of the ICTC to ensure that DBEs are defined in part 26, have an equal opportunity to receive and participate in DOT-assisted contracts. It is also our policy:

1. To ensure nondiscrimination in the award and administration of DOT – assisted contracts;
2. To create a level playing field on which DBEs can compete fairly for DOT-assisted contracts;
3. To ensure that the DBE Program is narrowly tailored in accordance with applicable law;
4. To ensure that only firms that fully meet 49 CFR Part 26 eligibility standards are permitted to participate as DBEs;
5. To help remove barriers to the participation of DBEs in DOT assisted contracts;
6. To assist the development of firms that can compete successfully in the market place outside the DBE Program.

Kathi Williams has been delegated as the DBE Liaison Officer. In that capacity, Kathi Williams is responsible for implementing all aspects of the DBE program. Implementation of the DBE program is accorded the same priority as compliance with all other legal obligations incurred by the ICTC in its financial assistance agreements with the Department of Transportation.

ICTC has disseminated this policy statement to the ICTC Commission and all of the relative components of our organization. We have distributed this statement to DBE and non-DBE business communities that perform, or are anticipated to perform work for our organization on DOT assisted contracts. This distribution is accomplished through 1. Adoption of the program by the Commission 2. Publication available to all interested parties via the Commission’s website 3. Inclusion in all relative competitive bid documents.

______________________________    ________________
Executive Director      Date
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**SUBPART A – GENERAL REQUIREMENTS**

**Section 26.1  Objectives**

The objectives are found in the policy statement on the first page of this program.

**Section 26.3  Applicability**


**Section 26.5  Definitions**

The ICTC will adopt the definitions contained in Section 26.5 for this program.

**Section 26.7  Non-discrimination Requirements**

The ICTC will never exclude any person from participation in, deny any person the benefits of, or otherwise discriminate against anyone in connection with the award and performance of any contract covered by 49 CFR part 26 on the basis of race, color, sex, or national origin.

In administering its DBE program, the ICTC will not, directly or through contractual or other arrangements, use criteria or methods of administration that have the effect of defeating or substantially impairing accomplishment of the objectives of the DBE program with respect to individuals of a particular race, color, sex, or national origin.

**Section 26.11  Record Keeping Requirements**

**Reporting to DOT: 26.11(b)**

We will report DBE participation to DOT as follows:

We will report DBE participation on a quarterly basis, using DOT Form 4630 or through the FTA TEAM website. These reports will reflect payments actually made to DBEs on DOT-assisted contracts.

**Bidders List: 26.11(c)**

The ICTC will create a bidders list, consisting of information about all DBE and non-DBE firms that bid or quote on DOT-assisted contracts. The purpose of this requirement is to allow use of the bidders list approach to calculating overall goals. The bidder list will include the name, address, DBE non-DBE status, age, and annual gross receipts of firms.

We will collect this information in the following ways: requiring prime bidders to report the names/addresses and possible other information, of all firms who quote to them on subcontracts, providing a notice in solicitations and post it on the Commission website.
Section 26.13  Federal Financial Assistance Agreement

ICTC has signed the following assurances, applicable to all DOT-assisted contracts and their administration:

Assurance: 26.13(a)

ICTC shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of any DOT-assisted contract or in the administration of its DBE Program or the requirements of 49 CFR part 26. The ICTC shall take all necessary and reasonable steps under 49 CFR part 26 to ensure nondiscrimination in the award and administration of DOT-assisted contracts. The ICTC’s DBE Program, as required by 49 CFR part 26 and as approved by DOT, is incorporated by reference in this agreement. Implementation of this program is a legal obligation and failure to carry out its terms shall be treated as a violation of this agreement. Upon notification to the ICTC of its failure to carry out its approved program, the Department may impose sanction as provided for under part 26 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001 and/or the Program Fraud Civil Remedies Act of 1986 (31 U.S.C. 3801 et seq.).

This language will appear in financial assistance agreements with sub-recipients.

Contract Assurance: 26.13b

We will ensure that the following clause is placed in every DOT-assisted contract and subcontract:

The contractor, sub-recipient or subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR part 26 in the award and administration of DOT-assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy as the ICTC deems appropriate.

SUBPART B - ADMINISTRATIVE REQUIREMENTS

Section 26.21  DBE Program Updates

Since the ICTC may receive a grant of $250,000 or more for planning or development, planning capital, and or operating assistance in a federal fiscal year, by the statute for we will continue to carry out this program until all funds from DOT financial assistance have been expended. We will provide to DOT updates representing significant changes in the program.

Section 26.23  Policy Statement

The Policy Statement is elaborated on the first page of this program.
Section 26.25 DBE Liaison Officer (DBELO)

We have designated the following individual as our DBE Liaison Officer:

Kathi Williams, Senior Transit Planner
Imperial County Transportation Commission
1405 N. Imperial Ave. Suite 1
EL Centro, Ca, 92243
760-592-4492
kathiwilliams@imperialctc.org

In that capacity, the DBELO is responsible for implementing all aspects of the DBE program and ensuring that the ICTC complies with all provision of 49 CFR Part 26. The DBELO has direct, independent access to the Executive Director of ICTC concerning DBE program matters. An organization chart displaying the DBELO’s position in the organization is found in Attachment A to this program.

The DBELO is responsible for developing, implementing and monitoring the DBE program, in coordination with other appropriate officials. The DBELO has a staff of 0 to assist in the administration of the program. The duties and responsibilities include the following:

1. Gathers and reports statistical data and other information as required by DOT.
2. Reviews third party contracts and purchase requisitions for compliance with this program.
3. Works with all components within the ICTC to set overall annual goals.
4. Ensures that bid notices and requests for proposals are available to DBEs in a timely manner.
5. Identifies contracts and procurements so that DBE goals are included in solicitations (both race-neutral methods and contract specific goals attainment and identifies ways to improve progress.
6. Analyzes ICTC’s progress toward attainment and identifies ways to improve progress.
7. Participates in pre-bid meetings.
8. Advises the Executive Director/Commission on DBE matters and achievement.
10. Provides DBEs with information and assistance in preparing bids.
11. Plans and participates in DBE training seminars.
13. Provides outreach to DBEs and community organizations to advise them of opportunities.
14. Maintains the ICTC’s updated directory on certified DBEs.

Section 26.27 DBE Financial Institutions

It is the policy of the ICTC to investigate the full extent of services offered by financial institutions owned and controlled by socially and economically disadvantaged individuals in the community, to make reasonable efforts to use these institutions, and to encourage prime contractors on DOT-assisted contract to make use of these institutions. We have made the following efforts to identify and use such institutions: research the credit unions and commercials banks in the community through on site visits and website reviews.

To date we have identified the following such institutions: None
Section 26.29  Prompt Payment Mechanisms

The ICTC will include the following clause in each DOT-assisted prime contract:

The prime contractor agrees to pay each subcontractor under this prime contract for satisfactory performance of its contract no later than 30 days from the receipt of each payment the prime contract receives from ICTC. The prime contractor agrees further to return retainage payments to each subcontractor within 30 days after the subcontractors work is satisfactorily completed. Any delay or postponement of payment from the above referenced time frame may occur only for good cause following written approval of the ICTC. This clause applies to both DBE and non-DBE subcontracts.

Any failure to comply with this section by the prime contractor shall be considered as a breach of the contract, subject to the provisions of the agreement. In addition, the prime contractor will not be reimbursed for work performed by subcontractors unless and until the prime contractors ensures that the subcontractors are promptly paid for the work that they have performed.

Section 26.31  Directory

The ICTC maintains a directory identifying all firms eligible to participate as DBEs. The directory lists the firm’s name, address, phone number, date of the most recent certification, and the type of work the firm has been certified to perform as a DBE. We revise the Directory annually.

We make the Directory available online at http://www.dot.ca.gov/hq/bep/find_certified.htm.

Further information may be found about California’s Uniform Certification Program at http://www.dot.ca.gov/hq/bep/ucp.htm.

Section 26.33  Overconcentration

ICTC has not identified that overconcentration exists in the types of work that DBEs perform.

Section 26.35  Business Development Programs

ICTC has not established a business development program.

Section 26.37  Monitoring and Enforcement Mechanisms

The ICTC will take the following monitoring and enforcement mechanisms to ensure compliance with 49 CFR Part 26.

1. We will bring to the attention of the Department of Transportation any false, fraudulent, or dishonest conduct in connection with the program, so that DOT can take the steps (e.g., referral to the Department of Justice for criminal prosecution, referral to the DOT Inspector General, action under suspension and debarment or Program Fraud and Civil Penalties rules) provided in 26.109.

2. We will consider similar action under out own legal authorities, including responsibility determinations in future contracts. Attachment 3 lists the regulation, provisions, and contract remedies available to us in the events of non-compliance with the DBE regulation by a participant in our procurement activities.
3. We will also provide a monitoring and enforcement mechanism to verify that work committed to DBEs at contract award is actually performed by the DBEs. This will be accomplished via a reporting mechanism.

4. We will keep a running tally of actual payments to DBE firms for work committed to them at the time of contract award.

**SUBPART C – GOALS, GOOD FAITH EFFORTS, AND COUNTING**

**Section 26.43 Set-asides or Quotas**

The ICTC does not use quotas in any way in the administration of this DBE program.

**Section 26.45 Overall Goals**

A description of the methodology to calculate the overall goal and the goal calculations can be found in Attachment 4 to this program. This section of the program will be updated annually.

In accordance with Section 26.45(f) the ICTC will submit its overall goal to DOT on August 1 of each year. Before establishing the overall goal each year, ICTC will consult with the Chambers of Commerce and CALTRANS Local District Offices to obtain information concerning the availability of disadvantaged and non-disadvantaged businesses, the effects of discrimination on opportunities for DBEs, and the ICTCs efforts to establish a level playing field for the participation of DBEs.

Following this consultation, we will publish a notice of the proposed overall goals, informing the public that the proposed goal and its rational are available for inspection during normal business hours at our office for 30 days following the date of the notice, and informing the public that you and DOT will accept comments on the goals for 45 days from the date of the notice. The notice will be available on the Commission’s website and the local newspaper of general circulation. We, we will issue this notice by June 1 of each year. The notice must include addresses to which comments may be sent and addresses (including offices and websites) where the proposal may be reviewed.

Our overall goal submission to DOT will include a summary of information and comments received during this public participation process and our responses.

We will begin using our overall goal on October 1 of each year, unless we have received other instructions from DOT. If we establish a goal on a project basis, we will begin using our goal by the time of the first solicitation for a DOT-assisted contract for the project.

**Section 26.49 Transit Vehicle Manufacturers Goals**

ICTC will require each transit vehicle manufacturer, as a condition of being authorized to bid or propose on FTA-assisted transit vehicle procurements, to certify that it has complied with the requirements of this section. Alternatively, ICTC may, at its discretion and with FTA approval, establish project-specific goals for DBE participation in the procurement of transit vehicles in lieu of the TVM complying with this element of the program.

**Section 26.51(a-c) Breakout of Estimated Race-Neutral & Race-Conscious Participation**
The breakout of estimated race-neutral and race-conscious participation can be found in Attachment 5 to this program. This section of the program will be updated annually when the goal calculation is updated.

Section 26.51(d-g) Contract Goals

The ICTC will use contract goals to meet any portion of the overall goal. ICTC does not project being able to meet using race-neutral means. Contract goals are established so that, over the period to which the overall goal applies, they will cumulatively result in meeting any portion of our overall goal that is not projected to be met through the use of race-neutral means.

We will establish contract goals only on those DOT-assisted contracts that have subcontracting possibilities. We need not establish a contract goal on every such contract, and the size of contract goals will be adapted to the circumstances of each such contract (e.g., type and location of work, availability of DBEs to perform the particular type of work.)

We will express our contract goals as a percentage of total amount of a DOT-assisted contract.

Section 26.53 Good Faith Efforts Procedures

Demonstration of Good Faith Efforts (26.53(a) & (c))

The obligation of the bidder/offeror is to make good faith efforts. The bidder/offeror can demonstrate that it has done so either by meeting the contract goal or documenting good faith efforts. Examples of good faith efforts are located in Appendix A to 49 CFR Part 26.

The following personnel is responsible for determining whether a bidder/offeror who has not met the contract goal has documented sufficient good faith efforts to be regarded as responsive

Kathi Williams, Senior Transit Planner
Imperial County Transportation Commission
1405 N. Imperial Ave. Suite 1
EL Centro, Ca, 92243
760-592-4492
kathwilliams@imperialctc.org

We will ensure that all information is complete and accurate and adequately documents the bidder/offer’s good faith efforts before we commit to the performance of the contract by the bidder/offeror.

Information to be submitted (26.53(b))

ICTC treats bidder/offers’ compliance with good faith efforts’ requirements as a matter of responsiveness.

Each solicitation for which a contract goal has been established will require the bidders/offerors to submit the following information:

1. The names and addresses of DBE firms that will participate in the contract;
2. A description of the work that each DBE will perform;
3. The dollar amount of the participation of each DBE firm participating;
4. Written and signed documentation of commitment to use a DBE subcontractor whose participation it submits to meet a contract goal;
5. Written and signed confirmation from the DBE that it is participating in the contract as provided in the prime contractors commitment and
6. If the contract goal is not met, evidence of good faith efforts.

Administrative reconsideration (26.53(d))

Within 10 days of being informed by ICTC that it is not responsive because it has not documented sufficient good faith efforts, a bidder/offeror may request administrative reconsideration. Bidder/offerors should make this request in writing to the following reconsideration official:

Mark Baza, Executive Director
Imperial County Transportation Commission
1405 N. Imperial Ave. Suite 1
El Centro Ca, 92243
760-592-4494
markbaza@imperialctc.org

The reconsideration official will not have played any role in the original determination that the bidder/offeror did not document sufficient good faith efforts.

As part of this reconsideration, the bidder/offeror will have the opportunity to provide written documentation or argument concerning the issue of whether it met the goal or made adequate good faith efforts to do so. The bidder/offeror will have the opportunity to meet in person with our reconsideration official to discuss the issue of whether it met the goal or made adequate good faith efforts to do so. We will send the bidder/offeror a written decision on reconsideration, explaining the basis for finding that the bidder did or did not meet the goal or make adequate good faith efforts to do so. The result of the reconsideration process is not administratively appealable to the Department of Transportation.

Good Faith Efforts when a DBE is replaced on a contract (26.53(f))

ICTC will require a contractor to make good faith efforts to replace a DBE that is terminated or has otherwise failed to complete its work on a contract with another certified DBE, to the extent needed to meet the contract goal. We will require the prime contractor to notify the DBE Liaison officer immediately of the DBE’s inability or unwillingness to perform and provide reasonable documentation.

In this situation, we will require the prime contractor to obtain our prior approval of the substitute DBE and to provide copies of new or amended subcontracts, or documentation of good faith efforts.

If the contractor fails or refuses to comply in the time specified, ICTC will issue an order stopping all or part of payment/work until satisfactory action has been taken. If the contractor still fails to comply, the contracting officer may issue a termination for default proceeding.

Sample Bid Specification:

The requirements of 49 CFR Part 26, Regulations of the U.S. Department of Transportation, apply to this contract. It is the policy of the [Name of ICTC] to practice nondiscrimination based on race, color, sex, or national origin in the award or performance of this contract. All firms qualifying under this solicitation are encouraged to submit bids/proposals. Award of this contract will be conditioned upon satisfying the requirements of this bid specification. These requirements apply to all bidders/offerors, including those who qualify as a DBE. A DBE contract goal of ____ percent has been
established for this contract. The bidder/offeror shall make good faith efforts, as defined in Appendix A, 49 CFR Part 26 (Attachment 1), to meet the contract goal for DBE participation in the performance of this contract.

The bidder/offeror will be required to submit the following information: (1) the names and addresses of DBE firms that will participate in the contract; (2) a description of the work that each DBE firm will perform; (3) the dollar amount of the participation of each DBE firm participating; (4) Written documentation of the bidder/offeror’s commitment to use a DBE subcontractor whose participation it submits to meet the contract goal; (5) Written confirmation from the DBE that it is participating in the contract as provided in the commitment made under (4); and (5) if the contract goal is not met, evidence of good faith efforts.

**Section 26.55 Counting DBE Participation**

We will count DBE participation toward overall and contract goals as provided in 49 CFR 26.55.

**SUBPART D – CERTIFICATION STANDARDS**

**Section 26.61 – 26.73 Certification Process**

ICTC will use the certification standards of Subpart D of Part 26 to determine the eligibility of firms to participate as DBEs in DOT-assisted contracts. To be certified as a DBE, a firm must meet all certification eligibility standards. We will make our certification decisions based on the facts as a whole.

For information about the certification process or to apply for certification, firms should contact:

CALTRANS Civil Rights  
ATTN: Certification Unit  
1823 14th Street  
Sacramento, Ca. 95811  
(866) 810-6346  
[http://www.caltrans.ca.gov/hq/bep/business_forms.htm](http://www.caltrans.ca.gov/hq/bep/business_forms.htm)

**SUBPART E – CERTIFICATION PROCEDURES**

**Section 26.81 Unified Certification Programs**

ICTC adopts the California Unified Certification program (CUCP) procedures administered by the Certifying agencies of the CUCP. The ICTC is the member of a Unified Certification Program (UCP)). The UCP meets all of the requirements of this section. The following is a description of the UCP (as provided on the CUCP website located at [http://www.californiaucp.com/index.html](http://www.californiaucp.com/index.html))

“The California Unified Certification Program (CUCP) went into effect on January 1, 2002. It is a one stop shopping certification procedure that eliminates the need for Disadvantaged Business Enterprises (DBE) firms to obtain certifications from multiple agencies within the State.

The CUCP is charged with the responsibility of certifying firms and compiling and maintaining a single Statewide database of certified DBEs, pursuant to 49 CFR Part 26. The database is intended to expand the use of DBE firms by maintaining complete and
current information on those businesses and the products and services they can provide to all DOT assisted grantees in California.

The CUCP has established two regional DBE certification clusters throughout the State, designated by geographical boundaries to effectively facilitate Statewide DBE certification activities. The CUCP certifying agencies are responsible for certifying DBE firms. It is not necessary to apply for DBE certification at more than one agency. If your firm meets the general criteria for DBE certification as provided on the Application package, please submit your completed application, along with the requested documentation to one of the Certifying agencies serving the County where your firm has its principal place of business.

Section 26.83 Procedures for Certification Decisions

Re-certifications 26.83(a) & (c)

We will review the eligibility of DBEs, to make sure that they will meet the standards of Subpart E of Part 26. We will complete this review no later than five years from the most recent certification date of each firm.

For firms that we have reviewed and found eligible under part 26, we will again review their eligibility every five years. These reviews will include the following components: filing out a new application, performing on site visits in the ICTC local area, and reviewing work history, qualifications and equipment of the firm.

“No Change” Affidavits and Notices of Change (26.83(j))

To the extent as required by the CUCP, we require all DBEs to inform us, in a written affidavit, of any change in its circumstances affecting its ability to meet size, disadvantaged status, ownership or control criteria of 49 CFR Part 26 or of any material changes in the information provided with the CUCP’s application for certification.

We also require all owners of all DBEs to submit, on the anniversary date of their certification, a “no change” affidavit meeting the requirements of 26.83(j). The test of this affidavit is the following:

I swear (or affirm) that there have been no changes in the circumstances of [name of DBE firm] affecting its ability to meet the size, disadvantaged status, ownership, or control requirements of 49 CFR part 26. There have been no material changes in the information provided with [name of DBE]’s application for certification, except for any changes about which you have provided written notice to the ICTC under 26.83(j). [Name of firm] meets Small Business Administration (SBA) criteria for being a small business concern and its average annual gross receipts (as defined by SBA rules) over the firm’s previous three fiscal years do not exceed $16.6 million.

We require DBEs to submit with this affidavit documentation of the firm’s size and gross receipts.

We will notify all currently certified DBE firms of these obligations. This notification will inform DBEs that to submit the “no change” affidavit, their owners must swear or affirm that they meet all regulatory requirements of part 26, including personal net worth. Likewise, if a firm’s owner knows or should know that he or she, or the firm, fails to meet a part 26 eligibility requirement (e.g. personal net worth), the obligation to submit a notice of change applies.
Section 26.85 Denials of Initial Requests for Certification

If the CUCP denies a firm’s application or decertify it, it may not reapply until 12 months have passed from the action.

Section 26.87 Removal of a DBE’s Eligibility

In the event the CUCP proposes to remove a DBE’s certification, we will follow procedures consistent with 26.87.

Section 26.89 Certification Appeals

Any firm or complainant may appeal the CUCP decision in a certification matter to DOT. Such appeals may be sent to:

Department of Transportation
Office of Civil Rights Certification Appeals Branch
400 7th Street, SW
Room 2104
Washington, D.C.  20590

We will promptly implement any DOT certification appeal decisions affecting the eligibility of DBEs for our DOT-assisted contracting

SUBPART F – COMPLIANCE AND ENFORCEMENT

Section 26.109 Information, Confidentiality, Cooperation

We will safeguard from disclose to third parties information that may reasonably be regarded as confidential business information, consistent with Federal, state, and local law.

Notwithstanding any contrary provisions of state or local law, we will not release personal financial information submitted in response to the personal net worth requirement to a third party (other than DOT) without the written consent of the submitter.

Monitoring Payments to DBEs

We will require prime contractors to maintain records and documents of payments to DBEs for three years following the performance of the contract. These records will be make available for inspection upon request by any authorized representative of the ICTC or DOT. This reporting requirement also extends to any certified DBE subcontractor.

We will perform interim audits of contract payments to DBEs. The audit will review payments to DBE subcontractors to ensure that the actual amount paid to DBE subcontractors equals or exceeds the dollar amounts states in the schedule of DBE participation.
ATTACHMENTS

Attachment 1  Organizational Chart
Attachment 2  DBE Directory
Attachment 3  Monitoring and Enforcement Mechanisms
Attachment 4  Overall Goal Calculation
Attachment 5  Breakout of Estimated Race-Neutral & Race-Conscious Participation
Attachment 6  Forms for Demonstration of Good Faith Efforts
Attachment 7  Certification Application
Attachment 8  Procedures for Removal of DBE’s Eligibility
Attachment 9  Regulations: 49 CFR part 26
Attachment 10  Affidavit of Publication
Attachment 11  Small Business Program
Attachment 1

Organizational Chart

DISADVANTAGED BUSINESS ENTERPRISE (DBE) PROGRAM

Commission

Mark Baza
Executive Director

Kathi Williams
Senior Transit Planner
Attachment 2

DBE Directory

See the CUCP directory, found at http://www.dot.ca.gov/ucp/GetLicenseForm.do

ICTC encourages prime contract bidders to search this directory when seeking subcontractors that are certified as a DBE.
Attachment 3

Monitoring and Enforcement Mechanisms

The ICTC has available several remedies to enforce the DBE requirements contained in its contracts, including, but are not limited to, the following:

1. Breach of contract action, pursuant to the terms of the contract;
2. Breach of contract action pursuant to California Civil Code S 3300, et. seq:
3. Any other enforcement mechanism in law or equity allowable in California

In addition, the federal government has available several enforcement mechanisms that it may apply to firms participating in the DBE problem, including, but not limited to, the following:

1. Suspension or debarment proceedings pursuant to 49 CFR part 26
2. Enforcement action pursuant to 49 CFR part 31
3. Prosecution pursuant to 18 USC 1001.
ICTC Methodology for adopting an FY 2013-15 DBE goal for FTA purposes

Pursuant to Section 49 CFR Part 26, The ICTC present the following information as it relates to the development of the ICTC Methodology for adopting a FY 2013-15 DBE goal for FTA purposes.

The projects include various transit service oriented and professional contracting opportunities and are anticipated to be awarded during the first year of the triennial period. This is the third year of the triennial report period.

Anticipated ICTC contracting opportunities during FY 2015 utilizing FTA funds:

1. One (1) Contract for public fixed route transit services and One (1) Contract for ADA paratransit services.
   - Total FY 15 contract cost (including federal and non federal funds): $6,285,747
   - Total FY 2015 FTA 5307 Funds: $2,371,399, FTA 5311 Funds: $142,900

These contracts are for turnkey operation of all public fixed route transit and ADA paratransit services currently or proposed to be administered by ICTC (i.e. Imperial Valley Transit and IVT Access). ICTC does not own transit vehicles or facilities, therefore only those firms capable of providing facilities and the vehicles needed for operations (at a minimum, sixteen 40’ buses and eighteen cutaways) will respond to ICTC’s competitive bid processes.

Approximate total amounts were based upon:

1. Obligated funds based on revenue apportionments as posted by the FTA under the FY 2013-14 FTA 5307 and FTA 5311 program and documented in the FY 2013-14 ICTC OWP and Transit Budget.

Unique factors affecting the development of the DBE Goal for FY 2015

1. Recognition and local knowledge that as a small urban turnkey transit system, the majority of the FTA 5307 and FTA 5311 funds are used for direct operating costs in turn key contracts for which limited opportunities exist for DBE and small business participation i.e. salaries, vehicle and facility lease costs.
2. Recognition and local knowledge that there is limited DBE participation in the immediate geographic area. The area is 84 miles to the south of Riverside and 120 miles to the east of San Diego counties, which represent the closest populated areas. The market area, or region, therefore has been expanded to include the Counties of Imperial, Riverside and San Diego Counties. The DBE firms certified by the California Unified Certification Program with the most appropriate NAICS classification code (485113 – Bus and motor vehicle transit systems) are generally charter services who are not ready, willing, or able to bid on public fixed route contracts of this size and complexity.

3. There may exist opportunities for the prime contractor (currently First Transit) to utilize outside firms to provide needed services. However the distance to cover providing these services when unbundled has not proven attractive or realistic to DBE providers from adjacent urbanized areas.

Step 1 – Development of the Base Goal Figure

In order to determine an overall goal the first step is to determine a base figure:

Approximate potential funding available for the contacting opportunities

<table>
<thead>
<tr>
<th>Table 1</th>
<th>Amount of DOT Funding</th>
<th>Amount of DOT funds</th>
<th>Percent of Total Weight</th>
</tr>
</thead>
<tbody>
<tr>
<td>NAICS CODE</td>
<td>Description of the Work</td>
<td>$1,730,152.00</td>
<td>100%</td>
</tr>
<tr>
<td>423120</td>
<td>Parts (general)</td>
<td>$145,038.00</td>
<td>0.084</td>
</tr>
<tr>
<td>423130</td>
<td>Tire products</td>
<td>$523,014.00</td>
<td>0.065</td>
</tr>
<tr>
<td>424720</td>
<td>Fuel and Oil Suppliers</td>
<td>$902,100.00</td>
<td>0.527</td>
</tr>
<tr>
<td>541614</td>
<td>Consulting Services</td>
<td>$0.00</td>
<td>0.000</td>
</tr>
<tr>
<td>541850</td>
<td>Transit Advertising</td>
<td>$160,000.00</td>
<td>0.000</td>
</tr>
<tr>
<td>541870</td>
<td>Transit printing</td>
<td>$80,000.00</td>
<td>0.000</td>
</tr>
<tr>
<td>TOTALS</td>
<td></td>
<td>$1,730,152.00</td>
<td>100%</td>
</tr>
</tbody>
</table>
The number of DBE and non DBE firms ready, willing, and able to bid on contracting opportunities

### Table 2  Relative Availability of DBEs

<table>
<thead>
<tr>
<th>NAICS CODE</th>
<th>Description of the Work in the Region</th>
<th>Available DBEs</th>
<th>Number of all Firms</th>
<th>Relative Availability</th>
</tr>
</thead>
<tbody>
<tr>
<td>423120</td>
<td>Parts ( general)</td>
<td>0</td>
<td>21</td>
<td>0.000</td>
</tr>
<tr>
<td>423130</td>
<td>Tire products</td>
<td>0</td>
<td>32</td>
<td>0.000</td>
</tr>
<tr>
<td>424720</td>
<td>Fuel and Oil Suppliers</td>
<td>0</td>
<td>4</td>
<td>0.000</td>
</tr>
<tr>
<td>541614</td>
<td>Consulting Services</td>
<td>0</td>
<td>5</td>
<td>0.000</td>
</tr>
<tr>
<td>541850</td>
<td>Transit Advertising</td>
<td>0</td>
<td>4</td>
<td>0.000</td>
</tr>
<tr>
<td>541870</td>
<td>Transit printing</td>
<td>0</td>
<td>10</td>
<td>0.000</td>
</tr>
<tr>
<td><strong>TOTALS</strong></td>
<td></td>
<td><strong>0</strong></td>
<td><strong>100%</strong></td>
<td><strong>0%</strong></td>
</tr>
</tbody>
</table>

### Local Potential Subcontracting Opportunities

There are currently a total of six certified DBE’s in the entire County of Imperial. None perform the services that Imperial Valley Transit needs. Two are general freight trucking companies, two provide engineering services, one is an electrical contractor, and one does fabricated structural metal manufacturing. Therefore, there are no DBE’s available in the region to provide unbundled services i.e. printing, advertising, or website services.

### Table 3  Step One - Base Goal Development

<table>
<thead>
<tr>
<th>NAICS CODE</th>
<th>Description of the Work</th>
<th>Weight</th>
<th>Relative Weighted Availability</th>
<th>Base Figure</th>
</tr>
</thead>
<tbody>
<tr>
<td>423120</td>
<td>Parts ( general)</td>
<td>0.118</td>
<td>0.000</td>
<td>0.000</td>
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<tr>
<td>423130</td>
<td>Tire products</td>
<td>0.019</td>
<td>0.000</td>
<td>0.000</td>
</tr>
<tr>
<td>424720</td>
<td>Fuel and Oil Suppliers</td>
<td>0.733</td>
<td>0.003</td>
<td>0.000</td>
</tr>
<tr>
<td>541614</td>
<td>Consulting Services</td>
<td>0.000</td>
<td>0.000</td>
<td>0.000</td>
</tr>
<tr>
<td>541850</td>
<td>Transit Advertising</td>
<td>0.084</td>
<td>0.000</td>
<td>0.000</td>
</tr>
<tr>
<td>541870</td>
<td>Transit printing</td>
<td>0.065</td>
<td>0.000</td>
<td>0.000</td>
</tr>
<tr>
<td><strong>TOTALS</strong></td>
<td></td>
<td><strong>100%</strong></td>
<td><strong>100%</strong></td>
<td><strong>0.000</strong></td>
</tr>
</tbody>
</table>
Step 2: Adjustments to the Base DBE Relative Availability Figure

Adjustments to the base figure goal may be necessary and justified for a variety of reasons including: lower or higher than expected past participation by DBE firms, additional evidence from disparity studies, etc. Unfortunately, very little data of this sort is currently available to ICTC. In past years FTA funds were spent solely on the turnkey operations contract. In addition, no comprehensive disparity study has been or is likely to be conducted in Imperial County. Therefore, ICTC cannot identify a valid reason to adjust its base goal upward or downward based on past participation or based upon other available studies.

However, ICTC does recognize that there are many firms within Imperial County currently eligible to be certified as DBE firms that simply have not gone through the application process. Based on recent conversation with potential applicants, this is because of a lack of understanding of said process but more to do with a lack of desire or monetary incentive to do so. ICTC encouraging these firms in contracting opportunities, especially local subcontracting opportunities.

An outreach program may be successful given the large proportion of minority and women owned firms without the County of Imperial. (The numbers reported below are from 2010 Census data.)

<table>
<thead>
<tr>
<th>Hispanic owned firms</th>
<th>44.1%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Women owned firms</td>
<td>25.8%</td>
</tr>
<tr>
<td>Asian owned firms</td>
<td>6.3%</td>
</tr>
<tr>
<td>Black owned firms</td>
<td>1.6%</td>
</tr>
</tbody>
</table>

Table 4  Historical DBE Participation

<table>
<thead>
<tr>
<th>FFY</th>
<th>Goals</th>
<th>Annual Participation</th>
</tr>
</thead>
<tbody>
<tr>
<td>2011</td>
<td>1.40%</td>
<td>0.00%</td>
</tr>
<tr>
<td>2012</td>
<td>1.40%</td>
<td>0.00%</td>
</tr>
<tr>
<td>2013</td>
<td>1.40%</td>
<td>0.00%</td>
</tr>
<tr>
<td>2014</td>
<td>2.00%</td>
<td>0.00%</td>
</tr>
</tbody>
</table>

The median participation FFYs 2015 and Step 2 Goal

| DBE Median Participation | 0.00% |
| DBE Participation = Step One Base Goal | 0.00% |
| Total | 0.00% |
| Divided by 2 = | 2 |
| 0.00 % |

However, ICTC feels an adjustment of its DBE goal is warranted. There have been opportunities for non federally funded projects to have DBE/WBE/MDE/UDBE participation. Most recently, three consultant developed projects were completed in FY 2012 and 2013:

Transit Drug and Alcohol Programs Compliance Audit  $11,000
DBE participation =100% = $11,000

Short Range Transit Plan  $97,317
DBE participation =15.4% = $14,986

IVT – Specific Operational Analysis  $112,500
DBE Participation = 4%  = $4,500

In a desire to maintain the spirit of the law, it will be requested that consultants or subcontractors strive to attain a race neutral DBE goal of FY 2014-15 DBE Goal = 2.0%
Attachment 5

Section 26.51: Breakout of Estimated Race-Neutral & Race Conscious Participation

The ICTC is a small urban organization with the majority of its FTA funding used for operating expenses rather than for capital purchases. ICTC will meet the maximum feasible portion of its overall goal by using race-neutral means of facilitating DBE participation as required in Section 26.51(a). Planned outreach efforts by ICTC are all race/gender neutral and it is anticipated that ICTC will accomplish its DBE goal solely through race/gender neutral means.

ICTC will use the following race neutral means to increase DBE participation:

1. Arranging solicitations, times for the presentations of bids, quantities, specifications and delivery schedules in a manner that facilitate DBE and other small businesses participation. i.e unbundling large contracts to make them more accessible, requiring large contractors to subcontract portions of the work effort
2. Reducing bonding requirements when possible
3. Providing technical assistance and other services
4. Providing information and communications in a bilingual format
5. Coordinating with resource agencies i.e. workforce development, small business alliance, chambers of commerce and economic development centers
Attachment 6

Forms for Demonstration of Good Faith Efforts

[Forms should be provided as part of the solicitation documents.]
Attachment 7

Certification Application Forms

The certification application forms for the CUCP are found at:

http://caltrans.ca.gov/hq/bep/downloads/pdf/UCP_application_package_rev_06_2

The application package includes an affidavit of personal net worth.
Attachment 8

Procedures for Removal of DBE's Eligibility

The ICTC is not a certifying agency under the CUCP.

Ineligibility complaints

Any person may file a written complaint alleging that a currently certified firm is not eligible and specifying the alleged reasons why the firm is ineligible. ICTC is not required to accept a general statement or allegation that a firm is ineligible, or an anonymous complaint. The complaint must include information supporting the assertion that the firm is ineligible and should not continue to be certified. Complainants identified must be protected as provided in Sec 26.109(b).

ICTC will review its records concerning the firm and any materials provided by the complainant. ICTC may request additional information or conduct any other investigation that ICTC deems necessary.

If the ICTC determines that there is reasonable cause to believe that the firm is ineligible, ICTC will provide written notice to the firm that ICTC proposes to find the firm ineligible, setting forth the reasons. If ICTC determines that reasonable cause does not exist, the ICTC will notify the complainant and the firm in writing of this determination and the reasons for it. All statement and reasons for findings on the issue of reasonable cause must specifically reference the evidence in the record on which the reason is based.

Recipient initiated

If based on notifications by the firm of a change in its circumstances or other information that comes to ICTC attention, the ICTC determines that there is reasonable cause to believe that a currently certified firm is ineligible, the ICTC will provide written notice to the firm that ICTC proposes to find the firm ineligible, setting forth the reasons for the proposed determination. The statement of reasons for the finding of reasonable cause must specifically reference the evidence in the record on which each reason is based.

DOT directive

If the DOT determines that a firm does not meet the requirements for eligibility, the DOT will provide a notice setting forth the reasons for the record with relevant documentation and the ICTC may initiate appropriate actions after consultation with the DOT.
Attachment 9

Regulations: 49 CFR Part 26

Please refer to: http://www.fhwa.dot.gov/HEP/49cfr26.htm
Attachment 10

Affadavit(s) of Publication
Attachment 11

Imperial County Transportation Commission (ICTC)
Small Business Program

Consistent with Imperial County Transportation Commission’s policy that firms certified as DBE, MBE, WBE and ESB have an equal opportunity to participate in the performance of contracts, as well as to foster small business participation in conformance with CFR 49 Part 26.39, ICTC has developed and administers a Small Business program.

Under the Small Business program, ICTC will facilitate participation by Small Businesses in its contracts and agreements through the development of procedures, documents and practices that are “Small Business friendly”.

Elements of ICTC’s Small Business Program are as follows:

Size Standard

1. Under ICTC’s Small Business program, a Small Business is a business that:

   a. Is organized for profit;
   b. Has a place of business in the United States;
   c. Is independently owned and operated
   d. For its industry, does not exceed the numerical size standard established by the federal Small Business Administration pursuant to 13 Code of Federal Regulations Part 121. For more information on these standards see the following Internet site: http://www.sba.gov/content/table-small-business-size-standards

2. A business shall be presumed to meet the Small Business size standard and be a Small Business if the business comes within one of the following categories:

   a. Is a participant in federal Small Business Administration programs such as, but not limited to Section 8(a) Business Development, Small Disadvantaged, and HUBZone.

   b. Is certified by a public agency other than OMWESB and has a size standard that is no greater than the Small Business Administration Size Standard.
To obtain a listing of Small Businesses participating in the U.S. Small Business Administration programs or activities as eligible Small Businesses, contact the SBA’s San Diego District Office at 550 West C Street Suite 550, San Diego, CA 92101.

3. If a business does not come within one of the categories set forth in the paragraph immediately above, the business may qualify if it can assure itself and demonstrate to ICTCt that the business does in fact meet the applicable Small Business size standard. The business may use tax records, certified annual audit reports of the business, or other documents reasonably related to showing that the business meets the Small Business definition and size standard.

4. Businesses are advised that in proving they meet the size standard for annual gross receipts, the amounts are averaged over the business’ latest three (3) completed fiscal years to determine its average annual receipts. If a business has not been in business for three (3) years, the average weekly revenue for the number of weeks it has been in business is multiplied by 52 to determine its average annual receipts. If there are questions or issues about whether a business meets the applicable size standard, ICTC and the business will consult and, to the extent practicable, follow the methodologies established by the federal Small Business Administration in determining whether a business is within or exceeds an applicable size standard.

Facilitation of Contracting Opportunities

In order to facilitate participation by Small Businesses in its contracts and agreements, ICTC will implement “Small Business friendly” strategies in its procurement process. These strategies may include the following, as appropriate, however at the current time, ICTC will not “set-aside” contracts for Small Businesses:

1. On larger contracts, require bidders on the prime contract to specify elements of the contract or specific subcontracts that are of a size Small Businesses can reasonably perform.
2. Require general contractors to provide subcontracting opportunities of a size that Small Businesses can reasonably perform.
3. Identify alternative procurement strategies; structure procurements to facilitate the ability of Small Businesses, or consortia or joint ventures including Small Businesses, to compete for and perform the work.
4. Require general contractors to describe historical usage of Small Businesses.
5. Require contractors to describe strategies for maximizing Small Business usage under the contract, through use of an outreach plan or other appropriate means.
V. REPORTS

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

Date: August 22, 2014
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 Commission meeting of August 27, 2014.

1. **Mobility 21’s 13th Annual Southern California Transportation Summit:** Mobility 21 is a coalition that brings together public, business and community stakeholders to pursue regional solutions to the transportation challenges facing Imperial, Los Angeles, Orange, Riverside, San Bernardino, San Diego and Ventura counties. A nonpartisan alliance, Mobility 21 delivers a unified voice for the region’s transportation priorities and seeks to improve mobility in the region. Their annual summit is being held on Friday, Sept. 5, 2014 from 8 a.m. to 4 p.m. at the Disneyland Hotel in Anaheim.

2. **Calexico East/Mexicali II Port of Entry Proposed Binational Toll Pilot Project:** A meeting was held on Tuesday, August 5, 2014 at 2:00 p.m. at the Imperial County Transportation Commission office to discuss the opportunity for a Toll Pilot Project at the Calexico East Port of Entry (POE). Present at this meeting were staff from Caltrans District 11 and Headquarters, General Services Administration (GSA), Customs and Border Protection (CBP), Office of State Senator Ben Hueso, Office of Congressman Juan Vargas, Mexican Consulate Calexico, Baja California State Department of Infrastructure (SIDUE), among others. The discussion led towards taking next steps to achieve federal and state authority to finance the project. Some of the next steps noted were, including the Federal Highway Administration as part of the discussion, identifying Caltrans’ jurisdiction within the project scope, and obtaining concurrence from CBP/GSA and Mexican agencies.

3. **Imperial–Mexicali Binational Alliance:** A meeting was held on Thursday, August 21, 2014 at 10:00 a.m. at the Imperial County Workforce Development Board offices at 2695 S. 4th St., Building D in El Centro, Conference Rooms A and B with 36 attendees from several Local/State/Federal Agencies. ICTC Executive Director presented an update on the Calexico West Port of Entry Expansion Project and the Calexico East/Mexicali II Binational Partnership Toll Pilot Project. City of Mexicali’s Planning Institute (IMIP) presented an update to their Bicycle Master Plan adoption anticipated for December 2014. Environmental Protection Secretariat (SPA) presented an update on their Dust Control Management and Agricultural Burning Pilot Project. ICTC gave an update on the Pedestrian & Bicycle Transportation Access Study, the Calexico Intermodal Transportation Center, and the Idling Vehicle Emission Study of the Calexico East & West POEs. The next Alliance meeting will be hosted in Mexicali and is scheduled for October 9, 2014.

4. **Consolidated Paratransit (Dial-A-Ride) Requests for Proposal (IVT Ride):** Following the recent actions of the participating agencies and the Commission to proceed, a contract is being drafted with First Transit Inc. and discussions have been held with the bus sales vendor. The contract is anticipated to be executed at a Commission meeting on September 24, 2014. IVT RIDE service start dates are then anticipated as follows: Brawley – January 2, 2015; Calexico – October 1, 2014; Imperial – October 1, 2014; and West Shores – December 1, 2014. A
competitive bid was also conducted for public outreach and marketing in support of the launch of the IVT RIDE services. A recommendation for contract award is on this month’s agenda.

5. **Calexico Intermodal Transportation Center:** The feasibility study’s scope of work includes: stakeholder meetings, public workshops, stakeholder surveys, site selection analysis, and financial and operational feasibility reports. See attached fact sheet. On April 29th the consultant conducted a second steering committee meeting to review the project location alternatives and findings to date. Preliminary study findings were presented to the Calexico City Council on June 17, 2014. The consultant will continue further analysis of the top three sites recommended. The next step feasibility analysis will include detail financial and capacity analysis of the three sites. A public hearing and presentation of draft final report will be scheduled in October 2014 for both the City Council and Commission.

6. **California / Baja California Pedestrian and Bicycle Transportation Access Study:** The Study will focus on the California-Baja California border region, specifically its six Ports of Entry (POEs). On February 26, 2014, the Commission approved the selection of KOA and Associates. The project kick-off was conducted on April 8, 2014 at ICTC. The consultant has released an e-audit tool that will be used to collect data of necessary infrastructure improvements needed at the border. Focus Group meetings were conducted on June and POE workshops were conducted at all 6 ports during the week of July 21st. The consultant conducted existing conditions evaluations of all six ports on August 18th and 19th. The next step of the project is to prepare a report of existing conditions and hold an Agency Working Group meeting in September 2014.

7. **Transportation Development Act (TDA-State Funds) Triennial Performance Audit Project:** A kick off meeting was conducted on December 10, 2014 at ICTC offices. Requests for information have been emailed to member agency staff. The audit is a State mandated requirement every three years for all TDA funds received in Imperial County. Audit staff made site visits the week of April 28, 29 and 30th, and will continue site visits the week of June 9, 2014. The audit team is scheduled to contact Commission members for input the week of August 4th. A draft report is expected in September.

8. **ADA Paratransit Service Certification and Eligibility Process, Demand Management Review and Growth Assessment:** The consultant team recently completed the draft recommendations presentations to stakeholders for comment. The study is ongoing and the consultant team will be working with ICTC in the future to develop draft recommendations to be brought to the Commission for approval.

9. **Update to the 2008 Coordinated Public Transit and Human Services Transportation Plan:** The stakeholders’ meeting was held on February 4, 2014 at the ICTC offices. In addition, additional stakeholders are meeting on an individual basis with the consultants through the end of the month. The primary purpose of the Coordinated Plan is to continue to meet the Federal Transit Administration’s (FTA) and other funding agency’s requirements for eligibility for various grants, including but not limited to the FTA Section 5310 program. The update to the Coordinated Plan will include a reassessment of all available public and private transportation services in Imperial County, a reassessment of public and social services transportation needs, development of strategies and/or activities to address gaps in service, identification of coordination actions to eliminate or reduce duplication in services where they exist, and a prioritization of implementation strategies.

10. **The San Diego State University / Imperial Valley College Transit Shuttle Analysis:** A Memorandum of Understanding between SCAG and ICTC was executed on December 19, 2013. The Transit Shuttle Analysis will assess the feasibility of an inter-college shuttle service in Imperial County. ICTC and SCAG staff are working on completing the RFP process in the fall of 2014.

11. **Active Transportation Program (ATP) Call for Projects:** The following applications were submitted to SCAG from the region: 2 applications from Imperial County, 1 from El Centro, 2 from Calexico, 1 from Imperial, 1 from Holtville, 1 from Westmorland, 1 from the Quechan Indian Tribe and 1 from ICTC. A total of 764 applications were submitted Statewide and 227 applications were submitted from the SCAG region. The California Transportation Commission is scheduled to take action to approve the top scored projects at the state level and of the small rural and urban set aside. The State program awarded the City of Westmorland’s project. The remaining projects have been evaluated at the regional level and will be scored, ranked and presented to the
Commission. The regional share of ATP funds for Imperial County is in the amount of $718,000, ICTC staff will present recommendations to the Commission on August 27, 2014.

12. Meetings attended on behalf of ICTC:
   - US –Mexico Freight Planning Peer Exchange on July 31, 2014
   - Self Help Counties Coalition meeting on July 31, 2014
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 August 27, 2014.

1. SCAG’s “War on Poverty” Summit: SCAG hosted a discussion regarding the coined “War on Poverty” that was declared 50 years ago by then President Johnson. SCAG Executive Director Hasan Ikhrata felt that it was important for SCAG to host the discussion because the SCAG region cover over 18 million people and poverty is very relevant to Southern Californians, as the data shows. On behalf of the Imperial County, CEO Ralph Cordova, was gracious enough to speak on a panel to discuss policy needs to address poverty in Southern California. Some of the information that was shared to the attendees that is relevant to Imperial County are as follows:
   a.  23.2% of Imperial County’s population live in poverty
   b.  32.87% of Imperial County’s children live in poverty
   c.  58.9% of Imperial County’s adults (25 years and older) have a high school education or less.
   d.  According to the CA Employment Development Department data, five sectors show promise in good-paying job opportunities in the future: health care, finance/insurance/real estate, logistics, and manufacturing.

2. Local Input for 2016 RTP/SCS: SCAG staff has met with many Planning Directors and City staff for the Bottom-Up Local Input Process for the 2016 Regional Transportation Plan and Sustainable Communities Strategy (RTP/SCS). Over the last nine months, local staff from 195 jurisdictions (99% of the region) have met with SCAG individually to go over the draft land use and socioeconomic datasets that will be used in development of the Plan. We have also received input from 70% of all jurisdictions on our population, household, and employment figures. This input helps to ensure that our regional datasets reflect local knowledge on anticipated growth in each jurisdiction. A request was sent to your City Planning Department requesting this data. Please ensure that it is returned to SCAG so that we can accurately develop the data which will be used to develop the upcoming RTP/SCS. A blank copy of the form that was emailed to your staff is attached at the end of this report.

3. Aerial Imagery Consortium for Imperial County: SCAG’s GIS Services Program has selected a consultant for the acquisition of aerial imagery for Imperial County. We are still pending a signed contract with the chosen consultant, but expect to have the fly over take place this Fall. If there are buildings or sites in your cities of great significance (Points of Interest) that you would like marked or
highlighted in the aerial image, please let SCAG staff know so that we can work with Planning Directors to identify the sites.

4. **Annual Household Costs Water, Flood Control, Storm Water & Wastewater Survey:** The U.S. Conference of Mayors is conducting a critical affordability survey of the average annual household costs of providing drinking water, sanitary sewers, combined storm and sanitary sewers and flood control systems in our communities. The U.S. Conference of Mayors will be using this information to inform members of Congress about the real costs to our cities of operating and maintaining the nation’s critical utility systems. The U.S. Conference of Mayors is currently working with members of Congress on potential legislation, including guidance on the affordability of federal mandates and providing additional funding to communities.

SCAG received a report on the Water Affordability Survey during their June 5, 2014 meeting, resulting in a motion for SCAG’s Regional Council to take further action to encourage local participation in this research effort. The EEC recommends that the Regional Council urge every city within the SCAG region to complete and submit the survey. The goal of the survey is to inform members of Congress on the real costs to our cities of operating and maintaining the nation’s critical utility systems. Mayor Mary Ann Lutz, City of Monrovia and First Vice President of the SGVCOG Governing Board will provide a brief presentation on the survey.

The Water Affordability Survey is available at: www.scag.ca.gov/NewsAndMedia/Pages/Newsroom.aspx?nid=80

5. **SCAG Regional Council and Policy Committees:** SCAG will hold its next meeting on September 11, 2014. Note there was a change in the date to accommodate the League of CA Cities Annual Conference from September 3rd-5th in LA.

6. **Legislative Update:**
   a. **State Level**
      i. **Water Bond:** On August 11, 2014, the legislature passed SB 1195 to allow the legislature two days more time to negotiate and pass to the Governor a revised water bond proposal and still meet statutory requirements to prepare the measure for placement on the general election ballot. Legislative leadership concurrently released a $7.195 billion proposal which provides for water use efficiency and recycling, effective groundwater management, safe drinking water, particularly in disadvantaged communities, watershed restoration and increased flows in some of California’s rivers and streams, and $2.5 billion for additional storage. Some state lawmakers have argued for a minimum $3 billion investment in storage projects within the bond to serve as a down payment on the additional storage they purport is necessary for a comprehensive water plan. Other issues under negotiation include the amount and usage of funds for the Sacramento-San Joaquin Delta and the Bay Area Delta Restoration, which includes a controversial proposal supported by the Governor to build two new large tunnels to divert water from the Sacramento River throughout the Delta. On August 13, 2014, the legislature passed and the Governor signed AB 1471, the negotiated water bond bill that will appear on the November 4, 2014 general election ballot. This bill is largely similar to the proposal outlined by the Governor except that it allocates a total of $7.545 billion in new bond funding. The bond allocates funds by chapter for the following purposes (in billions):
         - $520 million for Clean Drinking Water;
         - $1.495 billion for protecting Rivers, Lakes, Streams, Coastal Waters & Watersheds;
         - $810 million for Regional Water Security, Climate, & Drought Preparedness;
$ 2.7 billion for STORAGE - Statewide Water System Operational Improvement;
$725 million for Water Recycling;
$900 million for Groundwater Sustainability;
$395 million for Flood Management;
**Total bond amount is $7.545 billion.**

Within the bond obligations, there are $475 million available to the Secretary of Resources to comply with the State's existing settlement obligations, including but not limited to: the Quantification Settlement Agreement, including Salton Sea restoration.

Consistent with board adopted 2014 state legislative priorities, SCAG supports the water bond passed by the legislature and signed by the Governor and will continue efforts with its statewide partners to secure passage by the California electorate on November 4, 2014.
**Data Verification and Approval Form**

**Local Input and Review Process**

**2016-2040 Regional Transportation Plan and Sustainable Communities Strategy (RTP/SCS)**

### A - Contact & Background Information

**Jurisdiction Contact Person:**

**Position:**

**Email:**

**Phone:**

**Background Information:**

- [ ] My Jurisdiction has enacted a resolution giving me the authority to verify and/or approve SCAG’s data
- [ ] I am my Jurisdiction’s City Manager, County Chief Operating Officer, or Subregional Executive Director or their designee
- [ ] None of the Above (I acknowledge that any verification and/or approval of SCAG’s data will be considered official input from my Jurisdiction)

**Background Information, if any, based upon Previous Communication:**

### B - Action Items

**We are seeking to (please check the appropriate boxes):**

- [ ] Submit to SCAG:
  - [ ] Verification of Accuracy of SCAG’s Land Use Data
  - [ ] Official Approval of SCAG’s Demographic Data
  - [ ] Other (Please Specify): ___________

**With Relation to SCAG’s:**

<table>
<thead>
<tr>
<th>Land Use Data:</th>
<th>Demographic Data:</th>
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<tr>
<td></td>
<td>Population</td>
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<td></td>
<td>Households</td>
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<td></td>
<td>Employment</td>
</tr>
</tbody>
</table>

**Year:**

- [ ] 2012
- [ ] 2020
- [ ] 2035
- [ ] 2040

**Geographic Level:**

- [ ] Jurisdictional Level
- [ ] Other Geographic Level (Please Specify): ___________

**Other (Please Specify):**

### C - Data Type

**Comments (if applicable):**

### D - Description of Action Items

**Verification of SCAG’s Land Use Data (if applicable):**

- [ ] We have reviewed SCAG’s Land Use Data and verify its accuracy
- [ ] We cannot verify the accuracy of the data at this time and would like to suggest the revisions described above

**X**

**Signature (to be executed by City Manager, County Chief Administrator or Authorized Representative)**

**Official Approval of SCAG’s Jurisdictional Level Demographic Data (if applicable):**

- [ ] We have reviewed SCAG’s Jurisdictional Level Demographic Data and can provide official approval
- [ ] We cannot provide official approval at this time, and would like to suggest the jurisdictional-level figures listed below

<table>
<thead>
<tr>
<th>Population</th>
<th>Households</th>
<th>Employment</th>
</tr>
</thead>
<tbody>
<tr>
<td>2012</td>
<td>2020</td>
<td>2035</td>
</tr>
</tbody>
</table>

**X**

**Signature (to be executed by City Manager, County Chief Administrator or Authorized Representative)**
The following is the California Department of Transportation, District 11 report for the Imperial County Transportation Commission (ICTC) meeting of August 27, 2014:

1. **Project Updates:**

   **SR-186 at Andrade Port of Entry:**
   - Install sidewalks, shade structures and landscape
   - Start Construction, March, 2014
   - Complete Construction, October 2014

   **I-8 at Dogwood Project:**
   - Replace connector
   - Bid Opened, June 26, 2014
   - HQ Award, July 30, 2014
   - Start Construction, October 2014
   - Complete Construction, September 2016

   **Signal Project at SR-86/Center Street (City of Westmorland):**
   - Advertisement, August 2014
   - Award, September 2014
   - Start Construction, October 2014
   - Complete Construction, December 2014

   **El Centro Maintenance Station:**
   - Contract Approved, April 30, 2014
   - Complete Construction, July 2017

   **SR-111 Rest Area Project:**
   - Caltrans started Project Initiation Document (PID) for the possible closure of the SR-111 rest area. Coordination with the County of Imperial and the City of Calipatria will continue. PID to be complete in Early 2015.
Project Updates (continued):

I-8/Imperial Avenue Interchange:
Design Complete late 2016
A two year construction phase can begin in 2017, funds pending

SR-7 Continuous Reinforced Concrete Pavement (CRCP) Project:
From the Calexico East Port of Entry to SR-98
Design Completed, May 2014
HQ Advertisement, August 2014
HQ Award, October 2014
Construction Contract Acceptance, March 2016

I-8 CRCP 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 Initiation Document Approved, May 29, 2014
Design Complete, April 2015
HQ Advertisement, September 2015
HQ Award, October 2015
Construction Begins, Late 2015

SR-111 Pavement Rehabilitation Project:
From Niland (Main Street) to Imperial County line
Project will include grinding and chip seal.
Work will begin in August and will end in November 2014

SR-86 Pavement Rehabilitation Project:
From 15th Street (City of Imperial) to SR-78 (City of Brawley)
Project includes rubber chip seal and repairing pot holes.
Work will begin in August and end in November 2014.

SR-98 Pavement Rehabilitation Project:
On SR-98 from SR-111 to SR-7
Project will apply asphalt rubber chip seal
Work began in July and will end in October 2014

Brawley Bypass Landscape Mitigation Project:
HQ Advertisement, July 7, 2014
Bid open, August 2014
HQ Award, September 2014
Begin Construction Late 2014

Dogwood Landscape Project:
Design Complete, December 2015
HQ Advertisement, April 2016
HQ Award, June 2016
Contract Acceptance, June 2018
2. **Local Assistance:**

   **Active Transportation Plan Grants (Phase 1)**

Legislation creating the ATP was signed by the Governor on September 26, 2013. The California Transportation Commission (CTC) adopted program guidelines for the 2014 ATP on March 20, 2014 and required receipt of project applications on or before May 21, 2014. Applications were received for 771 projects valued in excess of $1 billion.

The CTC formed a multidisciplinary advisory group to assist in evaluating project applications. The advisory group consisted of stakeholder volunteers with expertise in bicycling and pedestrian transportation, including Safe Routes to Schools projects, and projects benefiting disadvantaged communities. Volunteers were assigned to one of eight teams to provide for geographical representation by large MPOs, RTPAs, small urban, rural areas, and nongovernmental agencies. Caltrans representatives facilitated the teams ensuring that volunteers and Caltrans scored each application received. CTC staff also reviewed every project application.

On July 31, 2014, Caltrans submitted recommendations to the CTC for programming the Statewide and Small Urban & Rural program components. These recommendations were based on a compilation of scoring data reported by advisory group members and Caltrans staff evaluators. The Caltrans recommendations were consulted by CTC staff in preparing their staff recommendations.

Many projects not recommended for the statewide program component remain eligible for the MPO program component. The MPOs will bring their program recommendations forward at the November 2014 CTC meeting for adoption.

In San Diego and Imperial Counties, 65 applications were submitted with 15 applications being recommended to receive funding. In Imperial County, the City of Westmorland’s project to improve Center Street pedestrian access and safety was recommended. The total cost of this project was $1,113,000 and the award amount was $985,000. SCAG submitted an application which will benefit the region by developing an active transportation safety and encouragement program.

The CTC is anticipated to adopt the successful Statewide projects at its August 20, 2014 meeting. Projects not programmed at the CTC meeting will be distributed to large Metropolitan Planning Organizations (MPOs) the same day.

Based on the 2014 ATP Fund Estimate that was adopted by the CTC, SCAG will be receiving a total of $76,297,000 for FY 2014/15 and FY 2015/16 to implement their ATP programs.

**Upcoming Training**
District 11 will be hosting the Local Assistance Resident Engineer (RE) Academy this fall. The date and specific location for the academy has not yet been determined, however it is anticipated to be held in October or November of 2014. This Academy will be held in San Diego.

District 11 will also be hosting another round of the Federal Aid Series. The training is scheduled for May 11-May 15, 2015 and will be held at the Caltrans District 11 Office.
2. **Local Assistance (continued):**

For questions and to enroll in an upcoming training, please contact the District 11 Local Assistance Training Coordinator Debora Ledesma-Ribera at Debora.Ledesma-Ribera@dot.ca.gov or by calling 619-278-3766.

The California Department of Transportation, ADA Infrastructure Program and National ADA Accrediting & Consulting, Inc. will be providing a training seminar on Applying Accessibilities to Pedestrian Facilities Within the Public Right-of-Way. This training will be held on September 8, 2014, from 8:30 a.m. to 3:00 p.m. in the Garcia Auditorium, Caltrans District 11 Offices. To enroll in this training, please RSVP to Lori Kempley by September 1, 2014, via email at Lori.Kempley@dot.ca.gov or by calling 916-651-6548.

**Southern California Management Meeting (SCLAMM)**

Please “Save the Date” for the upcoming SCLAM Meeting which will be held in San Diego on September 25, 2014 from 9:00 a.m. to 3:30 p.m. Please contact Heather Cheyney at Heather.Cheyney@dot.ca.gov or 619-767-2359 if you have any agenda items or questions.

Please note that this meeting will **not** be held at the Caltrans District Offices. In order to have the meeting more centrally located, it will be held at the **County of San Diego Operations Center** located at 5560 Overland Ave. Room 171, San Diego 92123.

3. **Mile Marker: A Caltrans Report**

Caltrans (Headquarters) will release the second issue of “Mile Marker” on August 21, 2014. The Mile Marker is a transparent, plain-language publication that addresses Caltrans’ achievements and needed areas of improvement. The Mile Marker reports on 15 performance measures, including pavement condition and traffic congestion.

4. **Pavement Projects:**

**SR-98**

On SR-98 from SR-111 to Ollie Avenue, the El Centro Maintenance Crew began a process to smooth all the travel lanes and turn pockets. This project began on August 18 and continued through August 20, 2014. Next steps will be to seal the cracks and evaluate for asphalt overlay. Work is expected to be complete within six-eight weeks.

5. **SR-78 at Best Road:**

The Caltrans District 11 Traffic Operations and Engineering Divisions are finalizing plans for pavement striping and signing changes that would allow for right-turn-only access from northbound and southbound Best Road to eastbound and westbound SR-78. Additionally, route guidance and signage along Best Road and other streets would be added or modified to more easily identify alternate routes.
VI. ACTION CALENDAR

A. 2014 ICTC DISPARITY STUDY
August 20, 2014

Lawrence D. Ritchie, Chairman
Imperial County Transportation Commission
1405 N. Imperial Ave Suite 1
El Centro, CA 92243

SUBJECT: Imperial County Transportation Commission 2014 Disparity Study

Dear Commission Members:

The Imperial County Transportation Commission (ICTC) receives US Department of Transportation (USDOT) funds through the Federal Transit Administration (FTA), and thus, must implement the Federal Disadvantaged Business Enterprise (DBE) Program. ICTC retained BBC Research & Consulting (BBC) to conduct a “disparity study” to inform its implementation of the Federal DBE Program. The primary objective of the study was to examine whether there were any disparities between ICTC’s utilization of Minority Based Enterprises and Women Based Enterprises (MBE/WBEs) on its transportation contracts and the availability of those businesses to perform that work. The study provided information that ICTC might consider in: Setting its overall DBE goal; Determining the portion of the goal that can be met through the use of race-and gender-neutral measures and, if necessary, race-and gender conscious measures; and, if applicable, determining which groups would be eligible for any race-and gender conscious measures.

Attached for your review is the table of contents and Executive Summary of the report. A presentation will be provided by the consultant at the Commission meeting, and the full report is posted on the ICTC website at: http://www.imperialctc.org/CMS/Media/ICTC-Final-Disparity-Study-Report.pdf.

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

1. Approve the Imperial County Transportation Commission 2014 Disparity Study

Sincerely,

MARK BAZA
Executive Director

Attachment

MB/el

CITIES OF BRAWLEY, CALEXICO, CALIPATRIA, EL CENTRO, HOLTVILLE, IMPERIAL, WESTMORLAND, IMPERIAL IRRIGATION DISTRICT AND COUNTY OF IMPERIAL
2014 Imperial County Transportation Commission Disparity Study
Final Report
May 2, 2014

2014 Imperial County Transportation Commission Disparity Study

Prepared for
Imperial County Transportation Commission
1405 N. Imperial Avenue, Suite 1
El Centro, CA 92243

Prepared by
BBC Research & Consulting
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Denver, Colorado 80202-9750
303.321.2547 fax 303.399.0448
www.bbcresearch.com
bbc@bbcresearch.com
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Executive Summary
CHAPTER ES.
Executive Summary

The federal government requires transportation agencies that receive U.S. Department of Transportation (USDOT) funds to implement the Federal Disadvantaged Business Enterprise (DBE) Program. The Federal DBE Program is a program that is designed to encourage the participation of minority- and women-owned businesses (MBE/WBEs) in transportation contracting. Implementation of the program is guided by regulations in 49 Code of Federal Regulations (CFR) Part 26, USDOT guidance, and relevant court decisions.

The Imperial County Transportation Commission (ICTC) receives USDOT funds through the Federal Transit Administration (FTA), and thus, must implement the Federal DBE Program. ICTC retained BBC Research & Consulting (BBC) to conduct a “disparity study” to inform its implementation of the Federal DBE Program. The primary objective of the study was to examine whether there were any disparities between ICTC’s utilization of MBE/WBEs on its transportation contracts and the availability of those businesses to perform that work.1 The study provided information that ICTC might consider in:

- Setting its overall DBE goal;
- Determining the portion of the goal that can be met through the use of race- and gender-neutral measures and, if necessary, race- and gender conscious measures; and
- If applicable, determining which groups would be eligible for any race- and gender-conscious measures.

Analyses in the 2014 Disparity Study

In addition to measuring potential disparities between MBE/WBE utilization and availability on ICTC transportation contracts, the disparity study examined other quantitative and qualitative information related to the legal framework surrounding ICTC’s implementation of the Federal DBE Program; local marketplace conditions for MBE/WBEs and for other small businesses; and contracting practices and business assistance programs that ICTC and other agencies currently have in place.

- The study team conducted an analysis of federal regulations, case law, and other information to guide the methodology for the disparity study. The analysis included a review of federal requirements related to the Federal DBE Program and an assessment of any state requirements concerning the implementation of the Federal DBE Program.

---

1 The study team considered businesses as MBE/WBEs if they were owned and operated by minorities or women, regardless of whether they were certified as DBEs. In this study, “certified DBEs” refers to those businesses that are specifically certified as such through the California Unified Certification Program.
BBC conducted quantitative analyses of the success of minorities, women, and MBE/WBEs throughout the local transportation contracting industry. In addition, the study team collected qualitative information about potential barriers that small businesses and MBE/WBEs face in the local transportation contracting industry through in-depth anecdotal interviews and public meetings.

BBC analyzed the percentage of MBE/WBEs that are available (i.e., “ready, willing, and able”) to perform on ICTC transportation prime contracts and subcontracts. That analysis was based on telephone surveys that the study team completed with 2,617 local businesses that work in industries related to the types of transportation contracts that ICTC awards. The study team attempted telephone surveys with every business establishment that it identified as doing work that is relevant to ICTC transportation contracting.

BBC analyzed the dollars that ICTC awarded to MBE/WBEs on 47 transportation prime contracts and subcontracts executed in 2008, 2009, 2010, 2011, and 2012. BBC analyzed contracts that ICTC awarded and contracts that subrecipient local agencies awarded.

BBC examined whether there were any disparities between the utilization and availability of MBE/WBEs on transportation contracts that ICTC awarded during the study period.

BBC provided ICTC with information from the availability analysis and other research that the agency might consider in setting its overall DBE goal, including the base figure and consideration of a “step-2” adjustment.

BBC reviewed ICTC’s current contracting practices and Federal DBE Program measures and provided guidance related to refining existing practices and measures and implementing additional practices and measures.

### Utilization and Disparity Analysis Results

In accordance with the Federal DBE Program, if ICTC determines that it needs to use race- and gender-conscious measures on FTA-funded contracts, then it should evaluate which DBE groups are eligible to participate in those programs. If ICTC determines that only certain DBE groups (e.g., groups classified as underutilized DBEs) are eligible, then it must submit a waiver request to FTA. Utilization and disparity analysis results for ICTC transportation contracts—along with other pertinent information—might be relevant to the agency’s determination of which DBE groups could be eligible for any race- or gender-conscious measures.

**Utilization results.** The study team measured MBE/WBE participation in terms of “utilization”—the percentage of prime contract and subcontract dollars that ICTC awarded to MBE/WBEs during the study period. Figure ES-1 presents overall MBE/WBE utilization on transportation contracts that ICTC awarded during the study period, including both prime contracts and subcontracts. The darker portion of the bar presents ICTC’s utilization of MBE/WBEs that were DBE-certified during the study period. Overall, MBE/WBEs received 3.2 percent of ICTC prime contract and subcontract dollars during the study period. MBE/WBEs that were DBE-certified received 0.5 percent of those dollars.

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2 For the purposes of the disparity study, the relevant geographic market area included San Diego County, Orange County, and Imperial County.
Disparity analysis results. Although information about MBE/WBE utilization is important to consider on its own, utilization is more informative when it is compared with the availability of MBE/WBEs for contracting work. As part of the disparity study, BBC compared the utilization of MBE/WBEs on ICTC transportation prime contracts and subcontracts with the percentage of contract dollars that MBE/WBEs might be expected to receive based on their availability for that work. BBC expressed both utilization and availability as percentages of the total dollars that a particular group received for a particular set of contracts (e.g., 5% utilization compared with 4% availability). BBC then calculated a “disparity index” by dividing utilization by availability and multiplying by 100 (e.g., .05 divided by .04 equals 1.25, which multiplied by 100 equals a disparity index of 125). A disparity index of 100 indicates an exact match between utilization and availability for a particular group for a specific set of contracts (often referred to as “parity”). A disparity index of less than 100 may indicate a disparity between utilization and availability, and disparities of less than 80 are described in this report as “substantial.”

All transportation contracts. BBC assessed any disparities between MBE/WBE utilization and availability on all transportation prime contracts and subcontracts that ICTC awarded during the study period. Figure ES-2 presents disparity indices for all MBE/WBE groups considered together and separately for each group. The line down the center of the graph shows a disparity index level of 100, which indicates parity between utilization and availability. A line is also drawn at an index level of 80, which indicates a substantial disparity.

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3 Some courts deem a disparity index below 80 as being “substantial” and have accepted it as evidence of adverse conditions for MBE/WBEs. For example, see Rothe Development Corp v. U.S. Dept of Defense, 545 F.3d 1023, 1041; Eng’g Contractors Ass’n of South Florida, Inc. v. Metropolitan Dade County, 122 F.3d at 914, 923 (11th Circuit 1997); Concrete Works of Colo., Inc. v. City and County of Denver, 36 F.3d 1513, 1524 (10th Cir. 1994). See Appendix B for additional discussion of those and other cases.
The disparity index of 33 for MBE/WBEs indicates that all MBE/WBEs considered together received approximately $0.33 for every dollar that they might be expected to receive based on their availability for the transportation prime contracts and subcontracts that ICTC and subrecipient local agencies awarded during the study period. ICTC and subrecipient local agencies did not apply DBE contract goals or any other race- and gender conscious measures to any of the contracts that the agency awarded during the study period. All MBE/WBE groups exhibited disparity indices substantially below parity, except for Hispanic American-owned businesses. However, Hispanic American-owned businesses exhibited a disparity index that was very close to what could be considered a substantial disparity (disparity index of 82).

If ICTC determines that the use of race- and gender-conscious program measures is appropriate, then it should consider the above information in determining which MBE/WBE groups are eligible for participation in such measures. As part of the disparity study, the study team also examined information concerning conditions in the local marketplace for MBE/WBEs. ICTC should review the full disparity study report, as well as other information it may have, in determining whether it needs to use any race- or gender-conscious measures, and if so, in determining which racial/ethnic and gender groups should be considered eligible for those measures.

**Overall DBE Goal**

According to 49 CFR Part 26, an agency is required to develop and submit an overall annual goal for DBE participation. The goal must be based on demonstrable evidence of the availability of DBEs relative to the availability of all businesses to participate on the agency’s USDOT-funded contracts. The agency must try to meet the goal each year using race- and gender-neutral
program measures and, if necessary, race- and gender-conscious measures (or a combination of both).\(^4\)

As specified in The Final Rule effective February 28, 2011, an agency is required to submit its overall DBE goal every three years.\(^5\) However, the overall DBE goal is an *annual* goal in that an agency must monitor DBE participation in its USDOT-funded contracts every year. If DBE participation for a particular year is less than the overall DBE goal for that year, then the agency must analyze the reasons for the difference and establish specific measures to address the difference and that enable the agency to meet the goal in the next year. ICTC must prepare and submit an overall DBE goal that is supported by information about the steps that it used to develop the goal. ICTC is required to next submit a goal for federal fiscal years (FFYs) 2014 through 2016.

Federal regulations require ICTC to establish its overall DBE goal using a two-step process:

1. Determine a base figure; and
2. Consider a “step-2” adjustment.

**Determine a base figure.** Establishing a base figure is the first step in calculating an overall DBE goal for ICTC’s FTA-funded transportation contracts. BBC calculated the base figure by measuring the availability of “potential DBEs”—that is, MBE/WBEs that are DBE-certified or appear that they could be DBE-certified based on revenue requirements described in 49 CFR Part 26. BBC examined the availability of potential DBEs for FTA-funded contracts that ICTC awarded during the study period. BBC’s approach to calculating ICTC’s base figure is consistent with relevant court decisions, federal regulations, and USDOT guidance.

BBC’s analysis indicates that the availability of potential DBEs for ICTC’s FTA-funded transportation contracts is 7.2 percent. ICTC might consider 7.2 percent as the base figure for its overall DBE goal if it anticipates that the types, sizes, and locations of FTA-funded contracts that it will award in the future are similar to the FTA-funded contracts that the agency awarded during the study period.

Many agencies implementing the Federal DBE Program set an overall DBE goal based on currently certified DBEs. BBC also calculated a base figure using this approach. Currently certified DBEs might be expected to receive 2.4 percent of ICTC’s FTA-funded transportation prime contract and subcontract dollars based on their availability for that work.

**Consider a “step-2” adjustment.** The Federal DBE Program requires that an agency consider a step-2 adjustment to its base figure as part of determining its overall DBE goal. Factors that an agency should assess in determining whether to make a step-2 adjustment include:

- Current capacity of DBEs to perform agency work, as measured by the volume of work DBEs have performed in recent years;

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Information related to employment, self-employment, education, training, and unions;
- Any disparities in the ability of DBEs to get financing, bonding, and insurance; and
- Other relevant data.\(^6\)

Based on information from the disparity study, there are reasons why ICTC might consider an upward adjustment to its base figure:

- ICTC might adjust its base figure upward to account for barriers that minorities and women face in owning businesses in the local transportation contracting industry. Such an adjustment would correspond to a "determination of the level of DBE participation you would expect absent the effects of discrimination."\(^7\)
- Evidence of barriers that affect minorities, women, and MBE/WBEs in obtaining financing, bonding, and insurance, and evidence that certain groups of MBE/WBEs are less successful than comparable non-Hispanic white male-owned businesses also supports an upward adjustment to ICTC’s base figure.

There are also reasons why ICTC might consider a downward adjustment to its base figure:

- ICTC must consider the volume of work DBEs have performed in recent years when determining whether to make a step-2 adjustment to its base figure. ICTC utilization reports for FFYs 2011 and 2012 indicated that ICTC had no DBE participation on its FTA-funded contracts during that time. USDOT’s "Tips for Goal-Setting" suggests that an agency can make a step-2 adjustment by averaging the base figure with past DBE participation.
- BBC's analysis of DBE participation on ICTC’s FTA-funded transportation contracts also indicates DBE participation (0.5%) that is lower than the base figure.\(^8\) If ICTC were to adjust its base figure based on DBE participation information from the disparity study, it might consider taking the average of its base figure and the 0.5 percent DBE participation.

USDOT “Tips for Goal-Setting” states that an agency is not required to make a step-2 adjustment to its base figure as long as it can explain what factors it considered and can explain its decision in its Goal and Methodology document. Those factors are discussed in Chapter 8 of the ICTC disparity study report.

### Whether the DBE Goal Can Be Achieved through Neutral Means

The Federal DBE Program requires ICTC to assess the percentage of its overall DBE goal that can be achieved through race- and gender-neutral measures, and if necessary, the percentage that can be achieved through race- and gender-conscious measures. USDOT offers guidance concerning how transportation agencies should project the portions of their overall DBE goals

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\(^6\) 49 CFR Section 26.45.

\(^7\) 49 CFR Section 26.45 (b).

\(^8\) See Chapter 6 for details about how BBC’s analysis differs from ICTC’s Uniform Reports of DBE Awards/Commitments and Payments.
that will be met through race- and gender-neutral and race- and gender-conscious measures. USDOT suggests examining four general questions:

1. **Is there evidence of discrimination within the local transportation contracting marketplace for any racial/ethnic or gender groups?**

2. **What has been the agency’s past experience in meeting its overall DBE goal?**

3. **What has DBE participation been when the agency did not use race- or gender-conscious measures?**

4. **What is the extent and effectiveness of race- and gender-neutral measures that the agency could have in place for the next fiscal year?**

**1. Is there evidence of discrimination within the local transportation contracting marketplace for any racial/ethnic or gender groups?** As discussed in detail in Chapter 4, BBC examined marketplace conditions in the relevant geographic market area, including in the areas of:

- Entry and advancement;
- Business ownership;
- Access to capital, bonding, and insurance; and
- Success of businesses.

There was quantitative evidence of disparities for MBE/WBEs overall, and for specific groups, in the above areas. Qualitative information also indicated evidence of discrimination affecting the local marketplace. However, some minority and female business owners that the study team interviewed as part of the disparity study did not think their businesses had been affected by any race- or gender-based discrimination.

**2. What has been the agency’s past experience in meeting its overall DBE goal?**

Figure ES-4 presents the participation of certified DBEs on ICTC transportation contracts in recent years, as presented in ICTC reports to USDOT. As shown in Figure ES-4, ICTC has not met its DBE goal in recent years based on awards and commitments to DBE-certified businesses.

![Figure ES-4. ICTC's reported past certified DBE participation on FTA-funded contracts, FFYs 2011 through 2012](table)

<table>
<thead>
<tr>
<th>FFY</th>
<th>DBE attainment</th>
<th>Annual DBE goal</th>
<th>Difference</th>
</tr>
</thead>
<tbody>
<tr>
<td>2011</td>
<td>0.00 %</td>
<td>1.40 %</td>
<td>-1.40 %</td>
</tr>
<tr>
<td>2012</td>
<td>0.00</td>
<td>1.40</td>
<td>-1.40</td>
</tr>
</tbody>
</table>

Source:
Commitments/Awards reported on ICTC Uniform Reports of DBE Awards/Commitments and Payments.
3. What has DBE participation been when the agency did not use race- or gender-conscious measures? ICTC did not apply DBE contract goals or any other race- or gender-conscious measures to any contracts that the agency awarded during the study period. Overall, certified DBEs received 0.5 percent of the dollars associated with those contracts. ICTC should consider that information when determining the percentage of its overall DBE goal that it can achieve through race- and gender-neutral measures.

4. What is the extent and effectiveness of race- and gender-neutral measures that the agency could have in place for the next fiscal year? When ICTC is considering the extent to which it could meet its overall DBE goal through race- and gender-neutral measures, it will need to review race- and gender-neutral measures that are already in place as well as neutral measures that it has planned or that could be considered for future implementation. The study team reviewed many of ICTC’s current and planned measures as well as those of other organizations in California (for details, see Chapter 9). The neutral measures that ICTC currently has in place are extensive. ICTC plans on continuing to use those measures in the future. There were several recommendations that business owners and managers made related to those measures as part of in-depth anecdotal interviews and public meetings (for details, see Appendix J).

Implementing the Federal DBE Program

Chapter 10 reviews USDOT requirements for ICTC’s implementation of the Federal DBE Program and identifies potential areas for further refinement. Three key potential areas of refinement are discussed below.

Encourage firms to become DBE-certified. Participation of certified DBEs would be higher if more MBE/WBEs that participate on, or are potentially available for, ICTC prime contracts and subcontracts would become DBE certified. For example, only about one-quarter of the MBE/WBEs that the study team included in the availability database are certified as DBEs. Many businesses participating in in-depth interviews or public meetings commented on the DBE certification process. Although some business owners gave favorable comments about the certification process, several business owners were highly critical about the difficulties and time requirements associated with certification. ICTC might consider more effectively communicating information about the Federal DBE Program to MBE/WBEs, particularly information about the benefits of DBE certification.

Account for potential DBE participation. MBE/WBEs that are not DBE-certified are considered in the overall DBE goal but are not counted in the participation reports that are used to measure whether ICTC has met its overall DBE goal.

USDOT permits agencies to explore whether one reason why they have not met their overall DBE goal is because they are not counting the participation of potential DBEs. USDOT might expect an agency to explore ways to further encourage potential DBEs to become DBE certified as one way of closing the gap between reported DBE participation and its overall DBE goal. In order to have the information to explore that possibility, ICTC might consider:

- Developing a system to collect information on the race/ethnicity and gender of the owners of all businesses—not just certified DBEs—that participate in its contracts;
- Developing internal participation reports of MBE/WBEs (by race/ethnicity and gender) and of businesses that are currently or could potentially be DBE-certified for its contracts; and
- Continuing to track participation of certified DBEs on FTA-funded contracts, per USDOT reporting requirements.

**Consider refinements to monitoring compliance with the current DBE contract goals program.** Some individuals participating in in-depth interviews and public meetings suggested that agencies should explore ways of more effectively monitoring prime contractors’ compliance with DBE contract goals to better achieve the objective of further developing MBE/WBEs. Many individuals indicated that there is widespread abuse of DBE contract goals and good faith efforts including false reporting of DBE participation, falsification of good faith efforts, and the reduction or elimination of DBEs’ work scopes (for details, see Appendix J). ICTC might review such concerns further when evaluating ways to improve its current implementation of the Federal DBE Program, particularly if it determines that the use of race- and gender-conscious measures is appropriate. The agency should also review legal issues, including state contracting laws and whether certain program options would meet USDOT regulations.

**Next Steps**

The disparity study represents an independent analysis of information related to ICTC’s implementation of the Federal DBE Program. ICTC should review study results and other relevant information when making decisions concerning its implementation of the Federal DBE Program. In addition, USDOT periodically revises the Federal DBE Program and issues guidance concerning implementation of the program. Also, new court decisions often provide insights related to the proper implementation of the Federal DBE Program. ICTC should closely follow such developments.
ICTC
DBE Disparity Study and Program

Presented by
Kevin Williams, BBC Director
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Denver, Colorado 80202
(303) 321-2547
kwilliams@bbcresearch.com

August 27, 2014

Photo credit: Andrew Novak
BBC disparity study

- Community engagement
- Legal analysis and framework
- Review of contracting, program measures
- Utilization analysis
- Availability analysis
- Disparity analysis
- Explanations for any disparities
- Analyses of marketplace conditions
- Information for annual DBE goal
- Recommendations and implementation
Assess the percentage of contract dollars awarded to MBE/WBEs during the study period

2.5% of ICTC and local agency dollars went to Hispanic American-owned businesses

Black American-owned businesses and Subcontinent Asian American-owned businesses received no FTA-funded ICTC or local agency dollars
Availability Analysis

Assess the availability of MBE/WBEs in the local marketplace

Some opportunities for DBEs are on subrecipient contracts (i.e., Cities of El Centro and Brawley)

<table>
<thead>
<tr>
<th>Race/ethnicity and gender</th>
<th>Utilization benchmark (availability %)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Black American-owned</td>
<td>0.9 %</td>
</tr>
<tr>
<td>Asian-Pacific American-owned</td>
<td>1.3</td>
</tr>
<tr>
<td>Subcontinent Asian American-owned</td>
<td>0.7</td>
</tr>
<tr>
<td>Hispanic American-owned</td>
<td>3.1</td>
</tr>
<tr>
<td>Native American-owned</td>
<td>0.6</td>
</tr>
<tr>
<td>Total MBE</td>
<td>6.7 %</td>
</tr>
<tr>
<td>WBE (white women-owned)</td>
<td>2.9</td>
</tr>
<tr>
<td>Total MBE/WBE</td>
<td>9.6 %</td>
</tr>
</tbody>
</table>
Assess differences between utilization and availability

\[
\frac{XX\%}{M/WBE\ \text{UTILIZATION}} \times 100 = \frac{XX\%}{M/WBE\ \text{AVAILABILITY}}
\]

Disparity Analysis

- Disparities of 100 or more indicates *parity*
- Disparities of 80 or less considered *substantial*
Disparity Analysis

All ICTC and Subrecipient Contracts

- MBE/WBE: 33
- WBE (white women-owned): 3
- Black American: 0
- Asian-Pacific American: 13
- Subcontinent Asian American: 0
- Hispanic American: 82
- Native American: 64
Next Steps

- Consider all evidence in disparity study report
- Determine whether to revise current overall DBE goal
- Refine implementation of Federal DBE Program
- Assist local MBE/WBE businesses attain DBE certification
B. UPDATE TO THE 2014 COMPETITIVE BID FOR THE COORDINATION OF PUBLIC DIAL-A-RIDE PARA-TRANSIT SERVICES—IVT RIDE PUBLIC OUTREACH, BRANDING AND MARKETING
August 20, 2014

Lawrence D. Ritchie, Chairman
Imperial County Transportation Commission
1405 N. Imperial Ave Suite 1
El Centro, CA 92243

SUBJECT: Update to the 2014 Competitive Bid for the Coordination of Public Dial-a-Ride Paratransit Services – IVT RIDE Public Outreach, Branding and Marketing

Dear Commission Members:

As a continuation of the prior direction from the Commission, ICTC recently completed a competitive bid focused on the public outreach, brand/logo development and marketing for the consolidation of the public dial-a-ride services under the name of IVT RIDE.

The scope of work in the Request for Proposal (RFP) was for a three period of time and included bilingual public outreach at the onset of the project within the communities for seniors and persons with disabilities. In addition, a brand and logo would be developed at the beginning of the project. The ensuing two years would primarily be focused on marketing activities including photography, a follow up survey/focus group, brochures, radio and TV spots and the creation of a basic website.

Two proposals were received; from Conveyor Group and Spectrum Advertising. The proposals were reviewed and scored by the Evaluation Committee comprised of staff from Brawley, Calexico, Imperial and ICTC on July 22, 2014. The consultant oral interviews were conducted on July 30, 2014.

The Evaluation Committee determined that the basic requirements of the RFP could be met by either firm. The Evaluation Committee ultimately selected the most responsive proposal and recommended to the Executive Director, that a contract be awarded to Spectrum Advertising.
ICTC Management Committee met on August 13, 2014 and forwards this item to the Commission for review and approval after public comment, if any:

1. Authorize the Chairman to sign the IVT RIDE Public Outreach, Branding and Marketing Consultant Agreement with the firm of Spectrum Advertising, for the not to exceed fees as listed, effective September 1, 2014 through June 30, 2017.
   a. FY 2014-15 $58,226
   b. FY 2015-16 $50,764
   c. FY 2016-17 $49,500

Sincerely,

MARK BAZA
Executive Director

MB/ksw/el
VI. ACTION CALENDAR

C. ATP PROJECT NOMINATION LIST FOR FY 2014/2015
August 22, 2014

Lawrence D. Ritchie, Chairman
Imperial County Transportation Commission
1405 N. Imperial Ave., Suite 1
El Centro, CA 92243

SUBJECT: Active Transportation Program (ATP) Project Nomination List for FY 2014/2015

Dear Commission Members:

Imperial County Transportation Commission (ICTC) staff has been working with staff from the Southern California Association of Governments (SCAG) in the review of the Active Transportation Program (ATP) guidelines. The ATP is funded from various federal and state funds including the federal Transportation Alternatives Program (TAP), the Highway Safety Improvement Program (HSIP), State Highway Account, and Safe Routes to Schools (SR2S).

Per the guidelines issued by the California Transportation Commission (CTC), the program is divided into state and regional shares. Project applications that are not selected for funding from the state’s share of the funds will be passed on to the other Metropolitan Planning Organizations (MPOs) for consideration for each county’s regional share of funding.

On August 20, 2014 the CTC awarded ATP funds to the City of Westmorland under the Statewide Program. The project was awarded a total of $985,000 for Pedestrian Improvements along Center Street. The remaining projects from Imperial County were passed to SCAG for consideration of ATP Regional Share of funding. As part of the regional evaluation and as part of the ATP guidelines, ICTC must evaluate and rank all projects identified as part of plans adopted by local and/or regional governments within the county. If a project is determined to be eligible ICTC can add up to 10 points. In this first round of funding, there is an emphasis on projects that are ready to go, the Commission previously adopted the following methodology for assigning points:

1. 10 points for projects that have been identified in an adopted local and/or regional plan
2. Zero points for projects that have not been identified in an adopted local and/or regional plan

CITIES OF BRAWLEY, CALEXICO, CALIPATRIA, EL CENTRO, HOLTVILLE, IMPERIAL, WESTMORLAND, IMPERIAL IRRIGATION DISTRICT AND COUNTY OF IMPERIAL
The regional share of ATP funds for Imperial County is in the amount of $718,000. ICTC staff reviewed all remaining projects that did not qualify under the State Program. The following is the scoring and ranking after the additional 10 points projects included in local and/or regional plans:

<table>
<thead>
<tr>
<th>Agency</th>
<th>Project Name</th>
<th>Total Funds Requested</th>
<th>Score</th>
</tr>
</thead>
<tbody>
<tr>
<td>City of El Centro</td>
<td>Pedestrian &amp; Bike Improvement Project</td>
<td>$797,000</td>
<td>85.7</td>
</tr>
<tr>
<td>Quechuan Indian Tribe</td>
<td>Fort Yuma Multi-Purpose Pathway</td>
<td>$640,000</td>
<td>81.3</td>
</tr>
<tr>
<td>ICTC</td>
<td>Heber Bus Stop &amp; Pedestrian Access</td>
<td>$707,000</td>
<td>72.7</td>
</tr>
<tr>
<td>City of Calexico</td>
<td>Safe Routes to Schools Infrastructure</td>
<td>$340,000</td>
<td>71.5</td>
</tr>
<tr>
<td>City of Holtville</td>
<td>Bike Facility Improvements</td>
<td>$2,111,000</td>
<td>68.3</td>
</tr>
<tr>
<td>City of Imperial</td>
<td>Aten Road Bike Improvements</td>
<td>$860,000</td>
<td>63</td>
</tr>
<tr>
<td>County of Imperial</td>
<td>Sidewalk Improvement-Grace Smith Elementary</td>
<td>$785,000</td>
<td>61.7</td>
</tr>
<tr>
<td></td>
<td>in Niland</td>
<td></td>
<td></td>
</tr>
<tr>
<td>County of Imperial</td>
<td>Sidewalk Improvement-Rio Vista Street in Seeley</td>
<td>$399,000</td>
<td>54.7</td>
</tr>
<tr>
<td>City of Calexico</td>
<td>Safe Routes to Schools Non-Infrastructure</td>
<td>$70,000</td>
<td>54</td>
</tr>
</tbody>
</table>

After consideration of the final scores and following the ATP guidelines, ICTC staff recommends to award the regional ATP funds in the amount $718,000 to the City of El Centro’s Pedestrian and Bike Improvement Project.

ICTC Staff requests that the Commission take the following actions for review and approval after public comment, if any:

1. Approve the Project Nomination List for Fiscal Year 2014/15 Active Transportation Program (ATP)
2. Approve the award of the City of El Centro’s Pedestrian and Bike Improvement Project in the amount of $718,000
3. Direct staff to submit a Formal Nomination List to SCAG and proceed with the State/Federal programming and documentation

Sincerely,

MARK BAZA
Executive Director

MB/vm
Attachment