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 Committee for a period not to exceed three minutes on any item of interest not on the agenda within the jurisdiction of the Committee. The Committee 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
   A. Approval of Management Committee Draft Minutes: February 12, 2014  Pages 4-17
   B. Receive and File:
      1. ICTC Board Draft Minutes: February 26, 2014
      2. ICTC SSTAC Draft Minutes: February 5, 2014

V. REPORTS
   A. ICTC Executive Director
      • See attached Executive Director Report on page 19
   B. Southern California Association of Governments
   C. California Department of Transportation – District 11
   D. Committee Member Reports
VI. ACTION CALENDAR

A. Unmet Transit Needs (UTN) Hearing – Fiscal Year 2014-15

It is requested that the ICTC Management Committee forward this item to the ICTC Commission for their review and approval after public comment, if any:

1. Adopt the “Findings” as presented or amended.
2. Authorize the Chairman to sign the attached resolution.
3. Direct staff to forward the “Findings”, public hearing documentation and resolution to the State Department of Transportation.

B. Federal Transit Administration (FTA) Disadvantaged Business Enterprise (DBE) Goal for FY 2013-14 for Federal Transit funds

It is 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 2013-14 DBE goal of 2%

C. Letter of Support for the Calexico West Port of Entry Funding

It is 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 a letter of support for the Calexico Port of Entry Funding

VII. INFORMATION / DISCUSSION CALENDAR

A. Review of the Imperial County Local Transportation Authority Annual Financial Audits for the Fiscal Year June 30, 2013

Item is available for review via the link above only.

B. Discuss Recommendation for Letters of Support from the Cities/County for the Calexico West Port of Entry Funding

VIII. NEXT MEETING DATE AND PLACE

C. The next meeting of the Management Committee is currently scheduled for Wednesday April 9, 2014 at 10:30 a.m., at the City of Imperial, Imperial, CA.

IX. ADJOURNMENT

A. Motion to Adjourn
A. APPROVAL OF MANAGEMENT COMMITTEE
DRAFT MINUTES: FEBRUARY 12, 2014

B. RECEIVE AND FILE:

1. ICTC BOARD DRAFT MINUTES:
   FEBRUARY 26, 2014

2. ICTC SSTAC MINUTES:
   FEBRUARY 5, 2014
IMPERIAL COUNTY TRANSPORTATION COMMISSION
MANAGEMENT COMMITTEE
DRAFT MINUTES OF FEBRUARY 12, 2014
10:30 a.m.

VOTING MEMBERS PRESENT:
City of Brawley Rosanna Bayon Moore (Vice Chair)
City of Calipatria Rom Medina
City of Calexico Oscar Rodriquez
City of El Centro Ruben Duran
City of Holtville Alex Meyerhoff (Chair)
City of Imperial Jorge Galvan for Marlene Best
County of Imperial Joe Picazo for Ralph Cordova
County of Imperial Bill Brunet

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

OTHERS PRESENT: Tomas Oliva, SCAG; Sam Amen, Ross Cather, Luis Medina, Khaled Moham
Ednora: Caltrans, Krista Daly: IV Press; Grace Connor, City of El Centro

The following minutes are listed as they were acted upon by the Imperial County Transportation Commission Management Committee and as listed on the agenda for the meeting held Wednesday, February 12, 2014 together with staff reports and related documents attached thereto and incorporated therein by reference.

I. CALL TO ORDER AND ROLL CALL
Chair Duran called the Committee meeting to order at 10:41 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 Bayon Moore seconded by Duran to approve consent items 4A, B and C. Motion carried unanimously.

A. Approved ICTC Management Committee Minutes for January 8, 2014
B. Received and filed:
   1. ICTC Board Draft minutes for January 22, 2014
   2. ICTC TAC Draft Minutes for January 23, 2014
   3. ICTC SSTAC Draft Minutes for January 9, 2014
C. Transportation Development Act (TDA) and Miscellaneous Fiscal Audits for FY 2012-13

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

1. Receive and file the FY 2012-13 Transportation Development Act and other fiscal audits for the Imperial County Transportation Commission.

V. REPORTS

A. ICTC Executive Director

Mr. Baza and staff had the following announcements and/or updates:

- Mr. Baza referred to the Executive Report on pages 110-112 for information on activities and projects that ICTC is currently working on.
- Consolidated Paratransit (Dial-A-Ride) Requests for Proposal: The document has been finalized and released for a competitive bid process. The document is available on the ICTC website. Fourteen firms and individuals were contacted regarding its availability due to their stated interest in bidding the project. Bids are due on March 21, 2014. A scoring and evaluation committee is being developed and coordinated by ICTC staff and it is requested that a member from each City with paratransit services participate in this process. A contract award recommendation is expected to be forwarded to the participating City Councils in April for a decision on continuing the participation in the bid process. The results of the process would then be forwarded to the Commission for a final decision on contracting. A service start date is targeted for September 2, 2014.
- Long Range Transportation Plan: Caltrans released a call for projects for Fiscal Year 2014/2015 Transportation Planning Grants. A complete update of the Imperial County Long Range Transportation Plan has been identified as a regional priority by ICTC. Both the Southern California Association of Governments (SCAG) and ICTC agreed to submit a grant application to update the Imperial County Long Range Transportation Plan (LRTP) through the pursuit of a Caltrans’ Partnership Planning for Sustainable Transportation Grant. The applicant for the grant is SCAG and ICTC is a sub-applicant. The estimated total project cost is $312,500, with a grant fund request of $250,000 and local in-kind match of $62,500.
- 2014 Road Closures and Bus Delays: It has been brought to the attention of ICTC staff that road closures will occur on Dogwood Rd. between Willoughby and McCabe Rd. This will affect IVT Routes 1S and 1N on time performance. The delays will occur from Early February through March. IVT will run riders alerts in order to allow riders to plan for delays. Routes 2N and 2S will also be affected beginning in March due to a street rehab project in Westmorland off North Center St. The only bus stop in Westmorland is located directly on North Center St. A detour will take place and a temporary bus stop identified. Rider’s alerts will also be posted of the future changes. The work will begin in Mid-March and is expected to last 30 to 60 days.
- Calexico Intermodal Transportation Center: The Kick off meeting was held on November 5, 2013 at the ICTC offices. An outreach meeting with all transit providers in the City of Calexico was conducted on Tuesday, December 17, 2013. Currently the public outreach efforts are taking place. A community walk is scheduled for Saturday, February 8, 2014 at 10:00am at the Historic Customs building on 1st Street in Calexico. In addition, a community forum is scheduled for February 27, 2014. The feasibility study’s scope of work will also include: stakeholder meetings, public workshops, stakeholder surveys, site selection analysis, and financial and operational feasibility reports.
- Imperial-Mexicali Binational Alliance: The next Binational Alliance meeting is scheduled for February 13, 2014 in the City of Mexicali.
- Meetings attended and presented on behalf of ICTC:
  - California Transportation Commission (CTC), Jan. 27, 2014 – Active Transportation Program (ATP) Hearing; and Final Action that authorized Caltrans to proceed with I-
8 Dogwood Ave. Overcrossing Project (Construction is scheduled to begin June 2014). Discussion on State of Oregon’s pilot user based fee as an alternative to the current gas tax. See attached handout
  o SANDAG Borders Committee, Jan. 31, 2014 – ICTC Executive Director presented an overview of our Border Planning activities, including the creation of our Binational Alliance; and update of our border infrastructure proposals for Imperial/Mexicali region.
  o CTC State Transportation Implementation Program (STIP) Hearing presented Imperial County’s 2014 STIP proposal. See attached fact sheet that was presented to the Commission.
  o SCAG Transportation Committee, Feb. 6, 2014 – ICTC Executive Director presented our transit planning and non-motorized or active transportation planning studies and projects that help us implement our current Long Range Transportation Plan and prepare for our next update scheduled for FY 2015-16.

- SCAG Regional Council presentation by Mike Kelley, General Manager for the IID, regarding the Salton Sea Restoration Project: Mr. Kelley presented at the SCAG Regional Council Meeting on February 6, 2014 on behalf of the Salton Sea Restoration and Renewable Energy Initiative.

B. Southern California Association of Governments (SCAG)
Mr. Oliva has the following updates:
- 2014 Regional Conference & General Assembly will be held at the Renaissance Esmeralda Indian Wells Resort & Spa located at 44-400 Indian Wells Lane, Indian Wells, CA 92210 on May 1, 2014 and May 2, 2014. You can register online by visiting this website: http://www.scag.ca.gov/calendar/Pages/GA2014.aspx.
- Through the SCAG GIS Service Program, SCAG staffs are assisting Imperial County and its local jurisdictions acquire aerial imagery and possibly derived products to assist with their planning, engineering, and other related activities. Currently SCAG is committing $100k, with local agencies to contribute the rest.
- The Strategic Growth Council released its final draft of the Sustainable Communities Planning Grant Guidelines and they were adopted the November 5, 2013 meeting. Applications are due on February 28, 2014.
- The RTP/SCS process occurs every year and currently the public participation plan is under the 45 day comment period. If anyone has suggestions the deadline to submit comments is March 7, 2014 at 5 p.m.

C. California Department of Transportation – District 11
- Mr. Amen presented updates on all local projects:
  o Dogwood project was approved on January 29, 2014 by the CTC.
  o New Maintenance building for Caltrans will be going out to bid next week.
  o State Route 7 will be advertising soon and will have similar pavements to the Brawley Bypass.
  o A project in Westmorland will require full closure of SR 86 for 25 minutes several times and will coordinate with all affected agencies including transit.
  o A paving project on I-8 will require road closure with only one lane open. The project will cover 10 miles of work.
- Mr. Medina had the following updates:
  o Active Transportation Program (ATP) - The draft Program Guidelines, which includes a list of major milestones, can be viewed at: http://www.catc.ca.gov/programs/ATP.htm
  o National Highway System (NHS) - The existing National Highway System (NHS) has been expanded to include all Principal Arterials. (i.e. Functional Classifications 1, 2 and 3) to the new Enhanced NHS. More detailed information can be found in the Caltrans Local Assistance weblink:
http://dot.ca.gov/hq/tsip/hseb/map21_nhs.html
MAP-21 Legislation: http://www.fhwa.dot.gov/map21legislation.cfm
The only official functional classification for Federal Aid Funding can be found on the California Road System (CRS Maps) displayed on the website below:
http://www.dot.ca.gov/hq/tsip/hseb/crs_maps/

Agencies needing support for removing a principal arterial from being upgraded to NHS standards can get guidance on how to change the functional classification of a principal arterial by contacting: Navneet Singh (Branch Chief) at (916) 654-6585 or navneet.singh@dot.ca.gov.

- Southern California Local Assistance Meeting (SCLAM) - The meeting will be held in the District 7 District Offices, located in Los Angeles, on Thursday, April 3, 2014 from 9:00 to 3:00. Regarding the agenda, please send potential subjects you would like to discuss to heather.cheyney@dot.ca.gov by February 21, 2014, so we may add them to the agenda.
- FHWA Everyday Counts webinar: March 26, 2014 from 11 AM to 1 PM - More Details coming soon.
- An overview of the Obligation Plan. The report is due to headquarters by April 1, 2014.

D. Committee Member Reports

- Mr. Duran stated that the El Centro Transfer Terminal is open. Parks and Rec will be installing cameras and signs. The city is hoping this will deter vandalism.

VI. ACTION CALENDAR

C. Americans with Disabilities Act (ADA) Paratransit Services No Show/Late Cancellation Policy – Revision

Mr. Salgado stated that as a result of the 2013 Federal Transit Administration (FTA) Triennial Review the current no show policy was found to be not sufficient. The current policy may affect riders disproportionately in relation to the frequency of their use of the service. The new policy will track both no-shows and frequency of use so not to effect any riders adversely.

On January 30, 2014, an ad-hoc committee composed of social service provider agency representatives who participate on the ICTC Social Services Technical Advisory Committee (SSTAC), met with ICTC staff and the operator of IVT ACCESS to modify the currently approved policy. The new policy will also include language identifying a “late-cancellation” as a “no-show” if the passenger fails to call dispatch thirty (30) minutes prior to cancel a scheduled trip. Currently, riders are canceling trips upon the bus arrival, which is counted as a “late cancellation.” Due to the large number of late cancellations occurring on IVT ACCESS, the revised policy will also include language which will count three (3) late cancellations as one (1) no-show. Currently, there are no repercussions for any amount of late cancellations and some riders are incurring multiple late cancellations in a day.

The Ad-hoc Committee would recommend approval of the policy after which the policy will be mailed directly to current riders and posted on all IVT ACCESS vehicles and the IVT ACCESS website.

The SSTAC also reviewed the policy and appeals process on February 5th and forward comments for consideration by ICTC staff and Commission
It was requested that the ICTC Management Committee forward this item to the Commission for their review and approval after public comment, if any:

1. Review and approve the ICTC ADA Paratransit Services Revised No Show/Late Cancellation Policy and Appeals Process.
2. Direct staff to promulgate the ADA Paratransit Services Revised No Show/Late Cancellation Policy and Appeals Process in English and Spanish between March 3, 2014 and March 31, 2014.

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

D. Pedestrian and Bicycle Transportation Access Study of the California/Mexico Land Ports of Entry – Award Recommendation

Ms. Mendoza stated that ICTC staff recently completed a competitive bid process to acquire a consultant firm for the completion of a pedestrian and bicycle transportation access study of the California/Mexico land ports of entry. This project is funded by a State Planning and Research (SPR) grant from the California Department of Transportation (Caltrans).

The study will identify opportunities to increase connectivity and improve services for both pedestrians and bicyclists who cross international POEs between California and Mexico. Currently six POEs are located along the 150 mile long California-Mexico border: three in San Diego County (San Ysidro, Otay Mesa, and Tecate), and three in Imperial County (Calexico West, Calexico East, and Andrade). The project area is defined as an approximate one-mile radius from each of the six individual California-Mexico POEs.

Ultimately, the Study will use existing and new data (surveys, counts) to carry out the following:
1. Describe existing conditions for pedestrians and bicyclists at each of the California-Mexico POEs
2. Identify travel patterns at each POE
3. Identify opportunities to improve conditions for non-motorized users at each of the six POEs
4. Propose future infrastructure and/or operational improvements based on current non-motorized policies, such as the California Department of Transportation (Caltrans) Complete Streets

A proposal evaluation committee was coordinated to complete the review of proposals and interviews of qualified firms. The evaluation committee was comprised of staff from Caltrans, City of Calexico, San Diego Association of Governments (SANDAG), Southern California Association of Governments (SCAG), the Secretariat of Infrastructure and Development of the State of Baja California (SIDUE), and ICTC.

The committee met on January 8, 2014 to review and rank all six (6) proposals received. Based on the proposal rankings the top three (3) firms were then called back for oral interviews conducted on January 17, 2014.

The final ranking of the consultants teams listed below was based on the following criteria: Technical qualifications; Prior experience; Methodology; Project team/staff qualifications; Attainment of Disadvantage Business Enterprise (DBE) goal of 3.73%; Project cost; and Completion of response and references.

The ranking is listed as follows:
<table>
<thead>
<tr>
<th>NAME</th>
<th>RANKING</th>
</tr>
</thead>
<tbody>
<tr>
<td>KOA Corporation</td>
<td>1</td>
</tr>
<tr>
<td>IBI Group</td>
<td>2</td>
</tr>
<tr>
<td>Alta Planning and Design</td>
<td>3</td>
</tr>
</tbody>
</table>

The SPR grant is for $300,000 with no cash local match from ICTC other than staff time dedicated for project management.

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

1. Approve the award of the Consultant Agreement for the Pedestrian and Bicycle Transportation Access Study of the California/Mexico Land Ports of Entry to KOA Corporation in the amount of $300,000.
2. Authorize the Chairperson to sign the consultant agreement.

A motion was made by Rodríguez seconded by Duran, **Motion carried** unanimously.

**VII. DISCUSSION**

A. Discussion of the next Management Committee Meeting date

There was no issue with the current date of the meeting as previously thought. There was no change in the meeting schedule for the March meeting.

**VIII. NEXT MEETING DATE AND PLACE**

The next meeting of the Management Committee will be held on **March 12, 2014** at the **City of Holtville, Holtville, CA**

**IX. ADJOURNMENT**

A. Meeting adjourned at 12:01 p.m.
IMPERIAL COUNTY TRANSPORTATION COMMISSION
DRAFT MINUTES FOR FEBRUARY 26, 2014
6:00 p.m.

VOTING MEMBERS PRESENT:
City of Brawley George A. Nava
City of Calexico Bill Hodge
City of El Centro Sedalia Sanders
City of Imperial Doug Cox (alt.)
City of Westmorland Larry Ritchie – Chair
County of Imperial John Renison (alt.)
Imperial Irrigation District Bruce Kuhn

NON-VOTING MEMBERS PRESENT:
Caltrans District 11 Bill Figge

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

OTHERS PRESENT: Sam Amen & Ross Cather, Caltrans; Tomas Oliva, SCAG; Krista Daly, IV Press; Nick Servin; City of Calexico

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 February 26, 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 6:01 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 Sanders and seconded by Nava to approve consent items A through C; Motion carried with one 1 abstention by the County.

A. Approval of ICTC Board Draft Minutes: January 22, 2014
B. Receive and File:
   1. ICTC Management Committee Draft Minutes February 12, 2014
   2. ICTC TAC Draft Minutes: January 23, 2014

C. Transportation Development Act (TDA) and Miscellaneous Fiscal Audits for FY 2012-13
   1. Received and filed the FY 2012-13 Transportation Development Act and other fiscal audits for the Imperial County Transportation Commission.

V. REPORTS
A. ICTC Executive Director
   Mr. Baza and staff had the following announcements:
   - Heber Public Utility District request for bus shelters in the community of Heber: ICTC received a request from the Heber Public Utility District for more bus shelters in the community of Heber. A Follow-up meeting is scheduled with Caltrans to
review the area and potential improvements, such as, sidewalks with ADA ramps. The discussion would also involve how much right-of-way or property the State owns beyond the existing paved roadway.

- Consolidated Paratransit (Dial-A-Ride) Requests for Proposal: The document has been finalized and released for a competitive bid process. The document is available on the ICTC website. Fourteen firms and individuals were contacted regarding its availability due to their stated interest in bidding the project. Bids are due on March 21, 2014. A scoring and evaluation committee is being developed and coordinated by ICTC staff and it is requested that a member from each City with paratransit services participate in this process. A contract award recommendation is expected to be forwarded to the participating City Councils in April for a decision on continuing the participation in the bid process. The results of the process would then be forwarded to the Commission for a final decision on contracting. A service start date is targeted for September 2, 2014.

- Long Range Transportation Plan: Caltrans released a call for projects for Fiscal Year 2014/2015 Transportation Planning Grants. A complete update of the Imperial County Long Range Transportation Plan has been identified as a regional priority by ICTC. Both the Southern California Association of Governments (SCAG) and ICTC agreed to submit a grant application to update the Imperial County Long Range Transportation Plan (LRTP) through the pursuit of a Caltrans’ Partnership Planning for Sustainable Transportation Grant. The applicant for the grant is SCAG and ICTC is a sub-applicant. The estimated total project cost is $312,500, with a grant fund request of $250,000 and local in-kind match of $62,500. The 2015 LRTP update will build on existing transportation, land-use and general plans. The LRTP will examine current transportation conditions, forecast future conditions, establish performance standards, evaluate and recommend policies and develop implantation strategies. A 20 year vision for both transit and active transportation will also be an important component of the LRTP update. In addition, the transportation analysis will build upon the existing border and goods movement planning studies that are underway with regional and State partners such as the Southern California Association of Governments, San Diego Association of Governments and Caltrans. The transit, active transportation, and border goods movement elements of the LRTP will be incorporated into SCAG’s 2016 RTP/SCS as well as the Caltrans/FHWA sponsored California/Baja California Border Master Plan.

- 2014 Road Closures and Bus Delays: It has been brought to the attention of ICTC staff that road closures will occur on Dogwood Rd. between Willoughby and McCabe Rd. This will affect IVT Routes 1S and 1N on time performance. The delays will occur from Early February through March. IVT will run riders alerts in order to allow riders to plan for delays. Routes 2N and 2S will also be affected beginning in March due to a street rehab project in Westmorland off North Center St. The only bus stop in Westmorland is located directly on North Center St. A detour will take place and a temporary bus stop identified. Rider’s alerts will also be posted of the future changes. The work will begin in Mid-March and is expected to last 30 to 60 days.

- Calexico Intermodal Transportation Center: The Kick off meeting was held on November 5, 2013 at the ICTC offices. An outreach meeting with all transit providers in the City of Calexico was conducted on Tuesday, December 17, 2013. Currently the public outreach efforts are taking place. A community walk was held on Saturday, February 8, 2014 at 10:00am at the Historic Customs building on 1st Street in Calexico. Community members, elected officials, business owners and transit providers participated in the walk and provided input of the potential sites. In addition, a community forum is scheduled for March 6, 2014 at Camarena Memorial library from 4:30pm to 6:30pm. The feasibility study’s scope of work will also include: stakeholder meetings, public workshops, stakeholder surveys, site selection analysis, and financial and operational feasibility reports. See attached fact sheet.
Imperial-Mexicali Binational Alliance: The next Binational Alliance meeting was held on February 13, 2014 in the City of Mexicali. The meeting was well attended and a presentation on the Alliance was made with the opportunity to provide updates on projects. Mexicali agencies also presented on the State of Baja California’s Environmental Work Plan and City of Mexicali’s Medical Tourism Cluster.

Meetings attended and presented on behalf of ICTC:
- California Transportation Commission (CTC), Jan. 27, 2014 – Active Transportation Program (ATP) Hearing; and Final Action that authorized Caltrans to proceed with I-8 Dogwood Ave. Overcrossing Project (Construction is scheduled to begin June 2014). Discussion on State of Oregon's pilot user based fee as an alternative to the current gas tax. See attached handout.
- SANDAG Borders Committee, Jan. 31, 2014 – ICTC Executive Director presented an overview of our Border Planning activities, including the creation of our Binational Alliance; and update of our border infrastructure proposals for Imperial/Mexicali region.
- CTC State Transportation Implementation Program (STIP) Hearing presented Imperial County’s 2014 STIP proposal. See attached fact sheet that was presented to the Commission.
- SCAG Transportation Committee, Feb. 6, 2014 – ICTC Executive Director presented our transit planning and non-motorized or active transportation planning studies and projects that help us implement our current Long Range Transportation Plan and prepare for our next update scheduled for FY 2015-16.
- Bi-National Economic Forum - Sonora Dual Prosperity – ICTC Executive Director gave an overview of the Imperial / Mexicali Binational Alliance at the forum on February 20, 2014. The goal for Yuma Metropolitan Planning Organization (YMPO) and Binational partners is to explore a similar partnership as the Imperial / Mexicali Binational Alliance.

SCAG Regional Council presentation by Kevin Kelley, General Manager for the IID, regarding the Salton Sea Restoration Project: Mr. Kelley presented at the SCAG Regional Council Meeting on February 6, 2014 on behalf of the Salton Sea Restoration and Renewable Energy Initiative. See attached handout.

Active Transportation Program Guidelines are scheduled to be approved by the CTC on March 20, 2014.

Mr. Baza referred to the Executive Report on pages 107-110 for additional information on other projects that ICTC is currently working on.

B. Southern California Association of Governments (SCAG)

Mr. Oliva had the following announcements:
- CTC/SCAG Joint Work Program: On December 11, 2013, the Imperial County Transportation Commission (ICTC) adopted a resolution authorizing collaboration between ICTC and SCAG to implement the 2012 Regional Transportation Plan/Sustainability Communities Strategy (RTP/SCS). The Joint Work program calls for developing First Mile/Last Mile strategies at planned Ports of entry between Mexico and Imperial County, working together for a Countywide Safe Routes to School Plan, as well as other strategies designed to help implement regional strategies within Imperial County while continuing to strengthen the working relationship between the two agencies. The resolution will be presented to SCAG policy committees on February 6 and the Regional Council on March 6, 2014.
- Update on 2014 Federal MPO/TMA Certification: SCAG submitted responses to the desk audit questions related to the 2014 MPO/TMA certification to FHWA/FTA on December 31, 2013. As the next step in the certification process, FHWA/FTA has scheduled a site visit to SCAG between February 4 and 7. The site visit will entail follow-up discussion with key SCAG staff members on various topic areas raised in
the desk audit questions, one-on-one interview of key Regional Council members and representative transit operators, a public listening session where members of the public, interested parties and SCAG’s stakeholders are invited to comment on SCAG’s processes and practices, and reporting out of preliminary findings by FHWA/FTA to SCAG staff. Final step in the process is the reporting of the findings and issuance of certification jointly by FHWA and FTA, which will remain in effect for the next four years. SCAG’s 2014 certification is anticipated to be issued by April 2014. Once the 2014 Certification report is finalized, FHWA/FTA staff will be available to present the findings to the Regional Council upon request.

- 2014 Imperial County PM 2.5 State Implementation Plan: Pursuant to the Federal Clean Air Act, the Imperial County Air Pollution Control District (ICAPCD) and the California Air Resources Board (ARB) are developing the 2014 Imperial County PM2.5 State Implementation Plan (SIP) to demonstrate attainment with the 2006 24-hour PM2.5 National Ambient Air Quality Standards. The Draft SIP is tentatively scheduled to be released for public review in April with subsequent adoption by the ICAPCD Governing Board in May. The ARB is tentatively scheduled to adopt the SIP in June and then submit to U.S. EPA. The Imperial County SIP will include new motor vehicle PM2.5 emissions budgets (i.e., the upper limit of PM2.5 emissions that on-road transportation activities are permitted to emit for a given milestone year). The new emission budgets, once adopted in the final SIP, will become the functioning emissions budgets that SCAG is required to use when demonstrating transportation conformity for future Regional Transportation Plans, Federal Improvement Programs and their amendments. SCAG staff is working closely with ARB staff and ICAPCD staff to establish appropriate PM2.5 emission budgets.

- 2014 SCAG Public Participation Plan: As the Southern California Association of Governments (SCAG) prepares to develop the 2016–2040 Regional Transportation Plan/Sustainable Communities Strategy, we are updating its Public Participation Plan and invites your input. Consistent with federal and state requirements, SCAG regularly reviews and evaluates its public participation and outreach activities to ensure that the public and interested parties are given early, meaningful and substantive opportunities to be involved in SCAG’s decision-making. To that end, SCAG released the 2014 Draft Public Participation Plan on January 22, 2014 for a mandatory 45–day public review and comment period, which ends at 5:00 p.m. on March 7, 2014.

- 2014 Regional Conference & General Assembly: Mark your calendars! We look forward to having you join us at our 2014 Regional Conference and General Assembly. This year's conference will explore how rapidly emerging technologies may revolutionize the way we presently think about moving people and goods. Additionally, the 2014 Regional Conference & General Assembly presents meaningful regional coordination and networking opportunities to all participants. It will be held at the Renaissance Esmeralda Indian Wells Resort & Spa located at 44-400 Indian Wells Lane, Indian Wells, CA 92210. You can register online by visiting this website: http://www.scag.ca.gov/calendar/Pages/GA2014.aspx

- Imperial County Aerial Imagery Acquisition Project: Through the SCAG GIS Service Program, SCAG staffs are assisting Imperial County and its local jurisdictions acquire aerial imagery and possibly derived products to assist with their planning, engineering, and other related activities. As part of the service, SCAG staff will manage the project, assist to secure funds and coordinate activities with other stakeholder technical staffs. In addition, SCAG staff will take the opportunity of this coordination /collaboration with the many Imperial Valley stakeholders to draft an agreement for the next cycle of aerial imagery acquisition, so that all jurisdictions and other stakeholders are able to program their funds ahead of time.

- Salton Sea Restoration Initiative: As requested by El Centro Mayor Cheryl Viegas-Walker, Regional Representative of District #1 for SCAG, the Bylaws and Resolutions Committee will be asked to approve a resolution regarding the Salton
Sea Restoration effort and also to be presented and approved at the 2014 SCAG General Assembly in May 2014. The by Laws and Resolution Committee will meet on February 24, 2014. (Oral report will include update and outcome of this meeting’s discussion)

- SCAG Regional Council and Policy Committees: The next SCAG Regional Council and Policy committee meetings will take place on March 6, 2014 at SCAG’s main office in Downtown Los Angeles.

C. California Department of Transportation (Caltrans)
Mr. Cather had the following announcements:
- Southern California Local Assistance Meeting (SCLAM): The meeting will be held in the District 7 District Offices, located in Los Angeles, on Thursday, April 3, 2014 from 9:00 to 3:00. Regarding the agenda, please send potential subjects you would like to discuss to heather.cheyney@dot.ca.gov by Thursday February 21, 2014, so Caltrans may add them to the agenda.
- Caltrans Headquarters Division of Local Assistance and the Headquarters Training Coordinator will be contacting the Imperial County Transportation Commission to coordinate efforts to have a Resident Engineer Training Academy arranged for Imperial County. Caltrans District 11 staff will also be working with Imperial Valley and the Construction Oversight Engineer to provide small, focused training sessions. Schedules will be developed within the next two weeks.
- California State Transportation Agency Secretary Brian Kelly will be attending a California-Mexico Trade Mission along with the Mayor of the City of Los Angeles, Eric Garcetti. This binational symposium will include discussions on the existing and future infrastructure necessary to support the trade and commerce that are crucial to the economic growth of California and Mexico. Caltrans District 11 has prepared a number of Capital Project Fact Sheets for the Secretary which includes charts, graphs and statistics related to cross-border trade.
- A full report of Caltrans updates can be found on page 127 of the agenda.

D. Commission Member Report
- Mr. Hodge stated that the City of Calexico would be holding a Mardi Gras event on Friday, February 28, 2014. He also stated that the Gran Plaza will be opening 28 stores soon with a food court opening in April.
- Mr. Cox invited all to the City of Imperial’s State of the City Address on March 4, 2014.
- Ms. Sanders stated that the City of El Centro hosted a meeting where Congressman Vargas was present. There was representation from every agency and Congressman had 3 focus items: F35 to be housed in Imperial County, the Salton Sea Restoration; and, Port of Entry issues. Ms. Sanders also stated that the El Centro Transfer Terminal Ribbon cutting ceremony went very well and she thanked ICTC for their efforts and energy. She continued by saying that the corner of 7th and State Streets were transformed to something esthetic and city staff is working to getting Wi-Fi for the transit center.
- Mr. Nava welcomed all to attend the City of Brawley’s Mayors breakfast at the Stockman’s Club on March 7, 2014 at 7 a.m. Mr. Nava also gave a heartfelt thank you for the assistance and efforts in the Brawley Beef Plant’s closure.
- Mr. Ritchie thanked Caltrans for all their effort and hard work on the Center Street project.
- Mr. Renison stated that he will continue to advocate for support of the congressional body for Port of Entry’s.

VI. ACTION CALENDAR
A. Americans with Disabilities Act (ADA) Paratransit Services No Show/Late Cancellation Policy – Revision

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. Reviewed and approved the ICTC ADA Paratransit Services Revised No Show/Late Cancellation Policy and Appeals Process.
2. Directed staff to promulgate the ADA Paratransit Services Revised No Show/Late Cancellation Policy and Appeals Process in English and Spanish between March 3, 2014 and March 31, 2014.

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

B. Pedestrian and Bicycle Transportation Access Study of the California/Mexico Land Ports of Entry – Award Recommendation

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. Approved the award of the Consultant Agreement for the Pedestrian and Bicycle Transportation Access Study of the California/Mexico Land Ports of Entry to KOA Corporation in the amount of $300,000.
2. Authorized the Chairperson to sign the consultant agreement.

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

VII. NEXT MEETING DATE AND PLACE

A. The next meeting of the Imperial County Transportation Commission will be held on Wednesday, March 26, 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 was made to adjourn by Nava, seconded by Hodge, Motion Carried. Meeting adjourned at 7:12 p.m.
1. Chair Vizcarra called the meeting to order at 10:06 a.m. A quorum was present. Introductions were made.


3. CTSA Reports
   Mr. Salgado had the following announcements:
   - The Unmet Transit Needs hearing was held on January 23, 2014. There was about 4-5 public speakers, all with positive feedback. No final documentation was ready for this meeting. Ms. Vizcarra stated that Mr. Baza gave a good synopsis of all that was achieved last year.
   - The consultants for the ADA Paratransit and Coordinated Plan Studies were present for the SSTAC meeting. They held stakeholder meetings with SSTAC members before and after the meeting.
- The Consolidated Paratransit RFP was released Friday, January 31, 2014. It is posted on the ICTC and CalAct websites.
- ADA No-Show and Late Cancellation policy ad hoc committee met previously to discuss amending the policy so that it complies with FTA guidelines. The policy will be going to the Commission in February for approval.
- On Saturday, February 8th, a Community Walk will be held as part of the Calexico Intermodal Transportation Center Study.

4. Transit Operator Reports

- Brawley Dial-a-Ride: Service is doing good with many wheelchair requests.
- Calexico Dial-a-Ride: Service is doing well, no issues.
- El Centro Dial-a-Ride: Service is busy and doing well.
- Imperial Dial-a-Ride: Service is busy and doing well.
- Imperial Valley Transit: Mr. Sanchez had the following update
  o Sundays: 260 average passengers since service began in January. Will review service in one year.
  o Saturdays: Since additional routes were added, 1000 average passengers have been recorded. This is a 27% increase in passengers.
  o IVT Gold Line: Service was implemented on December 18, 2013 with no charge up to the end of January. Ridership has decreased since IVT began charging passengers.
  o IVT Access: Updates were given by Ms. Montemayor
    - January 2014: Passenger Count: 2725; Week Day: 2596; Saturdays: 129; Sundays: 27; On Time Performance: 98%; Passenger per Hour: 2.4; No Shows: 30; Late Cancellations: 179; Total Wheelchairs: 1478
    - Passenger Comments: All passengers are happy that we are open 7 days a week.
- Med-Express: Service is well and is busy. About 14-16 passengers daily. Pick-ups can now occur at the El Centro Transfer Terminal.
- West Shores Dial-a-Ride: Service is doing well.
- YCAT Turquoise Line: Mr. Robinson stated that Turquoise Route 10 had to realign since opening of transfer terminal. No numbers for December and January were available.

5. General Discussion

- There were none.

6. Adjournment

- The next meeting of the SSTAC will be on March 5, 2014 at 10:00 a.m.
- Meeting adjourned at 10:41 a.m.
V. REPORTS

A. ICTC EXECUTIVE DIRECTOR
Memorandum

Date: March 7, 2014
To: ICTC Management Committee
From: Mark Baza, Executive Director
Re: Executive Director’s Report

The following is a summary of the Executive Director’s Report for the Management Committee meeting of March 12, 2014.

1. **Heber Public Utility District request for bus shelters in the community of Heber:**
   ICTC received a request from the Heber Public Utility District for more bus shelters in the community of Heber. On February 26, 2014 ICTC and Caltrans met to review the area and potential improvements, such as, sidewalks with ADA ramps, and re-location of the current westbound bus stop. ICTC and Caltrans staff will have following discussions for scope of improvements, funding and next steps.

2. **Consolidated Paratransit (Dial-A-Ride) Requests for Proposal:** The document has been finalized and released for a competitive bid process. The document is available on the ICTC website. Fourteen firms and individuals were contacted regarding its availability due to their stated interest in bidding the project. Bids are due on March 21, 2014. A scoring and evaluation committee is being developed and coordinated by ICTC staff and it is requested that a member from each City with paratransit services participate in this process. A contract award recommendation is expected to be forwarded to the participating City Councils in April for a decision on continuing the participation in the bid process. The results of the process would then be forwarded to the Commission for a final decision on contracting. A service start date is targeted for September 2, 2014.

3. **2014 Road Closures and Bus Delays:** It has been brought to the attention of ICTC staff that road closures will occur on Dogwood Rd. between Willoughby and McCabe Rd. This will affect IVT Routes 1S and 1N on time performance. The delays will occur from Early February through March. IVT will run riders alerts in order to allow riders to plan for delays. Routes 2N and 2S will also be affected beginning in March due to a street rehab project in Westmorland off North Center St. The only bus stop in Westmorland is located directly on North Center St. A detour will take place and a temporary bus stop identified. Rider’s alerts will also be posted of the future changes. The work will begin in Mid-March and is expected to last 30 to 60 days.

4. **Calexico Intermodal Transportation Center:** The feasibility study’s scope of work will also include: stakeholder meetings, public workshops, stakeholder surveys, site selection analysis, and financial and operational feasibility reports. See attached fact sheet. On March 6th, a community forum was held at th Camarena Memorial library from 4:30pm to 6:30pm. Community members and transit operators participated and gave input about site alternatives.

5. **Imperial-Mexicali Binational Alliance:** The next Binational Alliance meeting will be held in El Centro on Thursday, April 10, 2014 at 10:30AM. Specific location – To Be Determined.
6. **Pedestrian and Bicycle Transportation Access Study**: The Study will focus on the California-Mexico border region, specifically its six Ports of Entry (POEs). On February 26, 2014, the Commission approved the selection of KOA and Associates. The project will kick-off is scheduled for late March 2014.

7. **IVT Bus Stop Safety and Design Standards Guidelines Project**: The final product will benefit ICTC, the cities and County in the implementation of future bus stop and terminal capital improvements throughout the region. This project is the second phase of the multi-year Four Phase Bus Stop Improvement Program. A draft is expected to be available for member agency review by May 1, 2014.

8. **Transportation Development Act (TDA-State Funds) Triennial Performance Audit Project**: A kick-off meeting was conducted on December 10th 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. A draft is expected to be available for member agency review by April 30, 2014.

9. **ADA Paratransit Service Certification and Eligibility Process, Demand Management Review and Growth Assessment**: The stakeholders’ meeting was held on February 4, 2014 at the ICTC offices. The consultant will evaluate our certification and eligibility process for the ADA paratransit service; provide an assessment of the growth and subsequent demand for future years.

10. **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 week. 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.

11. **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 will work together to draft the RFP for the project.

12. **Imperial County Aerial Acquisition Project**: The Imperial County Aerial Acquisition project is anticipated to cost up to $200,000 for a consultant to fly-over and process the aerial imagery in order to be used in GIS or CAD systems for analytical activities. SCAG has already secured $50,000 for this fiscal year and plans to secure another $50,000 for the next fiscal year. Other contributions have been confirmed for another $35,500. The project has a funding shortfall. See attached summary and follow-up to secure additional funding.

13. **Meetings attended on behalf of ICTC**:  
   - February 28, 2014, State Assembly Hearing for the Jobs and Economic Development Committee. Presentations were given by SCAG, SANDAG and others regarding the importance of trade and ports of entry with Mexico.  

20
FACT SHEET
Calexico Intermodal Transportation Center Study

Southern California Association of Governments (SCAG), Imperial County Transportation Commission (ICTC), Caltrans and the City of Calexico are conducting a collaborative study to determine the feasibility and preferred location for a new Intermodal Transportation Center in downtown Calexico.

Calexico’s Downtown Port of Entry (POE) is one of the three busiest ports in the nation. The Down Town facility accommodates an estimated 20,000 daily pedestrians. Projections indicate that the number of crossings will grow dramatically necessitating an expansion that has been proposed by the Federal Government.

Calexico’s Downtown Port of Entry is one of the three busiest ports in the nation. The downtown facility accommodates an estimated 20,000 daily pedestrians. Projections indicate that the number of crossings will grow dramatically necessitating an expansion that has been proposed by the Federal Government.

The Study
In addition to evaluating the feasibility, the study will examine alternate locations that can potentially serve multi-transportation services to accommodate the region’s unique needs. The study will also review designs and locations that compliment and leverage investments in the new POE planned by U.S. General Services Administration and U.S. Department of Homeland Security as well as reviewing traffic circulation, passenger security, comfort and amenities, environment and economic impacts. Crucial to the study will be the community’s input.

Together, We Move Forward
COMMUNITY PARTICIPATION
Engaging community and providing opportunity for input is a priority of the study. The community will have opportunities through various mediums to provide input, review, comment and ask questions. Provided both in English and Spanish, traditional and nontraditional tools will be utilized including but not limited to surveys, community forums, community walk, social media, interactive website and online comment forms.

UPCOMING EVENTS:
>> Community Walk - February 8, 2014
Community will be invited to take an interactive walking tour and discussion of all study locations.

>> Community Forum - March 6, 2014
Community will be invited share, review and discuss all study locations.

For more information on community participation opportunities visit: WWW.IMPERIALCTC.ORG

Project Contact:
Gregory A Walker, AICP
Vice President | Huitt-Zollars
602.952.9123
The Study Area includes a range of alternative sites that will provide the basis for initial comparison and evaluation and will lead to selection of a maximum of three alternatives for a detailed evaluation. The community will be invited to take part in reviewing and providing comment for each site through a community walk, a community forum and a survey. The detailed evaluation will include developing a site plan for the final selected alternatives to determine the level of accommodation that can be achieved in providing a safe, comfortable, and convenient organization of transportation services and customer amenities.
IMPERIAL COUNTY AERIAL ACQUISITION PROJECT

PROJECT
The Imperial County Aerial Acquisition project is anticipated to cost up to $200,000 for a consultant to fly and process the aerial imagery in order to be used in GIS or CAD systems for planning and other analytical activities. For Imperial Valley region this update is important as our last update to our aerial imagery was in 2011. SCAG has already secured $50,000 for this fiscal year and plans to secure another $50,000 for the next fiscal year. SCAG has also offered to manage the procurement process. This project has a funding shortfall.

The Imperial County Assessor’s office is working with ICTC, SCAG, the seven local jurisdictions of the Imperial Valley, and other potential partners to meet the funding shortfall for this project. Thus far, the collaborative efforts have secured $35,500:

- Imperial County Assessor’s $10,000
- Caltrans District 11 (3,000 FY 2013-14, $3,000 FY 2014-15) $6,000
- City of Brawley $5,000
- City of Holtville $1,000
- City of Westmorland $500
- Heber Public Utility District $1,000
- Imperial County Public Health $2,000
- Imperial County Transportation Commission $10,000
- City of Calexico – TBD
- City of El Centro – TBD
- City of Imperial – TBD
- Imperial County Planning – TBD
- Imperial Irrigation District (IID) – TBD

Others have expressed interest including: the cities of Calexico, El Centro, and Imperial, IID, Imperial County Planning Department, as well other stakeholders. The Assessor’s Office and ICTC will follow-up with appropriate staff for potential contribution amounts. The Imperial County Assessor’s Office will collect the funds from each agency and provide contributions to SCAG at the beginning of new fiscal year - July 2014. If the project falls short of its funding goal, the project will likely be scaled back and possibly delayed.

TIMELINE
SCAG staff is currently preparing the Request for Proposal (RFP) with the participation of Imperial County staff. The RFP is scheduled to be released on March 24, 2014 and vendor selected by May 2014.
A. UNMET TRANSIT NEEDS (UTN) HEARING—FISCAL YEAR 2014-15
March 7, 2014

ICTC Management Committee
Imperial County Transportation Commission
1405 N. Imperial Ave. Suite 1
El Centro, CA 92243


Dear Committee Members:

Section 99401.5 of the Public Utilities Code states:

"...The Transportation Planning Agency (TPA) shall hold at least one public hearing pursuant to Section 99238.5, for the purpose of soliciting comments on the Unmet Transit Needs that may exist within the jurisdiction..."

Unmet Needs that are determined to be reasonable to meet may be established by offering services directly, contracting for new services or the expansion of existing services.

On January 23, 2014, the Unmet Transit Needs Hearing Panel conducted the required local Public Hearing. The Hearing Panel reconvened on February 20, 2014 to consider the verbal and written testimony, and staff recommendations. After discussion of the analysis portion, the Panel developed the “Findings” regarding public transit services for FY 2014-2015. These “Findings” assist in the determination of the service levels to be provided and consequently guide the FY 2014-15 ICTC Transit Financing Plan and work program activities identified in the “Findings.”

After review of testimony by ICTC staff and the executive director, no findings were found to be “reasonable” to meet, and presented to the panel members as such. Over the past fiscal year ICTC has increased the fixed route service operations by approximately 21% with the implementation of Sunday services, increased Saturday service and IVC Express trips, and the introduction of the IVT Gold Line. The increase in service has addressed many of the prior concerns and need sufficient operational time before review and possible changes.

CITIES OF BRAWLEY, CALEXICO, CALIPATRIA, EL CENTRO, HOLTVILLE, IMPERIAL, WESTMORLAND, IMPERIAL IRRIGATION DISTRICT AND COUNTY OF IMPERIAL
The Social Services Transportation Advisory Council (SSTAC) has met and developed a response to the “Findings” on March 5, 2014 for consideration. After adoption of the “Findings”, staff will continue to develop the budget for the ICTC Transit Financing Plan and submit it for approval in the May/June 2014 time frame.

It is requested that ICTC Management Committee recommend that the Commission take the following actions after consideration of the response by SSTAC:

1. Adopt the FY 2014-15 “Findings” as presented or amended, after a review of the SSTAC response.
2. Authorize the Chairman to sign the attached resolution.
3. Direct staff to forward the FY 2014-15 “Findings”, public hearing documentation and resolution to the State Department of Transportation.

Sincerely,

MARK BAZA
Executive Director

MB/ksw/cl

attachment
RESOLUTION _______ OF
THE IMPERIAL COUNTY TRANSPORTATION COMMISSION (ICTC)
MAKING A DETERMINATION AS TO UNMET TRANSIT NEEDS WITHIN THE
REGION OF THE COUNTY OF IMPERIAL FOR FY 2014-15

WHEREAS, the Imperial County Transportation Commission (ICTC), is the designated Transportation Planning Agency for the County of Imperial, and is therefore responsible for the administration of the Transportation Development Act, Public Utilities Code 99200 et seq; and

WHEREAS, under Sections 99238, 99238.5, 99401.5 and 99401.6, of the Public Utilities Code, because the legislative intent for the use of the funds is for transit purposes, and a public hearing should be held. From a review of the testimony received and the adopted Regional Transportation Plan, a finding must be made that there are no unmet public transit needs in the jurisdiction that can be reasonably met; and

WHEREAS, a public hearing and subsequent meeting was held in Imperial County on January 23, 2014 and February 20, 2014, after sufficient public notice was given, and at which time the public testimony and comment was received; and

WHEREAS, the Social Services Transportation Advisory Council reviewed the proposed Findings on March 5, 2014 in accordance with the requirements of the Act; and

WHEREAS, the comments of the Social Services Transportation Advisory Council have been taken into consideration; and

WHEREAS, a final opportunity for further public comment was provided on March 26, 2014; and

THEREFORE, BE IT RESOLVED that the Imperial County Transportation Commission, hereby resolves that the Unmet Transit Needs Adopted Findings as attached, are identified, and that there are no further unmet public transit needs within the County of Imperial that can be reasonably met at this time;
PASSED AND ADOPTED at a regular meeting of the Imperial County Transportation Commission held on_______________.

By: ________________________________
Chairperson

ATTEST:
By: ________________________________

Cristi Lerma
Secretary to the Commission
The Imperial County Unmet Transit Needs Public Hearing was conducted at 3:00 p.m., on January 23rd, 2014 at the William R. Condit Auditorium, Imperial Irrigation District facilities, in El Centro, Ca. After review and consideration of the testimony received at the hearing, this Panel reconvened on February 20th, 2014 to make the following “Findings”:

The following findings are unmet transit needs which are reasonable to meet. The ICTC Transit Financing Plan and TDA claims for Fiscal Year 2014-15 shall be approved consistent with these stated “Findings”.

I. Existing transit services should be continued:

A. Brawley Dial-A-Ride
B. El Centro Dial-A-Ride
C. Imperial Dial-A-Ride
D. County-Wide Transit System
E. ADA Paratransit Services
F. Calexico Senior Transport
G. Med-Express
H. West Shores Dial-A-Ride

II. Continue coordination between existing transit services, including paratransit services provided by both public and social service agencies. ICTC staff shall provide recommendations and technical assistance when requested by social service and public agencies.

III. All transit services shall comply with the American's with Disabilities Act of 1990; provisions specific to respective services offered.

IV. All transit services shall comply with the Federal Transit Administration (FTA) and/or Federal Highway Administration (FHWA) Drug and Alcohol Testing rules; provisions specific to respective services offered.

CITIES OF BRAWLEY, CALEXICO, CALIPATRIA, EL CENTRO, HOLTVILLE, IMPERIAL, WESTMORLAND, IMPERIAL IRRIGATION DISTRICT AND COUNTY OF IMPERIAL
V. Staff will continue to coordinate the demonstration phases for the Imperial Valley Transit – Gold Line

VI. Staff will provide assistance to the Cities of Calexico and Imperial for the development of the transfer terminal projects.

All other services and issues as presented by written or verbal testimony are hereby declared as not reasonable to meet, at this time.

Bill Hodge, Chairperson
Councillor, City of Calexico

Jack Terrazas, Supervisor District #2
County of Imperial

George Nava, Councillor
City of Brawley

Maria Elena Froelich, Councillor
City of Calipatria

not available for signature
Sedalia Sanders, Councillor
City of El Centro

STAFF:

Mark Baza
Executive Director

Kathi Williams
Senior Transit Planner
UNMET TRANSIT NEEDS LIST
FISCAL YEAR 2014-15

Priority order

There are no Unmet Transit Needs Pending at this time
SOCIAL SERVICES TRANSPORTATION ADVISORY COUNCIL

Leticia Vizcarra, Chairperson
Griselda Martinez, Vice Chair
Kathi Williams, Secretary

1405 N. Imperial Ave., Suite 1
El Centro, CA 92243
(760) 592-4494

March 5, 2014

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

Dear Commission Members:

One of the responsibilities of the Social Services Transportation Advisory Council (SSTAC) is to advise ICTC on existing public transportation needs. In addition, the SSTAC must review the "Findings" as developed by the Public Hearing Panel. SSTAC met on March 5, 2014 and reviewed the Findings as developed by the Panel on February 20, 2014.

SSTAC appreciates and endorses the proactive consideration given by the Transit Hearing Panel for the acknowledgement of addressing the “finding” in the past year.

In response to the “Findings” for FY 2014-15 the following additional comments are provided:

1. SSTAC would like to continue to express support for the El Centro Circulator concept which includes the Blue Line, Green Line and Transfer Terminal. This project developed as a result of direction from ICTC to increase access within the City of El Centro and the City of Imperial. In addition, SSTAC would also continue to express support for the IVT Gold Line in Brawley and proposed circulator routes in the City of Calexico, IVT Orange Line, and the City of Imperial, IVT Red Line.

2. SSTAC would like to express continued support for the Four (4) Phase Bus Stop Improvement Program currently under development by ICTC Staff.

3. SSTAC would like ICTC to pursue all potential options to maintain transit services in the West Shores communities.
We appreciate the opportunity to participate in the evaluation and delivery of transit services.

Sincerely yours,

Letícia Vizcarrá
Chairperson
VI. ACTION CALENDAR

B. FEDERAL TRANSIT ADMINISTRATION (FTA) DISADVANTAGED BUSINESS ENTERPRISE (DBE) GOAL FOR FY 2013-14 FOR FEDERAL TRANSIT FUNDS
March 7, 2014

ICTC Management Committee
Imperial County Transportation Commission
1405 N. Imperial Ave Suite 1
El Centro, CA 92243

SUBJECT: ICTC Disadvantaged Business Enterprise Goal for FY 2013-14 for FTA funds

Dear Committee 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 2013-14 DBE goal of 2% in January 2014 and the Commission enacted a 45 day comment period. In addition the Commission directed staff to return for final adoption of the goal in March 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 2013-14 Overall Work Program and Budget.

ICTC staff requests that ICTC Management Committee forward this item to the ICTC Commission for review and approval:

1. Approve the proposed FY 2013-14 DBE goal of 2%

Sincerely,

MARK BAZA
Executive Director

Attachment

MB/ksw/cl

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 2014)
DRAFT
IMPERIAL COUNTY TRANSPORTATION COMMISSION

DEPARTMENT OF TRANSPORTATION
DBE PROGRAM – 49 CFR PART 26

POLICY STATEMENT

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-recipient.

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 DirectorCommission 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 our 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
kathiwilliams@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/offeree may request administrative reconsideration. Bidder/offerees 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/offeree did not document sufficient good faith efforts.

As part of this reconsideration, the bidder/offeree 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/offeree 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. We will send the bidder/offeree 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 Transpiration.

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/offereors, including those who qualify as a DBE. A DBE contract goal of ____ percent has been established for this contract. The bidder/offereor 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/offereor 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/offereor’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

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 UCPC. 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)

*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 text 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 made 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 stated in the schedule of DBE participation.
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<th>Attachment</th>
<th>Description</th>
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<tr>
<td>Attachment 1</td>
<td>Organizational Chart</td>
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<td>Attachment 2</td>
<td>DBE Directory</td>
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<td>Attachment 3</td>
<td>Monitoring and Enforcement Mechanisms</td>
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<td>Attachment 4</td>
<td>Overall Goal Calculation</td>
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<td>Attachment 5</td>
<td>Breakout of Estimated Race-Neutral &amp; Race-Conscious Participation</td>
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<td>Attachment 6</td>
<td>Forms for Demonstration of Good Faith Efforts</td>
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<td>Attachment 8</td>
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<td>Affidavit of Publication</td>
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<tr>
<td>Attachment 11</td>
<td>Small Business Program</td>
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</table>
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.
Attachment 4

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. Information on contracts to be awarded for the 2nd and 3rd year of the triennial period are not yet available and therefore not considered in this assessment.

Anticipated ICTC contracting opportunities during FY 2013-15 utilizing FTA funds:

1. One (1) Contract for public fixed route transit services and One (1) Contract for ADA paratransit services, One Contract for Demand response transit services.
   - Total FY 13-15 contract cost (including federal and non federal funds): $5,916,350
   - Total FY 13-15 FTA funds associated with this contract: $2,419,319
   - Total FY 2013-15 FTA 5307 Funds: $2,085,532, FTA 5311 Funds: $133,787
   - FTA 5317 Funds: $200,000

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, twelve 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, grant award for FY 2013-14 FTA 5317 funds and documented in the FY 2013-14 ICTC OWP and Transit Budget.
Unique factors affecting the development of the DBE Goal for FY 2013-15

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 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>
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<tr>
<td></td>
<td>Amount of DOT funds</td>
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<td><strong>NAICS CODE</strong></td>
<td><strong>Description of the Work</strong></td>
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<tr>
<td>423120</td>
<td>Parts (general)</td>
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<td>423130</td>
<td>Tire products</td>
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<td>424720</td>
<td>Fuel and Oil Suppliers</td>
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<td>541614</td>
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<td>541850</td>
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<td>Transit printing</td>
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<td><strong>TOTALS</strong></td>
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</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</th>
<th>Available DBEs in the Region</th>
<th>Number of all Firms Available</th>
<th>Relative Availability</th>
</tr>
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<td>Tire products</td>
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<td>32</td>
<td>0.000</td>
</tr>
<tr>
<td>424720</td>
<td>Fuel and Oil Suppliers</td>
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<tr>
<td>541614</td>
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<td>5</td>
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<tr>
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<td>Transit Advertising</td>
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<tr>
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<td>Transit printing</td>
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</tr>
<tr>
<td><strong>TOTALS</strong></td>
<td></td>
<td>0</td>
<td>100%</td>
<td>0%</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 Availability</th>
<th>Weighted Base Figure</th>
</tr>
</thead>
<tbody>
<tr>
<td>423120</td>
<td>Parts (general)</td>
<td>0.095</td>
<td>0.000</td>
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</tr>
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<td>Tire products</td>
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<td>0.000</td>
</tr>
<tr>
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<td>Fuel and Oil Suppliers</td>
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<td>0.063</td>
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</tr>
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<td>0.000</td>
</tr>
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<tr>
<td><strong>TOTALS</strong></td>
<td></td>
<td>100%</td>
<td>100%</td>
<td>0.000</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></th>
<th>Hispanic owned firms</th>
<th>Women owned firms</th>
<th>Asian owned firms</th>
<th>Black owned firms</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>44.1%</td>
<td>25.8%</td>
<td>6.3%</td>
<td>1.6%</td>
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</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>
</tbody>
</table>

The median participation FFYs 2014 and Step 2 Goal

DBE Median Participation
Step One Base Goal
Total
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 DBE goal of FY 2013-14 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.]
Placeholder for form
Placeholder for form
Placeholder for form
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 the 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 ICC 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 ICTC 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.
IMPERIAL COUNTY TRANSPORTATION COMMISSION
1405 N. IMPERIAL AVE, SUITE 1
ATTN: KATHI WILLIAMS
EL CENTRO, CA 92243

STATE OF CALIFORNIA ss,
County of San Diego

The Undersigned, declares under penalty of perjury under the laws of the State of California: That he is a resident of the County of San Diego. That he is and at all times herein mentioned was a citizen of the United States, over the age of twenty-one years, and that he is not a party to, nor interested in the above entitled matter; that he is Chief Clerk for the publisher of

The San Diego Union-Tribune

a newspaper of general circulation, printed and published daily in the City of San Diego, County of San Diego, and which newspaper is published for the dissemination of local news and intelligence of a general character, and which newspaper at all the times herein mentioned had and still has a bona fide subscription list of paying subscribers, and which newspaper has been established, printed and published at regular intervals in the said City of San Diego, County of San Diego, for a period exceeding one year next preceding the date of publication of the notice hereinafter referred to, and which newspaper is not devoted to nor published for the interests, entertainment or instruction of a particular class, profession, trade, calling, race, or denomination, or any number of same; that the notice of which the annexed is a printed copy, has been published in said newspaper in accordance with the instructions of the person(s) requesting publication, and not in any supplement thereof on the following dates, to wit:

Jan 26, 2014

[Signature]
Chief Clerk for the Publisher

1/30/14

Date

Affidavit of Publication of

Legal Advertisement
Ad # 0010810968#
ORDERED BY: KATHI WILLIAMS

Public Notice
Imperial County
Transportation
Commission
Federal Transit
Administration DBE
Goal for Fiscal Year
2013-2014

In accordance with 49 CFR Part 26.45(q), the Imperial County Transportation Commission (ICTC) announces a proposed Federal Transportation Administration (FTA) Disadvantaged Business Enterprise (DBE) goal of 2.0 percent for Fiscal Year 2013-2014. This goal represents the percentage of work to be accomplished by certified DBE subcontractors and consultants on FTA funded transit projects within Imperial County during FY 2013-14.

ICTC's proposed goal and the methodology used to determine that goal will be available for inspection for thirty (30) days from the date of this notice from 8:00am to 5:00pm M-F (excluding holidays) at ICTC's offices at 1405 N. Imperial Ave., Suite 1, El Centro, CA 92243, 760-392-4494. The goal and supporting methodology are also available for review on ICTC's website: www.imperialictc.org.

The US Department of Transportation and ICTC will accept comments on this proposed goal for 45 days from the date of this notice. Comments should be directed to the address or email at kathiwilliams@imperialictc.org.