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: April 8, 2015  Pages 4-13

B. Receive and File:
   1. ICTC Board Draft Minutes: April 22, 2015
   2. ICTC SSTAC Minutes April 1, 2015

C. Federal Transit Administration (FTA) Disadvantaged Business Enterprise (DBE) Goal for FY 2016 for Federal Transit funds  Page 15

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

1. Approve the proposed FY 2016 DBE goal of 2.0%, for distribution for public comment.
2. Direct staff to return with this item for review and adoption of the proposed DBE goal after the public review process has been completed.

CITIES OF BRAWLEY, CALEXICO, CALIPATRIA, EL CENTRO, HOLTVILLE, IMPERIAL, WESTMORLAND, IMPERIAL IRRIGATION DISTRICT AND COUNTY OF IMPERIAL
V. REPORTS

A. ICTC Executive Director
   • See attached Executive Director Report on page 53
B. Southern California Association of Governments
C. California Department of Transportation – District 11
   • See attached Caltrans Report on page 57
D. Committee Member Reports

VI. INFORMATION / DISCUSSION CALENDAR

A. HERO Program Update – Presentation by Nicole Ochoa
B. 2015 Active Transportation Program Regional Guidelines  Page 62
C. LTA Bond Update  Page 65
D. California's Road Use Charge Pilot  Page 71

VII. NEXT MEETING DATE AND PLACE

A. The next meeting of the Management Committee is currently scheduled for Wednesday, June 10, 2015 at 10:30 a.m., at the City of Calexico, Calexico, CA.

VIII. ADJOURNMENT

A. Motion to Adjourn
A. APPROVAL OF MANAGEMENT COMMITTEE
   DRAFT MINUTES: APRIL 8, 2015

B. RECEIVE AND FILE:
   1. ICTC BOARD DRAFT MINUTES: APRIL 22, 2015
   2. ICTC SSTAC MINUTES: APRIL 1, 2015
VOTING MEMBERS PRESENT:

City of Brawley  Yazmin Arellano for Rosanna Bayon Moore
City of Calexico  Sally Hernandez for Richard Warne
City of El Centro  Ruben Duran
City of Imperial  Marlene Best
County of Imperial  Rosa Lopez for Ralph Cordova

STAFF PRESENT:  Cristi Lerma

OTHERS PRESENT:  Sam Amen, Luis Medina; Caltrans, Tomas Oliva; SCAG

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, April 8, 2015 together with staff reports and related documents attached thereto and incorporated therein by reference.

I. CALL TO ORDER AND ROLL CALL
   Vice-Chair Marlene Best called the Committee meeting to order at 10:45 a.m. Roll call was taken. Introductions were made. A quorum was not present until 11:05 a.m. No actions were taken until a quorum was present.

II. EMERGENCY ITEMS
   A. There were none.

III. PUBLIC COMMENTS
   A. There were none.

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

   A. Approved ICTC Management Committee Minutes for March 11, 2015
   B. Received and filed:
      1. ICTC Board Draft Minutes for March 25, 2015
      2. ICTC Draft TAC Minutes for February 26, 2015
      3. ICTC Draft SSTAC Minutes for March 19, 2015

V. REPORTS
   A. ICTC Executive Director
      Mr. Baza had the following updates.
      - The next Imperial –Mexicali Binational Alliance meeting is scheduled for April 16, 2015 at the Imperial Center in Heber, CA at Gobi’s Mongolian BBQ.
      - The California / Baja California Pedestrian and Bicycle Transportation Access Study was adopted by the Commission on February 25, 2015. The presentation has also been presented to various committees’ in San Diego and in Mexico. A copy of final report is on the ICTC website at http://www.imperialctc.org/border-study/.
The Imperial County Safe Routes to School (SRTS) Regional Masterplan Project has been kicked off. The consultant selected to carry out the study is Ryan Snyder and Associates. The project is funded by the Community Based Transportation Planning (CBTP) program administered by Caltrans. The local match was provided by the Southern California Association of Governments (SCAG) from the Sustainability Grant program. SCAG has administered the consultant procurement process and will continue to be a partner with ICTC during project completion. The project has garnered great response from the Imperial County Office of Education and will soon be conducting outreach in each of the county’s 17 school districts.

The Transit Shuttle Analysis will assess the feasibility of an inter-college shuttle service in Imperial County. ICTC and SCAG staffs are working with both Imperial Valley College and San Diego State University staff to finalize the RFP schedule. SCAG staff will conduct the contract agreement for the selected consultant. The RFP process is anticipated to be completed by mid-May 2015.

To date, the cities of Brawley, Calipatria, El Centro, Holtville, Imperial and the County of Imperial have adopted resolutions to participate in the California HERO program. For Imperial Valley, the California HERO program is administered by Western Riverside Council of Governments (WRCOG) and ICTC. The cities of El Centro and Brawley were launched in May 2014 and the County of Imperial launched in November 2014. Attached is an update on HERO activities that are occurring in the County of Imperial, and the cities of Brawley and El Centro. The report describes the number of applications received and approved since their launch. Calexico, Calipatria and Holtville are expected to launch in March 2015. On Feb. 4th the City of Imperial took action to approve their participation and is expected to launch in May 2015. The City of Westmorland will soon consider action to participate in the program.

IVT Access, the ADA Paratransit service, is celebrating its 20th anniversary.

IVT Ride has received all 10 brand new low floor vehicles with onboard cameras.

All items were also made available on page 18 of the agenda.

Southern California Association of Governments (SCAG)
Mr. Oliva had the following updates:
- Reminder: The SCAG Regional Conference and General Assembly will be held at the JW Marriott in Palm Desert on May 7-8, 2015.
- A league of California Cities meeting is being held tomorrow in Westmorland, where Council Member Cheryl Viegas-Walker will be officially sworn in for another term on the SCAG Regional Council.
- Environmental Justice Workshop for the 2016-2040 RTP/SCS will be held on April 23, 2015 from 5:30 p.m. to 7:30 p.m.

Caltrans Department of Transportation – District 11
Mr. Amen had the following updates:
- Mr. Medina had several Local Assistance announcements.
- Mr. Amen had several project updates:
  - Projects updates:
    - I-8 CRCP Pavement Project, Three projects on I-8 at various locations to replace concrete pavement with long-life pavement. Traffic will be detoured as necessary to complete work. Design 95% Complete, with tentative schedule of April 2015, HQ Advertised, September 2015, HQ Award, October 2015, Construction Begins, Late 2015, Construction Ends, February 2017. 3 years construction for this project. This project is going to the CTC for vote in April or May.
    - The Brawley Bypass Landscaping project is 50% complete.
    - SR-7 Project is currently in Construction.
Caltrans has 2 asphalt repaving projects currently in Imperial County: I-8 from Forrester to Dogwood (12 Miles) and SR-111 from Brawley Bypass to 16 miles north. Both projects will be advertising soon.

SR-86 between Brawley and Westmorland for a concrete/asphalt experimental project will be taking place soon. A report for all new projects and road closures and delays will be forthcoming.

- The next Caltrans External Meeting is scheduled for April 23, 2015 at the IID Water Control Conference Room.
- A full report is on page 22 of the agenda.

D. Committee Member Reports
- There were none.

VI. ACTION CALENDAR

A. Application for Federal Transit Administration (FTA) Section 5311 Program Funds, FY 2014-15 – County Wide Transit System and the City of Brawley

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. Adopt the attached resolution authorizing the Executive Director to sign FTA 5311 FY 2014-15 grant applications and all supporting documentation, and submit the applications to Caltrans.
2. Approve the following additional actions relative to the Brawley IVT Gold Line Bus Stop Improvement Program Phase 2:
   a. Approve the use of $48,878.00 as the local match from the FY 2014-15 TDA operating reserve.
   b. Direct staff to develop an RTIP amendment for the Brawley IVT Gold Line Bus Stop Improvement Program.

A motion was made by Lopez seconded by Arellano, Motion carried unanimously.

VII. INFORMATION / DISCUSSION CALENDAR

A. The California Transportation Plan 2040

Mr. Cepeda presented on the California Transportation Plan 2040. Caltrans invites partner agencies to help shape the state’s transportation future by offering their input and comments on the draft California Transportation Plan 2040 (CTP 2040). The CTP is the statewide long-range transportation plan to meet California’s future multimodal mobility needs and reduce greenhouse gas emissions – more details at www.dot.ca.gov/hq/tpp/californiatransportationplan2040/. The draft document is available for public review from March 2 through April 17, 2015.

B. General Assembly and Economic Summit

ICTC is collaborating with IVEDC to have a combined General Assembly and Economic Summit on the evening of April 30th and morning of May 1st at the at the Imperial Center - Joy Seafood Grill, 1147 Yourman Rd., Heber CA 92249.

Invited speakers are Assemblymember Eduardo Garcia, representing California’s 56th Assembly District and Commissioner Jim Madaffer, California Transportation Commission.

Mr. Baza stated that the goal is that this becomes an annual event.
C. ICTC Budget Workshop

A proposed Budget Workshop was tentatively scheduled for the afternoon of May 27, 2015 at the County of Imperial Administration Building, Conference Room C&D for City Managers and Commissioners.

VIII. NEXT MEETING DATE AND PLACE

The next meeting of the Management Committee will be held on May 13, 2015 at the County of Imperial, El Centro, CA.

IX. ADJOURNMENT

A. Motion to adjourn by Servin/Brunet. Motion Carried. Meeting adjourned at 11:46 a.m.
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 April 22, 2015 together with staff reports and related documents attached thereto and incorporated therein by reference.

I. CALL TO ORDER AND ROLL CALL
Chair Kuhn called the Commission meeting to order at 6:06 p.m. Roll call was taken.

II. EMERGENCY ITEMS
A request was made by Mr. Baza to add an item to the action calendar. A motion was made by Sanders and seconded by Predmore to add “California Transit Security Grant (CTGSP) Program FY 2012-13” to the action calendar as item A. Motion Carried.

III. PUBLIC COMMENTS
Mr. Brockwell announced that the ADA Paratransit service IVT Access was celebrating 20 years of service and because of the anniversary some of the IVT Access buses are wrapped with the celebratory announcement.

IV. APPROVAL OF CONSENT CALENDAR
A motion was made by Predmore and seconded by Sanders to approve the consent calendar, Motion carried.
A. Approved ICTC Board Draft Minutes: March 25, 2015
B. Received and Filed:
   1. ICTC Management Committee Minutes April 8, 2015
   2. ICTC Technical Advisory Committee February 26, 2015
   3. ICTC SSTAC Minutes: March 19, 2015
C. Specific Transit Operator Fiscal Reports FY 2013-14 for Imperial Valley Transit and IVT Access
   1. Received and filed the Specific Transit Operator Fiscal Reports FY 2013-14; IMPERIAL VALLEY TRANSIT and IVT ACCESS for the Imperial County Transportation Commission for FY 2013-14
D. Specific Transit Operator Fiscal Reports FY 2013-14 for Med Express and West Shores Dial-A-Ride

1. Received and filed the Specific Transit Operator Fiscal Reports FY 2013-14; Med Express and West Shores Dial-A-Ride for the Imperial County Transportation Commission for FY 2013-14

V. REPORTS

A. ICTC Executive Director

Mr. Baza and staff had the following announcements:

- A proposed Budget Workshop is tentatively scheduled for the afternoon of May 27, 2015 at the County of Imperial Administration Building, Conference Room C&D.
- Local Transportation Authority Annual Financial Audit for Fiscal Year June 30, 2014: The Auditor (Oscar G. Armijo, CPA) is currently finalizing the FY 2013-14 audit. The LTA Local Taxpayer Supervising Committee (LTSC) will meet prior to review the audit with a recommendation to the LTA Board in May.
- The General Assembly is our first since the Imperial County Transportation Commission’s (ICTC) inception in January 2010. We have partnered with the Imperial Valley Economic Development Corporation (IVEDC) and the Southern California Association of Governments (SCAG) to carry out this event. The General Assembly will be held on the evening of April 30, 2015 and the Economic Summit will be held on the morning of May 1, 2015. A Save the Date notice and a Draft Agenda were provided as back up.
- Congress authorized $98 million for Phase 1 of the Calexico West Port of Entry expansion, however $98 million may not be enough to complete phase 1 the project. GSA is more than likely going to scope out an adequate project for the awarded amount. Their goal is to award in July.
- FHWA will be awarding between $400 and $500 thousand for project under the recently approved California / Baja California Pedestrian and Bicycle Transportation Access Study.
- IVT RIDE service began operations in the Cities of Calexico and Imperial October 1, 2014; in the West Shores community on December 1, 2014; and, in the City of Brawley on January 2, 2015. Several Public Outreach Workshops were held in each of the four communities before the service began. The next paratransit coordinating council meeting is scheduled for April 30, 2015. Staff is continuing Public Outreach Workshops on an as needed basis. Staff also implemented the no show/late cancellation policy on March 1, 2015 in the Cities of Calexico and Imperial only. The policy has lowered no-show occurrences significantly. All 9 of the newly purchased low floor cutaway bus vehicles are in operation and equipped with camera systems. The use of wireless tablet devices on the service was implemented April 1st and the service has experienced increased efficiencies, such as increased ability to accommodate same day trips, increased passengers per hour and less need for constant radio contact as manifests are updated in real time via wireless connection. Not including West Shores the IVT Ride service is averaging 3.14 passengers per hour with close to 4 passengers per hour in the City of Calexico.
- The Imperial County Safe Routes to School (SRTS) Regional Masterplan Project has been kicked off. The consultant selected to carry out the study is Ryan Snyder and Associates. The project is funded by the Community Based Transportation Planning (CBTP) program administered by Caltrans. The local match was provided by the Southern California Association of Governments (SCAG) from the Sustainability Grant program. SCAG has administered the consultant procurement process and will continue to be a partner with ICTC during project completion. The project has garnered great response from the Imperial County Office of Education and will soon be conducting outreach in each of the county’s 17 school districts.
- A full Executive Director report is located on page 57 of the agenda.
B. Southern California Association of Governments (SCAG)
Mr. Oliva had the following announcements:
- Join SCAG in celebrating the past, present and future at the 2015 Regional Conference and General Assembly, May 7-8, at the JW Marriott Desert Springs Resort & Spa in Palm Desert. The event will commemorate 50 years of regional collaboration and service to SCAG’s member cities as well as engage attendees in envisioning a sustainable future for Southern California. SCAG’s largest event of the year, the conference is a great place to explore emerging trends and issues, and network with elected officials, city staff and business leaders from throughout the region. Registration is available on SCAG’s website: [http://scag.ca.gov/ga2015](http://scag.ca.gov/ga2015).
- A public workshop will be held on May 27, 2015 at the SCAG, Imperial County office regarding the 2016 RTP/SCS that should be adopted in May 2016.
- An Environmental Justice workshop and public outreach video conference will be held at the SCAG, Imperial County office from 5:30 p.m. to 7:30 p.m. on April 23, 2015.

C. California Department of Transportation (Caltrans)
- Mr. Peinado stated that Caltrans currently has 8 projects for Imperial County within the next year that will cover 314 miles and recognizes the impacts on traffic they will all have. There will be active outreach efforts to notify travelers of all road construction.
- Mr. Amen said that there will be a coordinated effort between Caltrans, ICTC, IVEDC and Imperial County Workforce Development to have a large workshop that will help individuals with becoming DBE certified. The workshop will be taking place at Imperial Valley College sometime in June or July.
- The El Centro Maintenance station is under construction. The location is East of Dogwood on Ross Ave.
- A full report of Caltrans updates can be found on page 69 of the agenda.

D. Commission Member Report
- There were various reports by Commission members of countywide events happening in each of their respective cities.

VI. ACTION CALENDAR

A. California Transit Security Grant (CTGSP) Program FY 2012-13
ICTC staff requested that the Commission review and approve this item after the receipt of public comment, if any.

1. Adopted the attached resolution authorizing the Executive Director or his designee to take actions necessary on behalf of the ICTC for the purposes of obtaining FY 2012-13 financial assistance provided by the Governor’s Office of Homeland Security under the California Transit Security Grant Program for the Imperial Transit Park.

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

B. Application for Federal Transit Administration (FTA) Section 5311 Program Funds, FY 2014-15 – County Wide Transit System and the City of Brawley
ICTC Management Committee met on April 8, 2015 and forwarded this item to the ICTC Commission for their review and approval after public comment, if any:
1. Adopted the attached resolution authorizing the Executive Director or his designee to sign FTA 5311 FY 2014-15 grant applications, all supporting documentation, and submit the applications to Caltrans.

2. Approved the following additional actions relative to the Brawley Bus Stop Improvement Program Phase II:
   a. Approved the use of $48,878.00 as the local match from the FY 2014-15 TDA operating reserve.
   b. Directed staff to develop an RTIP amendment for the Brawley Bus Stop Improvement Program.

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

C. ICTC Overall Work Program (OWP) and Budget FY 2014-15, Amendment #3

ICTC staff forwarded this item to the Commission for their review and approval after public comment, if any:

1. Approved the FY 2014-15 Budget Amendment Request #3

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

VII. NEXT MEETING DATE AND PLACE

A. The next meeting of the Imperial County Transportation Commission will be held on **Wednesday, May 27, 2015 at 6:00 p.m.**, at the County of Imperial Board Chambers, at 940 W. Main Street, El Centro, CA.

VIII. ADJOURNMENT

Meeting adjourned at 7:25 p.m.
1. Vice-Chair Hack called the meeting to order at 10:04 a.m. A quorum was present. Introductions were made.

2. Minutes adopted for February 4, 2015 and for March 19, 2015 with corrections noted. (Ramirez/Pacheco) Motion Carried

3. CTSA Reports
   - Mr. Salgado stated that the IVT Ride new low floor buses have all been delivered and are currently operating. A bus was also available to see after the meeting.
   - The Unmet Transit Needs “Findings” were adopted at the Commission meeting in March.
   - FTA 5311 grants will be submitted to Caltrans.
   - The Mobility Manager position was approved through the FTA 5310 program.

4. Transit Operator Reports
   a. El Centro Dial-a-Ride: There are no changes and service is doing well.
   b. Med-Express: Service is doing well.
   c. Imperial Valley Transit: Updates were given by Mr. Sanchez for the month of March
      o Gold Line: There were an average of 56 passengers per day
      o Sunday services: There were an average of 362 passengers per Sunday
      o Saturday services: There were an average of 1100 per Saturday
o IVC Express: There were an average of 40 passengers per trip in the morning and an average of 41 passengers in the evening.
o Brawley Direct Route in the afternoon: 5 passengers for the month
o Niland Slab City Route: 5 passengers per Thursday.

d. IVT Access: Updates were given by Ms. Pacheco for the month of March. Ms. Pacheco stated that the ADA Paratransit service was celebrating 20 years of service and she brought waters bottle for all.
o On time performance was 95%
o No Shows: 38
o Late Cancellations: 31
o Wheelchairs: 720
o Passenger Count: 2,600
o Saturdays: 15 per Saturday
o Sundays: 8 per Sunday

e. IVT Ride – Updates were given by Ms. Montemayor for the month of March
i. City of Brawley
o 60 or older or disabled can use this service with an ID card
o Passenger per revenue hour: 3.09
o For the month of March on time performance was 98%
o Wheelchairs: 206
o Passenger Count: 44 average per weekday; 11 average per Saturday

ii. City of Calexico
o 60 or older or disabled can use this service with an ID card
o For the month of March on time performance was 98%
o Passenger per revenue hour: 3.8
o Wheelchairs: 470
o Passenger Count: 88 average passengers per weekday; 26 average passengers per Saturday; 23 average passengers per Sunday

iii. City of Imperial
o 60 or older or disabled can use this service with an ID card
o For the month of March on time performance was 99%
o Passenger per revenue hour: 1.9
o Wheelchairs: 33
o Passenger Count: 18 average passengers per weekday; 5 average passengers per Saturday;

vi. West Shores
o 60 or older or disabled can use this service with an ID card
o For the month of March on time performance was 100%
o Tuesdays/Thursdays service
o Passenger per revenue hour: 1.28
o Wheelchairs: 0
o Passenger Count: 96 passengers for the month and 10 average passengers per operating day

5. General Discussion
- Ms. Flores introduced Gilbert Rebollar with the Area Agency on Aging. Mr. Flores will be working on the Senior Directory and any information is welcome.
- Mr. Salgado thanked everyone for coming and for their continued participation on the SSTAC.
- Mr. Hack stated that the Peoples First Conference went well.

6. Adjournment
- Next meeting on May 6, 2015. Meeting adjourned at 10:20 a.m.
C. FEDERAL TRANSIT ADMINISTRATION (FTA) DISADVANTAGED BUSINESS ENTERPRISE (DBE) GOAL FOR FY 2015-16 FOR FEDERAL TRANSIT FUNDS
May 8, 2015

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

SUBJECT: Federal Transit Administration (FTA) Disadvantaged Business Enterprise (DBE) Goal for FY 2016 for Federal Transit 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 underprivileged 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.

ICTC staff proposes a FY 2016 DBE goal of 2.0%. This goal is calculated by examining all the expected contracting opportunities utilizing FTA funds in a given year, determining what proportion of potential DBE firms qualified to bid on those contracts, and then using that information to establish a reasonable goal regarding the amount of FTA funds that will actually be awarded to DBE firms. This methodology is outlined in detail in the attached report.

As an additional requirement in the goal setting process, ICTC must publish its goal for a public comment period of no less than 45 days. After this time, the proposed DBE goal may then be amended or adopted by the ICTC Commission.

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

1. Approve the proposed FY 2016 DBE goal of 2.0%, for distribution for public comment.

2. Direct staff to return with this item for review and adoption of the proposed DBE goal after the public review process has been completed.

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
DRAFT
Disadvantaged Business Enterprise Plan (DBE)
For Projects Funded Through
the Federal Transit Administration (FTA)
FY 2016
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
## TABLE OF CONTENTS

### 1. GENERAL REQUIREMENTS
- a. Objectives .......................................................... 4
- b. Applicability............................................................ 4
- c. Definitions.............................................................. 4
- d. Non Discrimination Requirements................................. 4
- e. Record Keeping Requirements....................................... 4

### 2. ADMINISTRATIVE REQUIREMENTS
- a. DBE Program Updates.................................................. 5
- b. Policy Statement........................................................ 5
- c. DBE Liaison Officer..................................................... 6
- d. DBE Financial Institutions............................................. 6
- e. Prompt Payment Mechanisms........................................ 7
- f. Directory........................................................................ 7
- g. Overconcentration....................................................... 7
- h. Business Development Programs.................................... 7
- i. Monitoring and Enforcement Mechanisms.......................... 7

### 3. GOALS, GOOD FAITH EFFORTS AND COUNTING
- a. Set Aside or Quotas..................................................... 8
- b. Overall Goals............................................................ 8
- c. Transit Vehicle Manufacturers Goals................................ 8
- d. Break out of Estimate Race Neutral and Race Conscious Participation...................................................... 8
- e. Contract Goals........................................................... 9
- f. Good Faith Efforts Procedures....................................... 9-11
- g. Counting DBE Participation......................................... 9-11

### 4. CERTIFICATIONS STANDARDS
- a. Certification Process.................................................. 11

### 5. CERTIFICATION PROCEDURES
- a. Unified Certification Programs........................................ 11-12
- b. Procedures for Certification Decisions............................. 12
- c. Denials of Initial Requests For Certification........................ 13
- d. Removal of a DBE’s Eligibility....................................... 13
- e. Certification Appeals.................................................... 13

### 6. COMPLIANCE AND ENFORCEMENT
- a. Information, Confidentiality Cooperation........................ 13
ATTACHMENTS

Attachment 1 – Organizational Chart..........................................................................................15
Attachment 2 – DBE Directory.........................................................................................................16
Attachment 3 – Monitoring and Enforcement Mechanisms..............................................................17
Attachment 4 – Overall Goal Calculation......................................................................................18-23
Attachment 5 – Breakout of Estimated Race–Neutral and Race-Conscious Participation..............24
Attachment 6 – Forms....................................................................................................................25-29
Attachment 7 – Certification Application Forms...............................................................................30
Attachment 8 – Procedures for the Removal of a DBE’s Eligibility..................................................31
Attachment 9 – Regulations: 49 CFR Part 26..................................................................................32
Attachment 10– Affidavit of Publication..........................................................................................33
Attachment 11- Small Business Program ......................................................................................34
SUBPART A – GENERAL REQUIREMENTS

Section 26.1  Objectives

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

Section 26.3  Applicability


Section 26.5  Definitions

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

Section 26.7  Non-discrimination Requirements

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

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

Section 26.11 Record Keeping Requirements

Reporting to DOT: 26.11(b)

We will report DBE participation to DOT as follows:

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

Bidders List: 26.11(c)

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

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

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

Assurance: 26.13(a)

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

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

Contract Assurance: 26.13b

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

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

SUBPART B - ADMINISTRATIVE REQUIREMENTS

Section 26.21 DBE Program Updates

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

Section 26.23 Policy Statement

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

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

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

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

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

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

Section 26.27  DBE Financial Institutions

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

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

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

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

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

Section 26.31 Directory

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

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

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

Section 26.33 Overconcentration

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

Section 26.35 Business Development Programs

ICTC has not established a business development program.

Section 26.37 Monitoring and Enforcement Mechanisms

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

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

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

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

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

**Section 26.43 Set-asides or Quotas**

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

**Section 26.45 Overall Goals**

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

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

Following this consultation, we will publish a notice of the proposed overall goals, informing the public that the proposed goal and its rationale 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/offeror may request administrative reconsideration. Bidder/offerors should make this request in writing to the following reconsideration official:

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

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

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

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

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

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

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

Sample Bid Specification:

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

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

Section 26.55 Counting DBE Participation

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

SUBPART D – CERTIFICATION STANDARDS

Section 26.61 – 26.73 Certification Process

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

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

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

SUBPART E – CERTIFICATION PROCEDURES

Section 26.81 Unified Certification Programs

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

“The California Unified Certification Program (CUCP) went into effect on January 1, 2002. It is a one stop shopping certification procedure that eliminates the need for Disadvantaged Business Enterprises (DBE) firms to obtain certifications from multiple agencies within the State.
The CUCP is charged with the responsibility of certifying firms and compiling and maintaining a single Statewide database of certified DBEs, pursuant to 49 CFR Part 26. The database is intended to expand the use of DBE firms by maintaining complete and current information on those businesses and the products and services they can provide to all DOT assisted grantees in California.

The CUCP has established two regional DBE certification clusters throughout the State, designated by geographical boundaries to effectively facilitate Statewide DBE certification activities.

The CUCP certifying agencies are responsible for certifying DBE firms. It is not necessary to apply for DBE certification at more than one agency. If your firm meets the general criteria for DBE certification as provided on the Application package, please submit your completed application, along with the requested documentation to one of the Certifying agencies serving the County where your firm has its principal place of business.

**Section 26.83 Procedures for Certification Decisions**

**Re-certifications 26.83(a) & (c)**

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

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

"No Change" Affidavits and Notices of Change (26.83(j))

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

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

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

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

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

Section 26.85 Denials of Initial Requests for Certification

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

Section 26.87 Removal of a DBE’s Eligibility

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

Section 26.89 Certification Appeals

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

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

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

SUBPART F – COMPLIANCE AND ENFORCEMENT

Section 26.109 Information, Confidentiality, Cooperation

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

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

Monitoring Payments to DBEs

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

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

<table>
<thead>
<tr>
<th>Attachment</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Organizational Chart</td>
</tr>
<tr>
<td>2</td>
<td>DBE Directory</td>
</tr>
<tr>
<td>3</td>
<td>Monitoring and Enforcement Mechanisms</td>
</tr>
<tr>
<td>4</td>
<td>Overall Goal Calculation</td>
</tr>
<tr>
<td>5</td>
<td>Breakout of Estimated Race-Neutral &amp; Race-Conscious Participation</td>
</tr>
<tr>
<td>6</td>
<td>Forms for Demonstration of Good Faith Efforts</td>
</tr>
<tr>
<td>7</td>
<td>Certification Application</td>
</tr>
<tr>
<td>8</td>
<td>Procedures for Removal of DBE’s Eligibility</td>
</tr>
<tr>
<td>9</td>
<td>Regulations: 49 CFR part 26</td>
</tr>
<tr>
<td>10</td>
<td>Affidavit of Publication</td>
</tr>
<tr>
<td>11</td>
<td>Small Business Program</td>
</tr>
</tbody>
</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 2016 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 2016 DBE goal for FTA purposes.

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

Anticipated ICTC contracting opportunities during FY 2016 utilizing FTA funds:

1. One (1) Contract for public fixed route transit services and One (1) Contract for ADA paratransit services.
   - Total FY 2016 contract cost (including federal and non federal funds): $6,462,085
   - Total FY 2015 FTA 5307 Funds: $2,276,290, FTA 5311 Funds: $261,436

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

Approximate total amounts were based upon:

1. Obligated funds based on revenue apportionments as posted by the FTA under the FY 2014-15 FTA 5307 and FY 2015-16 FTA 5311 program and documented in the FY 2015-16 ICTC OWP and Transit Budget.

Unique factors affecting the development of the DBE Goal for FY 2016

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

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

**Step 1 – Development of the Base Goal Figure**

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

Approximate potential funding available for the contacting opportunities

<p>| Table 1 | Amount of DOT Funding |
| --- | --- | --- | --- |</p>
<table>
<thead>
<tr>
<th>NAICS CODE</th>
<th>Description of the Work</th>
<th>Amount of DOT funds</th>
<th>Percent of Total Weight</th>
</tr>
</thead>
<tbody>
<tr>
<td>423120</td>
<td>Parts (general)</td>
<td>$185,038.00</td>
<td>0.118</td>
</tr>
<tr>
<td>423130</td>
<td>Tire products</td>
<td>$553,220.00</td>
<td>0.019</td>
</tr>
<tr>
<td>424720</td>
<td>Fuel and Oil Suppliers</td>
<td>$905,102.00</td>
<td>0.733</td>
</tr>
<tr>
<td>541614</td>
<td>Consulting Services</td>
<td>$000,000.00</td>
<td>0.000</td>
</tr>
<tr>
<td>541850</td>
<td>Transit Advertising</td>
<td>$160,000.00</td>
<td>0.084</td>
</tr>
<tr>
<td>541870</td>
<td>Transit printing</td>
<td>$95,000.00</td>
<td>0.065</td>
</tr>
<tr>
<td>TOTALS</td>
<td></td>
<td>$1,803,360.00</td>
<td>100%</td>
</tr>
</tbody>
</table>
The number of DBE and non DBE firms ready, willing, and able to bid on contracting opportunities.

### Table 2  Relative Availability of DBEs

<table>
<thead>
<tr>
<th>NAICS CODE</th>
<th>Description of the Work</th>
<th>Available DBEs</th>
<th>Number of all Firms</th>
<th>Relative Availability</th>
</tr>
</thead>
<tbody>
<tr>
<td>423120</td>
<td>Parts ( general)</td>
<td>0</td>
<td>21</td>
<td>0.000</td>
</tr>
<tr>
<td>423130</td>
<td>Tire products</td>
<td>0</td>
<td>32</td>
<td>0.000</td>
</tr>
<tr>
<td>424720</td>
<td>Fuel and Oil Suppliers</td>
<td>0</td>
<td>4</td>
<td>0.000</td>
</tr>
<tr>
<td>541614</td>
<td>Consulting Services</td>
<td>0</td>
<td>5</td>
<td>0.000</td>
</tr>
<tr>
<td>541850</td>
<td>Transit Advertising</td>
<td>0</td>
<td>4</td>
<td>0.000</td>
</tr>
<tr>
<td>541870</td>
<td>Transit printing</td>
<td>0</td>
<td>10</td>
<td>0.000</td>
</tr>
<tr>
<td><strong>TOTALS</strong></td>
<td></td>
<td>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 (IVT) 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>0.118</td>
<td>0.000</td>
<td>0.000</td>
</tr>
<tr>
<td>423130</td>
<td>Tire products</td>
<td>0.019</td>
<td>0.000</td>
<td>0.000</td>
</tr>
<tr>
<td>424720</td>
<td>Fuel and Oil Suppliers</td>
<td>0.733</td>
<td>0.003</td>
<td>0.000</td>
</tr>
<tr>
<td>541614</td>
<td>Consulting Services</td>
<td>0.000</td>
<td>0.000</td>
<td>0.000</td>
</tr>
<tr>
<td>541850</td>
<td>Transit Advertising</td>
<td>0.084</td>
<td>0.000</td>
<td>0.000</td>
</tr>
<tr>
<td>541870</td>
<td>Transit printing</td>
<td>0.065</td>
<td>0.000</td>
<td>0.000</td>
</tr>
<tr>
<td><strong>TOTALS</strong></td>
<td></td>
<td>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>Hispanic owned firms</th>
<th>44.1%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Asian owned firms</td>
<td>6.3%</td>
</tr>
<tr>
<td>Women owned firms</td>
<td>25.8%</td>
</tr>
<tr>
<td>Black owned firms</td>
<td>1.6%</td>
</tr>
</tbody>
</table>

Table 4         Historical DBE Participation

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

The median participation FFYs 2016 and Step 2 Goal

<table>
<thead>
<tr>
<th>DBE Median Participation</th>
<th>0.00%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Step One Base Goal</td>
<td>0.00%</td>
</tr>
<tr>
<td>Total</td>
<td>0.00%</td>
</tr>
<tr>
<td>Divided by 2 =</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td>0.00 %</td>
</tr>
</tbody>
</table>

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, 2013, 2014 and 2015:

1. Transit Drug and Alcohol Programs Compliance Audit $11,000
   DBE participation =100% = $11,000
2. Short Range Transit Plan $97,317
   DBE participation =15.4% = $14,986
3. IVT – Specific Operational Analysis $112,500
   DBE Participation = 4% = $4,500

In a desire to maintain the spirit of the law, it will be requested that consultants or subcontractors strive to attain a race neutral DBE goal of **FY 2015-16 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
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 statements and reasons for findings on the issue of reasonable cause must specifically reference the evidence in the record on which the reason is based.

Recipient initiated

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

DOT directive

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

Regulations: 49 CFR Part 26

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

Affadavit(s) of Publication
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.
V. REPORTS

A. ICTC EXECUTIVE DIRECTOR

C. CALTRANS—DISTRICT 11
Date: May 5, 2015
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 May 13, 2015.

1. **Imperial Valley General Assembly and Economic Summit:** The General Assembly was held on April 30th and the Economic Summit on May 1st. It was our first since ICTC’s inception in January 2010. We partnered with IVEDC and SCAG to carry out this event. The following presenters made the event dynamic and interesting: Assembly Member Eduardo Garcia, 56th District; Jim Madaffer, Commissioner, California Transportation Commission; Cheryl Viegas-Walker, Incoming SCAG President/El Centro City Council Member; Michael Bracken, Managing Partner and Chief Economist at Development Management Group, Inc.; Dan Massiello, Senior VP of Public Finance at Kosmont Companies; Christina Casgar, Goods Movement Policy Manager for San Diego Association of Governments; Bill Plourd, President and CEO of El Toro Export, LLC; Eusebio Arballo, Chairman of IVEDC and Public Affairs Specialist of San Diego Gas and Electric; Miguel Figueroa, Director of Imperial County Workforce Development; and, Bobby Brock, President and CEO of Imperial Valley Community Foundation. The event hosted 123 attendees.

2. **FY 2015-16 Budget Workshop:** A Budget Workshop is scheduled on May 27, 2015 at 4 p.m. at the County of Imperial Administration Building, Conference Room C&D.

3. **Local Transportation Authority Annual Financial Audit for Fiscal Year June 30, 2014:** The FY 2013-14 LTA Draft Audit is now available for comment and is published on the ICTC website at under the LTA tab at http://www.imperialctc.org/about-lta/financial-reports/. The LTA Local Taxpayer Supervising Committee (LTSC) is scheduled for May 12, 2015 at 10 a.m. at the ICTC Offices. An LTA meeting will be held on May 27, 2015 at 6 p.m. at the County Board Chambers.

4. **California HERO Program:** To date, the cities of Brawley, Calipatria, El Centro, Holtville, Imperial and the County of Imperial have adopted resolutions to participate in the California HERO program. For Imperial Valley, the California HERO program is administered by Western Riverside Council of Governments (WRCOG) and ICTC. The cities of El Centro and Brawley were launched in May 2014 and the County of Imperial launched in November 2014. Attached is an update on HERO activities that are occurring in the County of Imperial, and the cities of Brawley and El Centro. The report describes the number of applications received and approved since their launch. Calexico, Calipatria and Holtville are expected to launch in March 2015. On Feb. 4th the City of Imperial took action to approve their participation and is expected to launch in May 2015. The City of Westmorland will soon consider action to participate in the program.
5. **Downtown Calexico West Port of Entry:** Congress authorized $98 million for Phase 1 of the port expansion. The U.S. General Services Administration (GSA) will be developing construction bid documents. Phase I construction is scheduled to begin in August 2015 with completion in January 2018. GSA will be hosting Community Representative Committee (CRC) meetings periodically through the construction phases of the project.

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

7. **Imperial–Mexicali Binational Alliance:** The next meeting is tentatively scheduled for June 11, 2015 in Mexicali.

8. **IVT RIDE Update:** IVT RIDE service began operations in the Cities of Calexico and Imperial October 1, 2014; in the West Shores community on December 1, 2014; and, in the City of Brawley on January 2, 2015. Several Public Outreach Workshops were held in each of the four communities before the service began. Staff also implemented the no show/late cancellation policy on March 1, 2015 in the Cities of Calexico and Imperial only. The policy has lowered no-show occurrences significantly. All 9 of the newly purchased low floor cutaway bus vehicles are in operation and equipped with camera systems. The use of wireless tablet devices on the service was implemented April 1st and the service has experienced increased efficiencies, such as increased ability to accommodate same day trips, increased passengers per hour and less need for constant radio contact as manifests are updated in real time via wireless connection. Not including West Shores, the IVT Ride service is averaging 3.14 passengers per hour with close to 4 passengers per hour in the City of Calexico. An IVT Ride Paratransit Coordinating Committee (PCC) meeting was held on April 30, 2015 to review operational issues and performance data, and to review upcoming projects and activities. Public outreach workshops are scheduled in the City of Brawley on May 21, 2015 from 9 a.m. to 12 p.m. at the Senior Center and in the City of Calexico on May 28, 2015 from 1 p.m. to 4 p.m. at the Carmen Durazo Center. The next PCC is tentatively scheduled for July 30, 2015.

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

10. **Imperial County Regional Safe Routes to School (SRTS) Masterplan:** The Imperial County Safe Routes to School (SRTS) Regional Masterplan Project has been kicked off. The consultant selected to carry out the study is Ryan Snyder and Associates. The project is funded by the Community Based Transportation Planning (CBTP) program administered by Caltrans. The local match was provided by the Southern California Association of Governments (SCAG) from the Sustainability Grant program. Outreach has been conducted in the communities of Calipatria, Westmorland, and San Pasqual. Outreach will continue throughout the county over the coming months. The project is scheduled for completion Fall 2015. For further information please contact David Salgado at (760) 592-4494.
11. **California / Baja California Pedestrian and Bicycle Transportation Access Study**: The Study was focused on the California-Baja California border region, and access to/from the six existing Ports of Entry (POEs). A copy of final report is on the ICTC website at [http://www.imperialctc.org/border-study/](http://www.imperialctc.org/border-study/).

12. **Meetings attended on behalf of ICTC:**
   - April 9, 2015: League of California Cities - Imperial County Division meeting in Westmorland, CA.
   - April 16, 2015: Imperial / Mexicali Binational Alliance meeting in Heber, CA.
   - April 16, 2015: Caltrans District 11 Border Program meeting with Mr. David Kim, Associate Administrator, FHWA, Office of Policy and Governmental Affairs
   - April 23, 2015: Caltrans External Team Building Meeting at the IID offices
   - April 30th and May 1st, 2015: 1st Annual Imperial Valley General Assembly and Economic Summit
   - May 7-8: SCAG General Assembly and Regional Council
Program Activity through March 31, 2015

<table>
<thead>
<tr>
<th>Member</th>
<th>Launch Date</th>
<th>Eligible Housing Units *</th>
<th>Total Applications Received</th>
<th>Applications Approved</th>
<th>Approved Amount</th>
<th>Total Projects</th>
<th>Funded Projects</th>
<th>Funded Amount</th>
<th>Jobs Created***</th>
<th>Energy</th>
<th>Water</th>
<th>Renewable</th>
<th>Solar kW Installed</th>
<th>Annual kWh Saved</th>
<th>Annual CO2 Reduced (Tons)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Brawley</td>
<td>5/23/14</td>
<td>6,748</td>
<td>24</td>
<td>14</td>
<td>$268,657</td>
<td>4</td>
<td>$44,211</td>
<td>0.44</td>
<td>4</td>
<td>18,720</td>
<td>4</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Calexico</td>
<td>3/24/15</td>
<td>9,140</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>56,169</td>
<td>15</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Calipatria</td>
<td>3/24/15</td>
<td>980</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>El Centro</td>
<td>5/23/14</td>
<td>11,620</td>
<td>51</td>
<td>30</td>
<td>$576,942</td>
<td>9</td>
<td>$131,538</td>
<td>1.31</td>
<td>6</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Holtville</td>
<td>3/24/15</td>
<td>1,733</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Imperial</td>
<td>May 2015</td>
<td>4,553</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Westmorland</td>
<td></td>
<td>596</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Imperial County</td>
<td>11/14/14</td>
<td>13,813</td>
<td>13</td>
<td>4</td>
<td>80,426</td>
<td>1</td>
<td>9,147</td>
<td>0.09</td>
<td>1</td>
<td></td>
<td></td>
<td>11,848</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td>49,183</td>
<td>88</td>
<td>48</td>
<td>$926,025</td>
<td>14</td>
<td>$184,896</td>
<td>1.84</td>
<td>11</td>
<td></td>
<td>3</td>
<td>0</td>
<td>86,737</td>
<td>21</td>
<td></td>
</tr>
</tbody>
</table>

* Eligible housing units based off Total Single Family Homes minus 5 units or more from the Department of Finance City/County Population and Housing Estimates, 1/1/2013.

*** 1 job for every $100,000 invested.
The following is the California Department of Transportation, District 11 project status update for
the Imperial County Transportation Management Committee meeting of May 13, 2015:

1. Project Updates:

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

   **El Centro Maintenance Station:**
   - Contract Approved, April 2014
   - Construction Began, July 2014
   - Complete Construction, July 2017
   - Addition of Sub-Shop Building via Informal Bid with Director’s Order
   - Total Cost: $12.4 million

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

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

**SR-111 Rest Area Project:**
The rest area currently does not meet the State Water Quality Standards for Wastewater Treatment. Therefore, Caltrans is analyzing two alternatives:

1. Upgrade facility to meet standards
2. Close the facility

PA&ED Scheduled for, June 2015
Total Cost: $243,000

**SR-7 Continuous Reinforced Concrete Pavement (CRCP) Project:**
From the Calexico East Port of Entry to SR-98
Construction Contract Acceptance, March 2016
Construction Began, January 2015
Construction Ends, February 2016
Total Cost: $16.3 million

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

**SR-111 Pavement Rehabilitation Project:**
From Niland (Main Street) to Imperial County line
Project will include grinding and chip seal.
Construction Began, August 2014
Construction Ends, April 2015
Total Cost: $5.6 million

**Brawley Bypass Landscape Mitigation Project:**
Contract Approved, October 2014
Construction Ends, June 2015
Total Cost: $2.5 million

**SR-86 Pavement Rehabilitation Project:**
From 15th Street (City of Imperial) to SR-78 (City of Brawley)
Project includes rubber chip seal and repair of pot holes.
Project in suspension; correcting for smoothness.
Construction Began, August 2014
Construction Ends, June 2015
Total Cost: $3.9 million
Project Updates (continued):

I-8 Pavement Rehabilitation Project:
Asphalt rubberized overlay
From 0.6 miles east of Westside Road to 0.3 miles west of SR-111
Design Complete, February 2015
Advertisement, April 2015
Contract Approval, August 2015
Total Cost: $6.7 million

SR-111 Pavement Rehabilitation Project
Asphalt rubberized seal coat
From 0.1 mile north of Del Rio Road to Main Street
Advertisement, March 2015
Total Cost: $5.7 million

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

SR-86 Pavement Rehabilitation Project
Chip seal
From 0.4 miles south of SR-78 west junction to the County line
Bid Open, May 2015
Total Cost: $4.5 million

Dogwood Landscape Project:
Design Complete, December 2015
HQ Advertisement, April 2016
HQ Award, June 2016
Construction Begins, September 2016
Construction Ends, December 2016
Total Cost: $3.7 million

SR-78 Pavement Preservation Project:
Place Asphalt-Rubber Binder Seal Coat
3.7 miles west of Vallecitos Road to North Junction SR-86 (SD & IMP Counties)
Design Complete, December 2015
Construction Begins, Spring 2016
Construction Ends, Fall 2016
Total Cost: $7.3 million
Project Updates (continued):

SR-111 and SR-186 Pavement Preservation Project:
Apply Rubberized Hot Mix Asphalt Overlay
SR111 from 9.4 miles south of Imperial County Line to Imperial County Line
Apply Asphalt-Rubber Binder Seal Coat
SR-186 at Andrade from International Border to I8/SR186 Separation
Design Complete, December 2015
Construction Begins, Spring 2016
Construction Ends, Fall 2016
Total Cost: $4.0 million

SR-78 Pavement Preservation Project:
Apply Asphalt-Rubber Binder Seal Coat
SR78 in Imperial County from PM R50.0 to Riverside County Line
Design Complete, December 2015
Construction Begins, Spring 2016
Construction Ends, Fall 2016
Total Cost: $4.5 million

Total Estimated Investment – Imperial County Projects*: $373.7 million
*Includes both capital and support costs
VI. INFORMATION / DISCUSSION CALENDAR

B. 2015 ACTIVE TRANSPORTATION PROGRAM
REGIONAL GUIDELINES
May 8, 2015

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

SUBJECT: 2015 Active Transportation Program Regional Guidelines

Dear Committee Members:

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

Per the 2015 guidelines issued by the California Transportation Commission (CTC), the program is divided into state and regional shares. Project applications that are not selected for funding from the state’s share of the funds will be passed on to the other Metropolitan Planning Organizations (MPOs) for consideration for regional share funding.

Program funding is segregated into three components and is distributed as follows:

- 50% to the state for a statewide competitive program
- 10% to small urban and rural regions with populations of 200,000 or less for the small urban and rural area competitive program
- 40% to Metropolitan Planning Organizations (MPO) in urban areas with populations greater than 200,000 for the larger urbanized area competitive program

In this second call for projects of ATP funds, SCAG does not intend to host a separate Call for Projects. Caltrans will instead forward grant proposals from the SCAG region that were not awarded funding the first statewide selection round for consideration in the Regional Program. Therefore, all project applications must meet the state’s criteria and be submitted to Caltrans first.

ICTC is responsible for scoring from within Imperial County for their consistency with plans adopted by local and regional governments within the county. In this round of funding, there is an emphasis on projects that are ready to go.
Assigning a methodology for assigning the ten (10) points needs to be completed. In April 2014, ICTC was required to establish the same scoring methodology. Previously, if a project was determined to be consistent with plans adopted by local and regional governments within the county, ICTC could add up to 10 points. The following was the previous adopted methodology for assigning points:

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

ICTC staff will consult with the Technical Advisory Committee prior to developing this cycles’ methodology for assigning points. Once a methodology is proposed, the item will be presented for review and consideration at the regularly scheduled Commission meeting of May 28, 2015.

This item is provided for information/discussion and no action is required at this point in time.

Sincerely,

MARK BAZA  
Executive Director

MB/vm
C. LTA BOND UPDATE
LTA Bond
FY2013/2014
Presentation by ICTC
May 2015

Local Transportation Authority Bond

• $53,975,000
• Imperial County Local Transportation Authority
• The Bank of New York Mellon Trust Co.
• Indenture dated May 1, 2012
Participating Agencies

- City of Brawley - $8,155,000
- City of Calexico - $15,410,000
- City of Calipatria - $2,305,000
- City of Imperial - $6,170,000
- County of Imperial - $21,935,000

Requisition Submittal Process
Fiscal Year 2013-2014

4 LTA Bond Projects Completed/Underway Total – $7,395,998.24

<table>
<thead>
<tr>
<th>Agency</th>
<th>Project Description</th>
<th>Requisition Number</th>
<th>Project Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>County of Imperial</td>
<td>Phase 1 of 3 anticipated phases of road rehabilitation projects that will improve approximately 18.7 miles of roads in the County</td>
<td>1 of 1</td>
<td>Completed</td>
</tr>
<tr>
<td>City of Calipatria</td>
<td>Street rehabilitation of Lake Avenue – between Elder Street to Bowles Road</td>
<td>1 of 1</td>
<td>Completed</td>
</tr>
<tr>
<td>City of Calexico</td>
<td>Reconstruction and widening of 2nd Street – between the New River bridge and the Calexico International Airport</td>
<td>1 of 1</td>
<td>Completed</td>
</tr>
<tr>
<td>City of Calipatria</td>
<td>Street rehabilitation of Imperial Street, Brown Street, and Fern Street</td>
<td>2 of 3</td>
<td></td>
</tr>
<tr>
<td>City of Calipatria</td>
<td>Street rehabilitation of Imperial Street, Brown Street, and Fern Street</td>
<td>3 of 3</td>
<td>Completed</td>
</tr>
</tbody>
</table>

Summary

A. Total LTA Bond – $53.9M
B. FY2013-2014 – $7,395,998.24
C. FY2014-2015 – $6,604,532.37
D. Summer/Fall 2015 – Pending Project Submittals +/- $10M
E. Remaining funds – 29M
Summary of Agency Funds FY2013-2014

Original Bond Funds
- Brawley - $8,155,000
- Calexico - $15,410,000
- Calipatria - $2,305,000
- Imperial - $6,170,000
- County - $21,935,000

Remaining Bond Funds*
- Brawley - $8,155,000
- Calexico - $12,410,000
- Calipatria - $732,571.83
- Imperial - $6,170,000
- County - $19,111,429.93

*Remaining Bond funds do NOT include accumulated interest

Projects in Fiscal Year 2014-2015

10 LTA Bond Projects Completed/Underway Total – $7,185,529.87

<table>
<thead>
<tr>
<th>Agency</th>
<th>Project Description</th>
<th>Requisition Number</th>
<th>Project Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>City of Calexico</td>
<td>2014 Street Improvement Project</td>
<td>1 of 2</td>
<td></td>
</tr>
<tr>
<td>City of Brawley</td>
<td>A Street Rehabilitation Project</td>
<td>1 of 2</td>
<td></td>
</tr>
<tr>
<td>City of Brawley</td>
<td>Asphalt Rehabilitation Project of River Drive</td>
<td>1 of 2</td>
<td></td>
</tr>
<tr>
<td>City of Brawley</td>
<td>Eastern Avenue Rehabilitation Project</td>
<td>1 of 2</td>
<td></td>
</tr>
<tr>
<td>City of Brawley</td>
<td>Re-advertisement of Streets Rehabilitation Phase IX</td>
<td>1 of 2</td>
<td></td>
</tr>
<tr>
<td>City of Imperial</td>
<td>South N Street Project</td>
<td>1 of 1</td>
<td>Completed</td>
</tr>
<tr>
<td>City of Imperial</td>
<td>Street Improvement Project Asphalt Rubber Composite Layer on Designated Streets</td>
<td>1 of 10</td>
<td></td>
</tr>
<tr>
<td>City of Imperial</td>
<td>Street Improvement Project Asphalt Rubber Composite Layer on Designated Streets</td>
<td>2 of 10</td>
<td></td>
</tr>
<tr>
<td>City of Calexico</td>
<td>2014 Street Improvement Project</td>
<td>2 of 2</td>
<td>Completed</td>
</tr>
</tbody>
</table>
Summary of Agency Funds FY2014-2015

Original Bond Funds
- Brawley - $8,155,000
- Calexico - $15,410,000
- Calipatria - $2,305,000
- Imperial - $6,170,000
- County - $21,935,000

Remaining Bond Project Funds*
- Brawley - $5,355,745.52
- Calexico - $8,228,561.31
- Calipatria - $592,457.73
- Imperial - $4,510,127.57
- County - $17,227,392.16

*Remaining Project Bond funds according to bank statements dated 4/30/2015

LTA Revenues FY 2012-13, FY 2013-14 and FY 2014-15

<table>
<thead>
<tr>
<th></th>
<th>FY 2012-13</th>
<th>FY 2013-14</th>
<th>FY 2014-15</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jul</td>
<td>$878,700.00</td>
<td>$878,700.00</td>
<td>$1,359,700.00</td>
</tr>
<tr>
<td>Aug</td>
<td>$1,138,400.00</td>
<td>$1,132,000.00</td>
<td>$1,207,270.00</td>
</tr>
<tr>
<td>Sept</td>
<td>$914,093.00</td>
<td>$2,861,553.00</td>
<td>$944,580.00</td>
</tr>
<tr>
<td>Oct</td>
<td>$984,600.00</td>
<td>$901,300.00</td>
<td>$1,006,000.00</td>
</tr>
<tr>
<td>Nov</td>
<td>$2,257,400.00</td>
<td>$1,201,800.00</td>
<td>$1,301,300.00</td>
</tr>
<tr>
<td>Dec</td>
<td>$1,186,838.00</td>
<td>$2,600,326.00</td>
<td>$865,365.00</td>
</tr>
<tr>
<td>Jan</td>
<td>$928,800.00</td>
<td>$1,203,900.00</td>
<td>$1,182,500.00</td>
</tr>
<tr>
<td>Feb</td>
<td>$1,307,600.00</td>
<td>$1,594,900.00</td>
<td>$1,576,600.00</td>
</tr>
<tr>
<td>Mar</td>
<td>$1,721,071.00</td>
<td>$2,023,355.00</td>
<td>$2,738,320.56</td>
</tr>
<tr>
<td>Apr</td>
<td>$906,200.00</td>
<td>$1,381,400.00</td>
<td>$1,308,800.00</td>
</tr>
<tr>
<td>May</td>
<td>$1,133,600.00</td>
<td>$1,841,900.00</td>
<td>$1,841,900.00</td>
</tr>
<tr>
<td>Jun</td>
<td>$2,866,244.00</td>
<td>$1,446,699.00</td>
<td>$1,446,699.00</td>
</tr>
</tbody>
</table>

$16,187,292.00 $19,067,833.00 $12,640,422.56
VI. INFORMATION / DISCUSSION CALENDAR

D. CALIFORNIA’S ROAD USE CHARGE PILOT
May 5, 2015

Dear Stakeholder:

On behalf of the California Road Charge Technical Advisory Committee, we invite you to participate in our effort to explore road charging as an alternative to the gas tax.

California is in the middle of a serious transportation funding crisis. Our infrastructure is deteriorating and most of our major roadways are over 40 years old and have reached or exceeded their design life. Yet the amount we spend to fund road maintenance and repairs is lagging by billions of dollars. Until we replace our outdated funding model—revenue from the gas tax—with a more sustainable and equitable source of funding, we will continue to shortchange California of the funds it needs to support critical road maintenance and repairs.

Last year, Senate Bill 1077 (SB 1077) created the 15-member Road Charge Technical Advisory Committee (TAC) to study the feasibility of road charging as a potential alternative to the gas tax. The TAC is charged with developing recommendations for the design of a Road Charge Pilot Program. As part of our process, the TAC is reaching out and gathering public comment and stakeholder input on issues and concerns related to the launch of the pilot program.

That is why we are asking for your organization’s input as we explore road charging. Over the next few months, the TAC will reach out across the state to seek input from diverse groups of stakeholders and the general public. As an organization that represents an important constituency in California, we have provided a number of ways in which you, your members and colleagues may offer feedback. We invite you to visit our website at www.CaliforniaRoadChargePilot.com and share your comments or questions. All comments received by August 14, 2015 will be used to inform the TAC as they prepare their final recommendations for the design of a Road Charge Pilot Program. Another way to participate is to attend one of our upcoming TAC meetings or join our interest list. We ask you to share the attached fact sheet with your members and colleagues.

We hope you will join us in helping to engage stakeholders and will take a moment to share your thoughts with us. To learn more about the TAC and road charging, click here. If you have any
questions or would like more information about this project, please do not hesitate to contact Carrie Pourvahidi at (916) 653-3148 or carrie.pourvahidi@dot.ca.gov. Thank you.

Sincerely,

Jim Madaffer, Chair
California Road Charge Technical Advisory Committee
Exploring a Road Charge for California

Gas Tax Alternative to Fund Road Maintenance and Improvements

WHO: In 2014 the Legislature passed Senate Bill 1077 (SB 1077) directing California to conduct a pilot program to study the feasibility of a road charge as a replacement for the gas tax to pay for road maintenance and repairs. A 15-member technical advisory committee (TAC), composed of representatives from diverse interests, is now working to study the potential for a road charge and outline the parameters of the pilot program.

WHAT: Road charging means drivers pay to help maintain the roads based on the distance they travel or a period of time they use the roads, rather than the amount of gasoline they consume. The experience of other states demonstrates that such usage-based charges can be implemented in a way that ensures data security and maximum privacy protection for drivers.

WHY: The revenues currently available for highways and local roads are inadequate to preserve and maintain existing roadway infrastructure, reduce congestion and improve service. The gas tax is an ineffective mechanism for meeting California's long-term transportation needs because it will steadily generate less revenue as cars become more fuel efficient. By 2030 as much as half of the revenue that could have been collected from the gas tax will be lost to fuel efficiency.

WHEN: The TAC will craft the parameters of the road charge pilot program by the end of 2015. Beginning no later than January 1, 2017, thousands of California drivers will make history by volunteering to participate in the road charge pilot program to test new approaches. The pilot program will be implemented by the California State Transportation Agency. The outcomes of the road charge pilot program will be reported back to the TAC, the California Transportation Commission (CTC), and the Legislature no later than June 30, 2018. The CTC will provide recommendations on the pilot program to the Legislature in December 2018. The Legislature will then decide whether and how to enact a full-scale permanent road charge program.

HOW: The TAC will meet monthly throughout 2015 and will solicit widespread public and stakeholder input through a variety of means to help shape the design of the road charge pilot program. These efforts include:

- Providing a readily accessible feedback mechanism in the form of a website (www.CaliforniaRoadChargePilot.com) that is setup to receive emails and comments. All public input submitted by August 14, 2015 will be used to inform the TAC as they prepare their final recommendations for the design of a road charge pilot program.
- Reaching out to hundreds of stakeholder groups, state and local elected officials and community leaders.
- Conducting public surveys and focus groups to substantively probe public attitudes and response.
- Consulting with members of a Work Group assembled to provide expertise and input from key stakeholders and public interests.
- Dedicating time for public comment at the monthly TAC meetings and providing webcast of meetings on the California Road Charge Pilot website.

We would like your input!

Please weigh in and provide your input as we explore road charging. We invite you to visit our website (www.CaliforniaRoadChargePilot.com) and share your feedback. All comments received by August 14, 2015 will be used to inform the TAC. We also invite you to attend one of our upcoming TAC meetings.