



**TECHNICAL ADVISORY COMMITTEE
AGENDA**

DATE: **January 24, 2013**
TIME: **10:00 a.m. – 12:00 p.m.**
LOCATION: **ICTC Offices
1405 N. Imperial Ave., Suite 1
El Centro, CA 92243**

Chairperson: Jorge Galvan

Vice-Chair: Terry Hagen

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

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 actions on items that are not on the agenda.

DISCUSSION/ACTION ITEMS

1. Introductions
2. Adoption of the minutes for December 13, 2012 *Requesting a motion to adopt* **ACTION**
3. Election of Chair and Vice-Chair *Requesting a motion to adopt* **ACTION**
4. FHWA Essentials Videos – Acquisition and Negotiation **DISCUSSION**
5. ICTC Updates / Announcements **DISCUSSION**
 - a) Request For Authorization (RFA) submittal timelines
 - b) EPA Sanctions update
6. SCAG Update / Announcements *Presented by SCAG staff* **DISCUSSION**
7. Caltrans Updates / Announcements *Presented by Caltrans staff* **DISCUSSION**

**CITIES OF BRAWLEY, CALEXICO, CALIPATRIA, EL CENTRO, HOLTVILLE, IMPERIAL, WESTMORLAND,
IMPERIAL IRRIGATION DISTRICT AND COUNTY OF IMPERIAL**

8. Request For Authorization (RFA) submittal timelines
For SLPP Program
Presented by ICTC staff DISCUSSION
9. General Discussion / New Business
All DISCUSSION
10. Adjournment

The next meeting of the ICTC TAC is scheduled for February 28, 2013. Meeting will be held at the ICTC offices at 10 AM. For questions you may call Cristi Lerma at (760) 592-4494 or contact by email at cristilerma@imperialctc.org.



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TECHNICAL ADVISORY COMMITTEE
DRAFT MINUTES

December 13, 2012

Present:

Yazmin Arellano	City of Brawley
Gordon Gaste	City of Brawley
Alex Espinoza	City of Calexico
Terry Hagen	City of El Centro
Abraham Campos	City of El Centro
Norma Villicana	City of El Centro
Blanca Magana	The Holt Group/City of Holtville
Jesus Villegas	City of Imperial
John Gay	County of Imperial

Others:

Mark Baza	ICTC
Kathi Williams	ICTC
David Salgado	ICTC
Virginia Mendoza	ICTC
Cristi Lerma	ICTC
Luis Medina	Caltrans
Tomas Oliva	SCAG

1. The meeting was called to order by Vice-Chair Terry Hagen at 10:11 a.m. A quorum was present. Introductions were made.
2. A motion was made to adopt the minutes for September 27, 2012 (Gay/Campos) **Motion Carried.**
3. FHWA Essentials Videos – Evaluating Good Faith Efforts

A short video was presented regarding evaluating Good Faith Efforts. The FHWA website has many valuable videos at <http://www.fhwa.dot.gov/federal-aidessentials/indexofvideos.cfm> that may be used as a resource including evaluating good faith efforts.

After the video many felt that it would be a good idea to show a video at the every TAC meeting.

Some of the interested topics were “Buy America Field Compliance” and “Acquisition and Negotiation.”

4. ICTC Updates / Announcements (Presentation by ICTC staff)

A. Request For Authorization (RFA) submittal timelines

- Ms. Mendoza stated the goal of FY 12/13 is to prepare and submit ALL RFAs by No Later than March 15, 2013. CMAQ projects can be submitted anytime because they are exempt from EPA sanctions. She proceeded to review the handouts she provided with the specifics of all funds and projects that required RFA submittals. If anyone has updates to any of their projects a formal amendment will be submitted to SCAG on January 8, 2013. The deadline to ICTC is no later than December 21, 2012.

B. EPA Sanctions Update

- Mr. Baza stated that the schedule remains the same with a stay of the sanctions in the January/ February 2013 timeframe. CARB approved the modification and is currently on the EPA federal register and 30 day comment period. Mr. Baza stated that RFA's should be prepared by a March timeframe so that agencies are not pushing the May deadline to Caltrans.

Other updates / announcements included:

Ms. Williams had the following announcements:

- The Yuma Area Service Connection MOU between YCIPTA, Quechan and ICTC was approved at the Commission meeting the evening prior. The new bus route will begin the first Monday in January. The YCIPTA Director would like to install bus stop signs and was asked to coordinate with the City of El Centro. The route will provide service on Monday, Wednesday and Saturday, twice a day at 9:30 a.m. and 3:30 p.m.
- The Commission also approved to award the City of Brawley with additional TDA funds for their Transfer Terminal. The project went out to bid in November and all the bids came back higher than what was budgeted. In order to comply and not lose other funds previously allocated for this project it was important that the City move forward. The project should begin construction very soon.
- A consultant was recommended and approved for the IVT Specific Operational Analysis. ICTC staff, IVT staff and City staff will be meeting soon and move forward with a recommended schedule.
- The Unmet Transit Needs Public Hearing was approved by the Commission on December 12th. The Commission appointed the Unmet Transit Needs Hearing Panel which are two members from the County, Bill Hodge (Calexico), George Nava (Brawley), Mike Goodsell (Holtville) and Sedalia Sanders (El Centro) as an alternate. They selected a hearing date of January 24, 2013 and a time of 3:00 p.m. The meeting will be held at the IID William Condit Auditorium located on 1285 Broadway in El Centro.
- Coordination for the Consolidated RFP will resume in January 2013.

Mr. Baza had the following announcements:

- The State Route 86 relinquishment is moving forward. Assembly member Ben Hueso is sponsoring the Bill and should be posted this week.
- Mr. Baza stated that there was a need for ICTC to update its Long Range Transportation Plan. The update comes from a requirement from FHWA which requires a Congestion Management Element for Imperial County to be incorporated into SCAG's Congestion Management Plan (CMP). Due to the Imperial Valley's growing urban areas and traffic congestion in the border region, non-attainment air quality status for Ozone, and the County's

total “on road” sources of emission a CM element will now be required. The LRTP updates on the Imperial County 2007 Transportation Plan include the following; the existing transportation infrastructure included goods movement, a transit program, land use, and Transportation Demand Management (TDM) (bikes/pedals) and Transportation System Management (TSM) (intelligent transportation) strategies; they had minor updates to the 2007 Plan list of projects; and were consistent with current Plans and Capital Programs such as SCAG 2012 Regional Transportation Plan (RTP), Federal Transportation Improvement Program (FTIP), and State Transportation Improvement Plan (STIP).

- Mr. Baza stated that a changeable message sign will be on the Dogwood project where the TSM will be utilized for the first time here in Imperial County. Another is proposed by the border that will have border delay information.
- Other short term projects are the ITS at the border, the SR 98 at Cesar Chavez widening, the widening on Cesar Chavez and the I-8 Imperial Ave Interchange that will improve circulation within the city.
- LRTP’s next steps will be for the draft document to be available for review and comment, have the written comments by Friday, January 25, 2013, and have an approval presented in February 2013.
- In preparation for SCAG’s 2016 RTP, ICTC needs to prepare an full update to the LRTP. The goal is to have that finalized in FY 2013-14.

5. Caltrans Updates / Announcements

- Mr. Medina had the following updates:
- FHWA announced its project solicitation for candidate projects for the FFY 2013 Highways for Life (HfL) Discretionary Program on 11/28/12. Local agency applicants must submit their completed HfL applications by e-mail no later than COB 12/21/12 to the District Local Assistance e-mail addresses listed below. Applications can be submitted electronically in MS Word format and the associated SF-424 forms in pdf format to Wei.Xia@dot.ca.gov or Heather.Cheyney@dot.ca.gov. Local agencies are asked to please not copy HQ DLA on their submittal to the District (DLAE Office).
- The 2012-13 Grant Cycle opened on October 1, 2012. The guidelines and application for the Environmental Enhancement and Mitigation Program was made available on October 1, 2012. The deadline is Friday, January 4, 2013. Additional information and guidance may be obtained at the link provided below: <http://resources.ca.gov/eem/>
- Cycle 5 HSIP and Cycle 3 HR3: Statewide, 221 projects were selected from a candidate pool of 276 applications. The selected HSIP and HR3 projects, totaling \$111 million statewide, will utilize the available HSIP programming capacity in the 2013 Federal Statewide Transportation Improvement Plan (FSTIP). All projects competed on the basis of their BenefiUCost Ratio. For San Diego-Imperial Region, 18 projects out of 22 project applications submitted were funded this cycle, totaling \$7,464,300. Among these are 17 HSIP projects and 1 HR3 project. Caltrans now expects the agencies to expedite the delivery of these safety projects, wherever practical. For all HSIP and HR3 projects, Caltrans requires agencies to meet delivery deadlines for three key milestones. The three milestones and delivery deadlines are as follows:
 1. Request for Authorization to Proceed with Preliminary Engineering (PE) within 6 months after the project is amended into the FSTIP. Note: For agencies that do not need an Authorization to Proceed with PE because they are not using federal funds for this phase, the agency will only be held to requesting Construction Authorization within 30 months after the project is amended into the FSTIP.
 2. Request for Authorization to Proceed with Construction (CON) within 30 months (2% years) after the project is amended into the FSTIP.
 3. Complete construction and close out project within 54 months (4% years) after the project is amended into the FSTIP.

Caltrans will track the delivery of these selected HSIP and HR3 projects and prepare a quarterly report showing the delivery performance of each project. The quarterly report link is: http://www.dot.ca.gov/hq/LocaiPrograms/HSIP/deliverv_status.htm. Please see attachment for the San Diego-Imperial Region selected projects. A complete list of successful projects, statewide, may also be obtained at the link provided below: http://www.dot.ca.gov/hq/LocaiPrograms/HSIP/prev_cycle_results.htm. If you have any questions, please feel free to contact Wei Xia, Local Programs Engineer, at (619) 278-3734, or at Wei.Xia@dot.ca.gov.

- The DBE program waiver granted on August 7, 2008 has been rescinded. Projects authorized after October 1, 2012 will need to comply with the new race conscious DBE requirements. The New Race-Conscious DBE Program now includes all DBE certified groups. DBE groups consist of African Americans, Asian Pacific American, Native American, Women, Hispanic American, Subcontinent Asian American and any other groups whose members are certified as socially and economically disadvantaged. All projects must be prepared using the post-July 2012 race conscious measures and corresponding exhibits from the LAPM, as contained in this Office Bulletin. Additional information may be obtained at the link provided below: http://www.dot.ca.gov/hq/LocaiPrograms/DBE_CRLC.htm#DBE
- State-Funded Safe Routes to School (SR2S): Local Agencies with SR2S projects from Cycle 10, FY's 2011/2012 and 2012/2013, must submit Request for Allocations by December 28, 2012.
- "Off-System" California Transportation Committee (CTC) Requests for Allocation: In order to get slotted for the March 2013 CTC Meeting Agenda, Local agencies must submit their "Off-System" Request for Allocation no later than Jan. 7, 2013.

6. SCAG Updates / Announcements

- A SCAG study presented at the Border Infrastructure Hearing regarding the economic downfall due to border wait times is available in digital format for those who are interested. A joint resolution will be provided by Assembly members Ben Hueso and Manuel Perez supporting improvements to the border infrastructure. He stated that a significant amount of money is being lost because of failure to update the border crossing structure and wait times.
- The SCAG General Assembly is scheduled for May 2-3, 2013 in Palm Desert at the JW Marriot.
- Mr. Oliva will be meeting with members to discuss the Salton Sea.

7. General Discussion / New Business

- Mr. Baza further discussed the issue of border infrastructure and economic development. He expressed the needs for funding to expand the downtown port of entry. Mexico is proceeding with their project and should be completed by 2015. If we don't find a way to allocate funds for our projects then there will be issues. ICTC is looking to use Private/Public Partnership funds and tolls to expand both POE's. Free capacity would still be available. Mr. Oliva stated that they met with Mexicali representatives this week and bi-monthly meetings will take place from now on.

8. Meeting adjourned at 11:48 a.m.

- The next meeting will be held on January 24, 2013 at 10 a.m. at the ICTC Offices.

ICTC Technical Advisory Committee Chairs		
Year	Chair	Vice-Chair
2013	?	?
FY 2011-12 (and half of 2012-13)	Imperial	El Centro
FY 2010-11	Calexico	Imperial
FY 2009-10	Holtville	Calexico
FY 2008-09	El Centro	Holtville
FY 2007-08	County	El Centro
FY 2006-07	Imperial	County
FY 2005-06	IID	Imperial

Agency	Chair	Vice-Chair
Brawley	0	0
Calexico	1	1
Calipatria	0	0
El Centro	1	2
Holtville	1	1
Imperial	2	2
IID	1	0
Westmorland	0	0
County	1	1

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Federal-aid Simplified.

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MAP-21 - Moving Ahead for Progress in the 21st Century

Buy America Questions & Answers

Updated 12/20/2012

Question 1: Did MAP-21 make any changes to Buy America?

Answer 1: Yes. Section 1518 of MAP-21 amends the Buy America statute at 23 U.S.C. 313 to require the application of Buy America to **all contracts** eligible for assistance under title 23 within the scope of a finding, determination, or decision under the National Environmental Policy Act (NEPA), regardless of funding source, if at least one contract within the scope of the same NEPA document is funded with Federal funding provided under Title 23.

Question 2: What is the effective date of the Buy America amendment of MAP-21 section 1518?

Answer 2: The effective implementation date of section 1518 is October 1, 2012. Thus, on or after October 1, 2012, if one contract within the scope of a NEPA document is awarded using Federal-aid funding, then the Buy America provisions would apply to all contracts within the scope of the NEPA document, regardless of the source of funding. FHWA anticipates issuing a Notice of Proposed Rule Making for those regulations in 2013.

Question 3: Does MAP-21 require States to include Buy America provisions in non-Federal-aid highway contracts?

Answer 3: Yes, if the non-Federal-aid highway contract is included within the scope of a NEPA document and at least one other contract within the scope of the same NEPA document is funded or will be funded with Federal-aid highway funds. Awarding any such non-Federal-aid highway contract on or after October 1, 2012, without applicable Buy America provisions would render all contracts within the scope of the NEPA document ineligible for Federal-aid highway funds.

Question 4: What happens if a project is funded by Federal-aid highway funds on one contract and the project also has a non-Federal-aid highway contract without Buy America provisions and the non-Federal-aid highway contract was awarded before October 1, 2012?

Answer 4: If the non-Federal-aid highway contract without Buy America provisions was awarded before October 1, 2012, then the rest of the contracts within the scope of the NEPA document would remain eligible for Federal-aid funding as long as they contain the Buy America provisions. However, all contracts within the scope of the same NEPA document that are awarded on or after October 1, 2012, must include appropriate Buy America provisions.

Question 5: FTA and FHWA have slightly different Buy America requirements, particularly as they apply to manufactured products. On a project with mixed FTA-FHWA funding, which Buy America rules apply?

Answer 5: Further direction will be coordinated and provided by FHWA and/or FTA at a future date.

Question 6: Does Federal participation in contracts or agreements for environmental studies and document preparation, right of way acquisition, preliminary engineering and other non-construction work invoke the application of Buy America to the project under Section 1518 of MAP-21, even if no Federal funds are used in the construction? (*added 12/20/2012*)

Answer 6: Yes. Section 1518 of MAP-21 (codified at 23 U.S.C. 313(g)) provides that Buy America applies to all contracts eligible for assistance under title 23, United States Code, for a project carried out within the scope of the applicable finding, determination, or decision under the National Environmental Policy Act (NEPA) regardless of the funding source of such contracts if at least one contract for the project is funded with title 23 funds. Therefore, if Federal funds are used for any activity within the scope of a NEPA decision, then Buy America applies to the entire project. There is no limitation in the statute that the Federal funds be used only in construction contracts. If any contract or agreement for such work is executed after October 1, 2012 all construction contracts on that project will be subject to Buy America regardless of whether Federal funds are used in any of the contracts for construction.