



**1503 N. IMPERIAL AVENUE, SUITE 104
EL CENTRO, CA 92243-2875
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TRANSPORTATION COMMISSION AGENDA

**LARGE CONFERENCE ROOM
1503 N. IMPERIAL AVE., SUITE 104
EL CENTRO, CA 92243**

**WEDNESDAY, April 24, 2024
6:00 PM**

CHAIR: LUIS PLANCARTE

VICE CHAIR: ROBERT AMPARANO

In compliance with the Brown Act and Government Code Section 54957.5, agenda materials distributed 72 hours prior to the meeting, which are public records relating to open session agenda items, will be available for inspection by members of the public prior to the meeting on the Commission’s website: www.imperialctc.org.

In compliance with the Americans with Disabilities Act, Government Code Section 54954.2 and the Federal Transit Administration Title VI, please contact the Secretary to the Commission at (760) 592-4494 if special assistance is needed to participate in a Commission meeting, including accessibility and translation services. Assistance is provided free of charge. Notification of at least 48 hours prior to the meeting time will assist staff in assuring reasonable arrangements can be made to provide assistance at the meeting.

To Join Zoom Meeting click on the following link:
<https://us06web.zoom.us/j/85640567446?pwd=9iN0CzzjxO5kRfP7dKvUjcPffJ1VDP.1>

To Join by phone dial (669) 444-9171
Meeting ID: 856 4056 7446
Passcode: 378504

I. CALL TO ORDER AND ROLL CALL

II. EMERGENCY ITEMS

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

III. PUBLIC COMMENTS

This is an opportunity for members of the public to address the Commission on any subject matter within the Commission’s jurisdiction, but not an item on the agenda. Any action taken because of public comment shall be limited to direction to staff. Each speaker should contact the Secretary to the Commission at (760) 592-4494 or by email to cristilerna@imperialctc.org. When addressing the Commission, state your name for the record prior to providing your comments. Please address the Commission as a whole, through the Chairperson. Individuals will be given three (3) minutes to address the Commission; groups or topics will be given a maximum of fifteen (15) minutes. Public comments will be limited to a maximum of 30 minutes. If additional time is required for public comments, they will be heard at the end of the meeting. Please remember to follow the Public Comment Code of Conduct: No profanity or obscenity, yelling or screaming, no slander or defamatory statements, no personal threats, or attacks, no hateful or demeaning language based on hate of a person’s race, religion, sexual orientation, ethnicity, gender, or disability, respect all people that are present or watching, obey the direction of the Chair and Secretary to the Commission.

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

IV. CONSENT CALENDAR

- A. ICTC Commission Minutes: March 27, 2024 Pages 4-18
- B. Receive and file:
 - 1. ICTC Management Committee Minutes: March 13, 2024
 - 2. ICTC TAC Minutes: March 28, 2024
 - 3. ICTC SSTAC Minutes: March 06, 2024
- C. Low Carbon Transit Operations Program (LCTOP) Application for FY 2023-24 Funds Page 20

The ICTC Management Committee met on April 10, 2024, forward this item to the Commission for their review and approval after public comment, if any:

- 1. Authorize the ICTC Chairperson to sign the attached resolution.
- 2. Authorization for the Execution of the LCTOP Project application: Calexico on Demand for eligible transit operations.

V. ACTION CALENDAR

- A. Various Bus Stop Improvement Project – Design Services Page 25

The ICTC Management Committee met on April 10, 2024, forward this item to the Commission for their review and approval after public comment, if any:

- 1. Approve the award of contract for the completion of the Various Bus Stop Improvement Project to Nicklaus Engineering, Inc. in the amount of \$71,227.00.
- 2. Authorize the Chairperson to sign the agreement.

VI. REPORTS (Up to 5 minutes per staff report)

- A. ICTC Executive Director
 - Executive Director Report Page 46
- B. Southern California Association of Governments
 - See attached report Page 54
- C. California Department of Transportation – District 11
 - See attached report
- D. Commission / Committee Member Reports (if any)

VII. MEETING DATE AND PLACE

- A. The next meeting of the **Imperial County Transportation Commission** will be held on **Wednesday, May 22, 2024, at 6:00 p.m.**, at the ICTC Offices located at 1503 N. Imperial Ave., Suite 104, El Centro, CA 92243 and remotely via Zoom Meeting.

VIII. ADJOURNMENT

IV. CONSENT CALENDAR

IV. CONSENT CALENDAR

- A. ICTC Commission Minutes: March 27, 2024
- B. Receive and file:
 - 1. ICTC Management Committee Minutes: March 13, 2024
 - 2. ICTC TAC Minutes: March 28, 2024
 - 3. ICTC SSTAC Minutes: March 06, 2024

IMPERIAL COUNTY TRANSPORTATION COMMISSION
MINUTES FOR March 27, 2024
6:00 p.m.

VOTING MEMBERS PRESENT:

City of Brawley	George Nava
City of Calipatria	Maria Nava-Froelich
City of Calexico	Absent
City of El Centro	Martha Cardenas-Singh
City of Imperial	Robert Amparano
City of Holtville	Mike Goodsell
City of Westmorland	Ana Beltran
County of Imperial	Luis Plancarte
County of Imperial	John Hawk
Imperial Irrigation District	Karin Eugenio

STAFF PRESENT: David Aguirre, Cristi Lerma, Katie Luna, Gustavo Gomez, Priscilla Baca, Angela Delgadillo

OTHERS PRESENT: Eric Havens: Counsel; Mario Orso, John Garcia, Karen Islas, Caridad Sanchez, Brooke Filak; Caltrans David Salgado: SCAG, Coley Delaney, David Preciado: The Pun Group, Cedric Ceseña; El Centro,

PUBLIC: Yvette Metcay, Fredrik Beltran

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, March 27, 2024, together with staff reports and related documents attached thereto and incorporated therein by reference.

I. CALL TO ORDER AND ROLL CALL

Chair Plancarte called the Commission meeting to order at 6:44 p.m. Roll call was taken, and a quorum was present.

II. EMERGENCY ITEMS

There were none.

III. PUBLIC COMMENTS

There were none.

IV. PUBLIC HEARING

A. Public Hearing for elimination of the Free Fares Program and reimplementation of existing fares for Imperial Valley Transit (IVT), IVT Access, IVT MedTrans and IVT Ride – FY24-25

1. Conducted the public hearing for the consideration of elimination of the Free Fares Program and the reimplementation of existing fares for IVT, IVT Access, IVT Ride and IVT MedTrans at 6:00 PM on March 27, 2024.

a. Opened public hearing and received testimony

- Lisa Bracamontes made a public comment via email. She commented that she is an everyday user of IVT Ride, IVT Access, and Brawley Fast. She is concerned about the fares of the buses being reinstated again since the economy is very expensive now. She urges the commission to

wait until the economy settles down to reinstate the fares.

- b. Closed public hearing

- 2. The Commission provided staff with direction as to the elimination of the Free Fares Program and re-implementation of the existing fares effective July 1, 2024.

A motion was made by [Nava](#) and seconded by [Nava-Froelich](#) to approve the public hearing as presented, roll call:

Agency	Roll Call
City of Brawley	Yes
City of Calipatria	Yes
City of Calexico	Absent
City of El Centro	Yes
City of Holtville	Yes
City of Imperial	Yes
County of Imperial Plancarte	Yes
County of Imperial Hawk	Yes
City of Westmorland	Yes
Imperial Irrigation District	Yes

Motion Carried.

V. CONSENT CALENDAR

- A. ICTC Commission Minutes: February 28, 2024
- B. Received and filed:
 - 1. ICTC Management Committee Minutes: February 14, 2024
 - 2. ICTC TAC Minutes: February 22, 2024
 - 3. ICTC SSTAC Minutes: February 07, 2024
- C. 2023 Call for Projects – Carbon Reduction Program (CRP) FFY 2023/24 to FFY 2025/26 Resolution Adoption Supporting Imperial County Region Electric Vehicle (EV) Charging Station Feasibility Study

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

- 1. Authorized the Chairman to sign the resolution certifying that ICTC will be supporting project delivery schedules and timely use of funds of the Carbon Reduction Program funding for transportation projects.

- D. Transit Operator Reports Specific Transit Operator Fiscal Reports FY 2022-23 for Imperial Valley Transit, IVT Access, IVT Ride and IVT MedTrans

The ICTC Management Committee met on March 13, 2024, and forwarded the following recommendations to the Commission for their review and approval after public comment, if any:

- 1. Received and filed the Specific Transit Operator Fiscal Reports FY 2022-23; Imperial Valley Transit, IVT Access, IVT Ride and IVT MedTrans

A motion was made by [Amparano](#) and seconded by [Cardenas-Singh](#) to approve the consent calendar as presented, roll call:

Agency	Roll Call
City of Brawley	Yes
City of Calipatria	Yes
City of Calexico	Absent
City of El Centro	Yes
City of Holtville	Yes
City of Imperial	Yes
County of Imperial Plancarte	Yes
County of Imperial Hawk	Absent
City of Westmorland	Yes
Imperial Irrigation District	Yes

Motion Carried.

VI. ACTION CALENDAR

A. Imperial County Transportation Commission Fiscal Audit for FY 2022-23

A brief presentation was given by Coley Delaney from the Pun Group about the Audit findings for FY 2022-23.

The ICTC Management Committee met on March 13, 2024, and forwarded the following recommendations to the Commission for their review and approval after public comment, if any:

1. Received and filed the fiscal audit for the Imperial County Transportation Commission, for FY 2022-23.
2. Directed staff to transmit the fiscal audit to the State Controller’s Office.

A motion was made by [Goodsell](#) and seconded by [Beltran](#) to approve the Action A as presented, roll call:

Agency	Roll Call
City of Brawley	Yes
City of Calipatria	Yes
City of Calexico	Absent
City of El Centro	Yes
City of Holtville	Yes
City of Imperial	Yes
County of Imperial Plancarte	Yes
County of Imperial Hawk	Yes
City of Westmorland	Yes
Imperial Irrigation District	Yes

Motion Carried.

B. Calexico East Port of Entry Bridge Widening Project – Contract Change Order No 10

The ICTC Management Committee met on March 13, 2024, and forwarded the following recommendations to the Commission for their review and approval after public comment, if any:

1. Approved Change Order No. 10 to Hazard Construction Company for the Calexico East Port of Entry Bridge Widening Project in the amount of \$34,521.82 modifying the total contract value to \$20,900,448.33.
2. Authorized the Executive Director to sign Change Order No. 10.

A motion was made by [Nava](#) and seconded by [Nava-Froelich](#) to approve the Action B as presented, roll call:

Agency	Roll Call
City of Brawley	Yes
City of Calipatria	Yes
City of Calexico	Absent
City of El Centro	Yes
City of Holtville	Yes
City of Imperial	No
County of Imperial Plancarte	Yes
County of Imperial Hawk	No
City of Westmorland	Yes
Imperial Irrigation District	Yes

Motion Carried.

VII. REPORTS

A. ICTC Executive Director

- Mr. Aguirre introduced Priscilla Baca, newly hired Regional Mobility Coordinator.
- ICTC recently received an award of 4.1 million dollars from the Community Project Funding/Congressionally Directed Spending. This funding will be utilized towards the Calexico Intermodal Transportation Center Project. The project has already received awards from the RAISE, ATP and REAP 2.0 programs. ICTC would like to congratulate the cities of Imperial and El Centro, the County of Imperial, and the Imperial Irrigation District on their awards.
- Surface Transportation Block Grant Program (STBG), Carbon Reduction Program (CRP), and Congestion Mitigation and Air Quality Program (CMAQ) 2024 Call for Projects – FFY 2023-2024 to FFY 2025/2026: The list of projects was approved by the commission in February. The next step will be to submit our project list to SCAG for consideration of approval.
- Imperial Valley Transit and Associated Services Operations and Maintenance Request for Proposals: ICTC’s existing agreement with its current operator (Transdev) is concluding on June 30, 2024. As required by federal law, ICTC has issued a Request for Proposals (RFP) to qualified transit operations and maintenance operators. The RFP was issued on February 16th, 2024. ICTC’s goal is to complete the procurement process and award a contract to a qualified firm by the end of the fiscal year. The proposed new agreement will be for a 5-year fixed period with two additional single-year options. More information to come.
- The construction management RFP for the Calexico Intermodal Transportation Center (ITC) project has been released and is available for bidding by qualified engineering firms.
- ICTC released the Request for Proposals for design services for the Bus Stop Improvement Project. ICTC is looking to begin design services soon and have construction take place within FY23-24/FY24-25
- Staff are currently working on the development of the Request for Proposals (RFP) for a Transit Comprehensive Operational Analysis, and it is anticipated that the RFP will be released in the coming months.
- The updated Forrester Road Project Study Report (PSR) was recently received, and staff will be reviewing the updated document.
- Border Patrol, Caltrans and ICTC are having weekly meetings toward completing design plans and obtaining Caltrans Permits and Environmental Clearance for the State Route 86 (Northbound) Border Patrol Checkpoint Expansion. The improvement plans have been prepared in final draft form and have been submitted to Caltrans for review.
- All other updates are on the Executive Director report on page 173 of the agenda.

- B. Southern California Association of Governments (SCAG)
 - Regional Early Action Planning Grant Program 2021 (REAP 2.0) Advocacy Update: Governor Gavin Newsom's proposed budget announced on Jan. 16 includes \$300 million in cuts to the Regional Early Action Planning Program of 2021 (REAP 2.0) that will result in approximately \$123 million in cuts from SCAG's \$246 million REAP 2.0 program.
 - SCAG Joint Policy Committee Recommends Connect SoCal 2024 for Approval.
 - SCAG 2024 SAVE THE DATE! 2024 REGIONAL CONFERENCE & GENERAL ASSEMBLY: SCAG will host the 59th annual Regional Conference & General Assembly on May 2-3, 2024, at the JW Marriott Desert Springs Resort & Spa in Palm Desert.
 - SCAG 2024 General Assembly Delegate and Alternate Selection: SCAG sends an email to all cities asking for respective councils to take action to appoint a specific General Assembly Delegate and an Alternate. Elected Officials and City Managers are comped on registrations.
 - All other updates are on the SCAG report on page 180 of the agenda.

 - C. California Department of Transportation (Caltrans)- District 11
 - Mr. Orso introduced new members of the Caltrans team that will be working in Imperial County: John Garcia, Karen Islas, and Brooke Filak.
 - SR-98 Widening Project: Completion of Stage 4 is estimated for Spring 2024.
 - Clean California Projects: Construction on various Clean CA bus shelter projects have been completed. The Brawley bus shelter (SR86) is in progress.
 - Stage 3 is underway with completion estimated in January 2024. Completion of Stage 4 is estimated for Spring 2024.
 - All other updates are on the Caltrans report on page 186 of the agenda.

 - D. Commission Member Reports
 - Updates were provided by various commissioners.
- VIII.** The next meeting will be on April 24, 2024, at 6:00 p.m. at the ICTC Offices, 1503 N. Imperial Ave., Suite 104, El Centro, CA 92243, and via Zoom Meeting for the public.
- IX. ADJOURNMENT**
- A. Meeting Adjourned at 7:44 p.m.

**IMPERIAL COUNTY TRANSPORTATION COMMISSION
MANAGEMENT COMMITTEE
MINUTES OF March 13, 2024
10:30 a.m.**

VOTING MEMBERS PRESENT:

City of Brawley	Tyler Salcido
City of Calexico	Esperanza Colio-Warren
City of Calipatria	Edgar Self
City of El Centro	Cedric Ceseña
City of Holtville	Nick Wells
City of Imperial	Dennis Morita
County of Imperial	Absent
County of Imperial	Absent
Imperial Irrigation District	Ismael Gomez
City of Westmorland	Laura Fischer
ICTC	David Aguirre

STAFF PRESENT: Cristi Lerma, Michelle Bastidas, Katie Luna, Priscilla Baca, Angela Delgadillo

OTHERS PRESENT: Alejandro Lopez, Bryan Ott, Nick Ventrilla, Maria Ibarra: Caltrans, David Salgado: SCAG, Coley Delaney: The Pun Group

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, March 13, 2024, together with staff reports and related documents attached thereto and incorporated therein by reference.

I. CALL TO ORDER AND ROLL CALL

Chair Morita called the meeting to order at 10:30 a.m., roll call was taken, and a quorum was present.

II. EMERGENCY ITEMS

There were none.

III. PUBLIC COMMENTS

There were none.

IV. CONSENT ITEMS

- A. Approval of Management Committee Draft Minutes: February 14, 2024
- B. Received and Filed:
 - 1. ICTC Commission Minutes: February 28, 2024
 - 2. ICTC TAC Minutes: January 25, 2024
 - 3. ICTC SSTAC Minutes: February 07, 2024
- C. Transit Operator Reports Specific Transit Operator Fiscal Reports FY 2022-23 for Imperial Valley Transit, IVT Access, IVT Ride and IVT MedTrans

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

1. Received and filed the Specific Transit Operator Fiscal Reports FY 2022-23; Imperial Valley Transit, IVT Access, IVT Ride and IVT MedTrans

A motion was made by Wells seconded by Ceseña to approve the consent calendar as presented; Roll call was taken:

Agency	Roll Call
City of Brawley	Yes
City of Calipatria	Yes
City of Calexico	Yes
City of El Centro	Yes
City of Holtville	Yes
City of Imperial	Yes
County of Imperial Figueroa	Absent
County of Imperial Terrazas-Baxter	Absent
City of Westmorland	Yes
Imperial Irrigation District	Yes

Motion carried.

V. ACTION CALENDAR

- A. Imperial County Transportation Commission Fiscal Audit for FY 2022-23

A brief presentation was given by Coley Delaney from the Pun Group about the Audit findings for FY 2022-23.

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

1. Received and filed the fiscal audit for the Imperial County Transportation Commission, for FY 2022-23.
2. Directed staff to transmit the fiscal audit to the State Controller’s Office.

A motion was made by Colio-Warren seconded by Wells to approve Action A. Roll call was taken:

Agency	Roll Call
City of Brawley	Yes
City of Calipatria	Yes
City of Calexico	Yes
City of El Centro	Yes
City of Holtville	Yes
City of Imperial	Yes
County of Imperial Figueroa	Absent
County of Imperial Terrazas-Baxter	Absent
City of Westmorland	Yes
Imperial Irrigation District	Yes

Motion carried.

B. Calexico East Port of Entry Bridge Widening Project – Contract Change Order No 10

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

1. Approved Change Order No. 10 to Hazard Construction Company for the Calexico East Port of Entry Bridge Widening Project in the amount of \$34,521.82 modifying the total contract value to \$20,900,448.33.
2. Authorized the Executive Director to sign Change Order No. 10.

A motion was made by Gomez seconded by Fischer to approve Action B. Roll call was taken:

Agency	Roll Call
City of Brawley	Yes
City of Calipatria	Yes
City of Calexico	Yes
City of El Centro	Yes
City of Holtville	Yes
City of Imperial	Yes
County of Imperial Figueroa	Absent
County of Imperial Terrazas-Baxter	Absent
City of Westmorland	Yes
Imperial Irrigation District	Yes

Motion carried.

VI. REPORTS

A. ICTC Executive Director

- Mr. Aguirre had the following updates:
 - Priscilla Baca was introduced as the new Regional Mobility Coordinator.
 - At the January 19th meeting, the CTC CEOs/SCAG members appointed David Aguirre as the Chairman for 2024. This group is comprised of Regional County Transportation Planning Agencies and the Southern California Association of Governments leadership. The group meets monthly, on the 3rd Friday, and is either held by Zoom or in-person at the LA Metro administration offices.
 - Surface Transportation Block Grant Program (STBG), Carbon Reduction Program (CRP), and Congestion Mitigation and Air Quality Program (CMAQ) 2024 Call for Projects – FFY 2023-2024 to FFY 2025/2026: The list of projects was approved by the commission in February. The next step will be to submit our project list to SCAG for consideration of approval.
 - Imperial Valley Transit and Associated Services Operations and Maintenance Request for Proposals: ICTC’s existing agreement with its current operator (Transdev) is coming to a conclusion. As required by federal law, ICTC has issued a Request for Proposals (RFP) to qualified transit operations and maintenance operators. The RFP was issued on February 16th, 2024. ICTC’s goal is to complete the procurement process and award a contract to a qualified firm by the end of the fiscal year. The proposed new agreement will be for a 5-year fixed period with two additional single-year options. More information to come.

- Calexico East Port of Entry Bridge Widening Project: Stage 3 is ongoing and will be completed by the end of the month. The overall project is estimated to be completed in June 2024.
 - Imperial Mexicali Binational Alliance (IMBA): The next meeting is scheduled for March 14th – Imperial County.
 - Imperial Valley Transit (IVT) FREE FARES PROGRAM: There will be a public hearing held to reinstate the fares. ICTC anticipates the free fares program ending in the June 2024 timeframe.
 - Calexico Intermodal Transportation Center (ITC): It is anticipated that the project will start construction in July 2024.
 - All ICTC Executive Directors updates can be found on page 101.
- B. Southern California Association of Governments (SCAG)
- Mr. Salgado had the following updates:
 - Regional Early Action Planning Grant Program 2021 (REAP 2.0) Advocacy Update: Governor Gavin Newsom’s proposed budget announced on Jan. 16 includes \$300 million in cuts to the Regional Early Action Planning Program of 2021 (REAP 2.0) that will result in approximately \$123 million in cuts from SCAG’s \$246 million REAP 2.0 program.
 - 2024 SCAG Scholarship Program Call for Applications: Applications for the 2024 SCAG Scholarship Program are now open. The program offers a \$4,000 scholarship for up to 9 high school or community college students from the SCAG region interested in pursuing planning or public service-related careers. Applications are due electronically on March 22. More information is available on the SCAG website.
 - SCAG Joint Policy Committee Recommends Connect SoCal 2024 for Approval: The Joint Policy Committee, at its March 7, 2024, meeting, recommended the proposed final Connect SoCal 2024 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) including the associated proposed final transportation conformity analysis, and the Connect SoCal 2024 proposed Final. The proposed final Connect SoCal 2024 will be available on the SCAG website on March 28.
 - SCAG 2024 SAVE THE DATE! 2024 REGIONAL CONFERENCE & GENERAL ASSEMBLY: SCAG will host the 59th annual Regional Conference & General Assembly on May 2-3, 2024, at the JW Marriott Desert Springs Resort & Spa in Palm Desert.
 - SCAG 2024 General Assembly Delegate and Alternate Selection: SCAG sends an email to all cities asking for respective councils to take action to appoint a specific General Assembly Delegate and an Alternate. Elected Officials and City Managers are comped on registrations.
 - U.S. Environmental Protection Agency Proposed Disapproval of South COAS Air Quality Management Districts 2019 Contingency Measure Plan
 - SCAG updates can be found on page 108.
- C. Caltrans Department of Transportation – District 11
- Mr. Lopez Rangel had the following updates:
 - SR-98 Widening Project: Completion of Stage 4 is estimated for Spring 2024.
 - I-8, SR-78 Bridge Rehab at Various Locations: Work has begun at the I-8 location over the All-American Canal, bridge deck work is complete with painting in progress on both the EB and WB structures.

- I-8 Roadside Safety Improvements: This project is implementing various safety improvements at various locations on I-8 between Silsbee Rd and Aderholt Rd. The scope includes slope paving, gore paving, and rumble strip installations. Construction activities are underway and estimated completion is spring 2024.
- Clean California Projects: The Brawley bus shelter (SR86) is in progress. Additionally, median island improvements in El Centro (SR86) and a gateway beautification project at SR-7/Nina Lee Rd just north of the Calexico Port of Entry are also included as part of this effort. The gateway project is complete along with three (3) of the median island improvements.
- SR-111 Roadside Improvements: Construction started February 2024, to be completed in Fall 2024.
- SR-186 All-American Canal Bridge: Project Milestones: Project Approval/Environmental Clearance 12/2024. The Anticipated funding fiscal year for construction is 2026/27.
- SR-86/Customs & Border Protection (CBP) Checkpoint Expansion: A series of permits will be required for existing traffic control at the checkpoint, for the inspection operations and equipment within the facility, and a temporary checkpoint while the project is in construction.
- Project Study Report: Forrester Road Improvements: The document is anticipated to be completed by early spring of 2024.
- Feasibility Studies: District 11 Truck Parking and Medium/Heavy Duty ZEV Charging Station Site Assessment: study completion is estimated for summer 2024.
- Calexico East Land Port of Entry Joint Operations Systems: The study completion is estimated for summer 2024.
- March 15, 2024 – Deadline for California Transportation Commission (CTC) Requests: Friday, March 15, 2024, is the final deadline (for that May 16-17, 2024, CTC meeting).
- Unique Entity Identifier (UEI) Renewals Due: The City of Westmorland must renew UEI registration and can check [SAM.gov](https://sam.gov) for instructions. To confirm a UEI, click this UEI [SmartSheet](#) link, and enter information in the yellow columns Expiring soon: Holtville (March 15, 2024) and El Centro (March 22, 2024)
- 2025 Active Transportation Program ([Cycle 7](#))
- Safe Streets and Roads for All (SS4A) FY 24: Caltrans Call for Letters of Support (LOS): Planning and Demonstration Grant applicants have three deadlines: Thursday, April 4, 2024, 5:00 PM (ET), Thursday, May 16, 2024, 5:00 PM (ET), and Thursday, August 29, 2024, 5:00 PM (ET) Implementation Grant applications must be submitted by 5:00 PM (ET) on Thursday, May 16, 2024.
- November 21, 2024 – Environmental and Climate Justice Community Change Grants
- All Caltrans updates can be found on page 112.

VII. The next meeting is scheduled for **April 13, 2024, at 10:30 a.m.** at the City of Holtville and via Zoom Meeting for non-voting members and the public.

VIII. ADJOURNMENT

The meeting was adjourned at 11:41 a.m.



1503 N. IMPERIAL AVE., SUITE 104
 EL CENTRO, CA 92243-2875
 PHONE: (760) 592-4494
 FAX: (760) 592-4410

**TECHNICAL ADVISORY COMMITTEE
 MINUTES**

March 28, 2024

Present:

Alan Molina	City of Calipatria
Francisco Barba	City of Calexico
Felix De Leon	City of El Centro
Jesus Villegas	City of Imperial
Melany Amarillas	City of Holtville
Ramiro Barajas	City of Westmorland
Veronica Atondo	County of Imperial
Manuel Ortiz	IID

Others:

David Aguirre	ICTC
Katie Luna	ICTC
Marlene Flores	ICTC
Angela Delgadillo	ICTC
Andrea Montano	City of El Centro
Abraham Campos	City of El Centro
Lily Falomir	City of Calexico
Fernando L. Williams	City of Imperial
Joel Hamby	City of Westmorland
Adolfo Garcia	County of Imperial
Ismael Garcia	County of Imperial
Alejandro Lopez Rangel	Caltrans
Bryan Ott	Caltrans
Nick Ventrilla	Caltrans
M'lynn Martin	Caltrans
Micheala Howard	Caltrans
Kevin Hovey	Caltrans
David Salgado	SCAG
Rachel Om	SCAG
Patricia Ramirez	The Holt Group

The meeting was called to order at 10:03 a.m. A quorum was present, and introductions were made. There were no public comments made.

1. A *motion* was made to adopt the minutes for February 22, 2024 (Montaño/Villegas) **Motion Carried.**

2. Active Transportation Program Cycle 7:

- ICTC staff presented a factsheet on the ATP cycle 7.
- Applications are due to CTC by June 17, 2024.
- [Caltrans Website](#) with information for ATP Cycle 7

3. Quick Build Projects and Funding Opportunities:

(Presented by Rachel Om, SCAG)

- Rachel Om provided a brief presentation on Quick build projects and funding opportunities.
- For more information, please visit: <https://scag.ca.gov/active-transportation> & <https://scag.ca.gov/sustainable-communities-program>
- For any questions, please contact please reach out to Rachel Om, om@scag.ca.gov

4. ICTC Updates / Announcements

(Presented by ICTC Staff)

a. Transit Planning Updates

- Community Project Funding/Congressionally Directed Spending (CPFCDS): ICTC recently received an award of 4.1 million dollars to be utilized towards the Calexico Intermodal Transportation Center Project. The project has already received awards from the RAISE, ATP and REAP 2.0 programs. We would like to thank our local, State and Federal Partners and Congressman Raul Ruiz for their continued support of the project, ICTC and the Imperial County. ICTC would also like to congratulate the cities of Imperial and El Centro, the County of Imperial and the Imperial Irrigation District on their awards.
- Imperial Valley Transit and Associated Services Operations and Maintenance Request for Proposals: ICTC’s existing agreement with its current operator (Transdev) is coming to a conclusion. ICTC’s goal is to complete the procurement process and award a contract to a qualified firm by the end of the fiscal year. The proposed new agreement will be for a 5-year fixed period with two additional single-year options. More information to come.
- Calexico East Port of Entry Bridge Widening Project: The project is estimated to be completed in June 2024.
- Imperial Valley Transit (IVT) Free fares Program: Fares will be reinstated on July 1, 2024.
- Bus Stop Improvement Project: ICTC released the Request for Proposals for design services for the project. ICTC is looking to begin design services soon and have construction take place within FY23-24/FY24-25.

b. Transportation Planning Updates

CMAQ/STBG & CRP Call for Projects:

- April 1st- SCAG Project Selection Process Review
- June/July- Regional Council Approval
- Resolutions are due March 29th

FFY 22/23 & FFY 23/24 Federal & State Funded Project Obligation List:

- Each jurisdiction gave its update.

5. Caltrans Updates / Announcements:

(Presented by: Alejandro Lopez, Caltrans)

- Friday, March 15, 2024, is the final deadline (for that May 16-17, 2024, CTC meeting).
- Unique Entity Identifier (UEI) Renewals Due: Expiring soon: El Centro (March 22, 2024)
- 2025 Active Transportation Program (Cycle 7): Upcoming ATP Webinar: An overview of Submittable: The New ATP Cycle 7 Application Tool Wednesday, March 27, 2024 9:30am – 11:30am

- Further details are available at this link – <https://catc.ca.gov/programs/active-transportation-program>
- Highway Safety Improvement Program (HSIP) – Cycle 12: <https://dot.ca.gov/programs/local-assistance/fed-and-state-programs/highway-safety-improvement-program/calls-for-projects-hsip-ssarp>
- U.S. Department of Transportation Grant Opportunities: <https://www.transportation.gov/grants>
- November 21, 2024 – Environmental and Climate Justice Community Change Grants

6. SCAG Updates / Announcements:

(Presented by: David Salgado, SCAG)

- REAP 2021 Advocacy Updates: SCAG issued a hold on sub-allocation projects while working to assess impacts of the proposed cuts. Given the delays and impact caused by the proposed budget, adjustments will need to be made to SCAG’s REAP 2.0 program. Staff plans to bring an informational item to the Executive Administration Committee in April to discuss priorities and processes for reshaping the program.
- GO HUMAN project applications are going to open up. Please contact David Salgado for more information.

7. Cities and County Planning / Public Works Updates:

- Each jurisdiction gave its update.

8. General Discussion / New Business

No new business was discussed.

Next TAC meeting will be on February 22, 2024 at 10:00 a.m., via Zoom for the public and in person at the ICTC offices.

Meeting adjourned at 11:27 a.m.



1503 N. IMPERIAL AVE., SUITE 104
EL CENTRO, CA 92243-2875
PHONE: (760) 592-4494
FAX: (760) 592-4410

SOCIAL SERVICES TRANSPORTATION ADVISORY COUNCIL

MINUTES March 06, 2024

Present

Voting Attendees:

Mike Hack	Consumer
Raul Cordova	WTC
Karina Leon	Access to Independence
Sarah Enz	Area Agency on Aging (AAA)
James Dalke	Imperial Valley College
Cristina Leal	ARC- Imperial Valley
Gustavo Gomez	CTSA-ICTC

Non-Voting Attendees:

Helio Sanchez	IVT (via zoom)
Cesar Sanchez	IVT (via zoom)
Jose Guillen	IVT MedTrans
Karla Pacheco	IVT Access (via zoom)
Karla Aguilar	IVT Ride (via zoom)
Esperanza Avila	ICTC
Priscilla Baca	ICTC

1. Ms. Enz called the meeting to order at 10:03 a.m. **A quorum was present.**
2. Introductions were made.
 - Hybrid meeting.
3. Minutes were adopted for January 03, 2024 ([Hack, Cordova](#)) & February 07, 2024 ([Hack, Dalke](#)) **Motion Carried.**
4. CTSA Reports:
Mr. Gomez had the following updates:
 - February 20, IVC presentation on EOPS. We will be scheduling another one.
 - February 21 attended the senior apartments in Calexico. Provided information on all services.
 - March 5 attended the seniors' apartments in Brawley. Provided information on all services.Upcoming events are scheduled-
 - Children fair in Niland.

- IVC Transitions Fair.
- Attending Community Services events for some of the senior groups.
- Provided transportation for Seniors in Brawley to the Imperial County Fair.
- Assisted with transportation to the Imperial County Behavioral Health Department.
- Finishing up the request for proposals for Comprehension Operational Analysis, which helps us with which routes need to be changed or fixed.
- The UTN hearing date is scheduled for April 8, 2024. Still taking comments and transit needs to help with improvements.
- IVT Ride/Access are continuing to help Alegria with transportation.
- Free fares are being provided by Area Agency on Aging.
- Continuing to assist in sign-ups for IVT Ride and Access via phone and In-person.
- Staff are available for any questions or concerns regarding any of the services.
- Staff is also available to provide brochures and information to any agency that requests it,

5. Transit Operator FY 2023-24 Reports:

Imperial Valley Transit.

- Mr. Sanchez presented the report on the service.
- Continuing outreach about services.
- Free Faires are still ongoing.

IVT Access

- Ms. Pacheco presented the report on the service.
- Working with Alegria patients.
- Passenger demands are improving.

IVT Ride

- Ms. Aguilar presented the report on all IVT Ride services.
- Attending more outreach.
- AAA covering ride charges.

IVT MedTrans

- Mr. Guillen presented the report on the service.
- Services are steady.
- Free fairs until further notice.

6. General Discussion

- Ms. Enz encouraged the members to attend the UTN Meeting, to get a better understanding.
- Mr. Gomez will be sending out the invitations soon.
- Mr. Hack encourages the members to attend the Peoples First Conference at Imperial Valley College. Flyer will be sent out via email.

7. Adjournment

- The meeting adjourned at 10:25 a.m. **(Enz) Motion Carried.**
- The next meeting will be held on Wednesday, April 03, 2024, at the Imperial County Transportation Commission Office, 1503 N. Imperial Ave., Suite 104, El Centro, CA 92243.

IV. CONSENT CALENDAR

IV. CONSENT CALENDAR

C. Low Carbon Transit Operations Program (LCTOP) Application for FY 2023-24 Funds

Authorize the ICTC Chairperson to sign the attached resolution.

Authorization for the Execution of the LCTOP Project application: Calexico on Demand for eligible transit operations.



1503 N. IMPERIAL AVENUE, SUITE 104
EL CENTRO, CA 92243-2875
PHONE: (760) 592-4494
FAX: (760) 592-4410

April 12, 2024

Luis Plancarte, Chairman
Imperial County Transportation Commission
1503 N. Imperial Ave., Suite 104
El Centro, CA 92243

SUBJECT: Low Carbon Transit Operations Program (LCTOP) Application for FY 2023-24 Funds

Dear Commission Members:

Imperial County Transportation Commission (ICTC) proposes to submit an application for use of Low Carbon Transit Operations Program (LCTOP) funds in Fiscal Year (FY) 2023-24. The LCTOP is one of several programs that are part of the Transit, Affordable Housing, and Sustainable Communities Program established by the California Legislature in 2014 by Senate Bill 862 (SB 862). The LCTOP was created to provide operating and capital assistance for transit agencies to reduce greenhouse gas (GHG) emissions and improve mobility, with a priority on serving disadvantaged communities. Approved projects in LCTOP will support the following:

1. Expenditures that directly enhance or expand transit service by supporting new or expanded bus or rail services, new or expanded water-borne transit, or expanded intermodal transit facilities, and may include equipment acquisition, fueling, maintenance, and other costs to operate those services or facilities.
2. Operational expenditures that increase transit mode share including free fare programs.
3. Expenditures related to the purchase of zero-emission buses, including electric buses, and the installation of the necessary equipment and infrastructure to operate and support zero-emission buses.

Per the State Controller's Office, ICTC has an eligible allocation in FY 2023-24 in the amount of \$520,353. Following the LCTOP guidelines, ICTC staff recommends submitting an application requesting the use of funds from FY 2023-24 towards operations of Calexico on Demand, a micro-transit pilot program that is currently in service.

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

The ICTC Management Committee met on April 10, 2024, and forwards this item to the Commission for their review and approval after public comment, if any:

1. Authorize the ICTC Chairperson to sign the attached resolution.
2. Authorization for the Execution of the LCTOP Project application: Calexico on Demand for eligible transit operations.

Sincerely,

A handwritten signature in blue ink, appearing to read 'D. Aguirre', with a stylized flourish at the end.

David Aguirre
Executive Director

DA/kl

Attachments

RESOLUTION # 042424-4C

**AUTHORIZATION FOR THE EXECUTION OF THE
CERTIFICATIONS AND ASSURANCES AND AUTHORIZED AGENT FORMS
FOR THE LOW CARBON TRANSIT OPERATIONS PROGRAM (LCTOP)
FOR THE FOLLOWING PROJECT:
CALEXICO ON DEMAND:
\$520,353**

WHEREAS, the Imperial County Transportation Commission is an eligible project sponsor and may receive state funding from the Low Carbon Transit Operations Program (LCTOP) for transit projects; and

WHEREAS, the statutes related to state-funded transit projects require a local or regional implementing agency to abide by various regulations; and

WHEREAS, Senate Bill 862 (2014) named the Department of Transportation (Department) as the administrative agency for the LCTOP; and

WHEREAS, the Department has developed guidelines for the purpose of administering and distributing LCTOP funds to eligible project sponsors (local agencies); and

WHEREAS, the Imperial County Transportation Commission wishes to delegate authorization to execute these documents and any amendments thereto to David Aguirre, Executive Director.

WHEREAS, the Imperial County Transportation Commission wishes to implement the following LCTOP project(s) listed above,

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Imperial County Transportation Commission that the fund recipient agrees to comply with all conditions and requirements set forth in the Certification and Assurances and the Authorized Agent documents and applicable statutes, regulations and guidelines for all LCTOP funded transit projects.

NOW THEREFORE, BE IT FURTHER RESOLVED that David Aguirre, Executive Director, be authorized to execute all required documents of the LCTOP program and any Amendments thereto with the California Department of Transportation.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Imperial County Transportation Commission that it hereby authorizes the submittal of the following project nomination(s) and allocation request(s) to the Department in FY 2023-24 for LCTOP funds as follows:

Project Name: Calexico On Demand

Amount of LCTOP funds requested (including LCTOP Interest): \$520,353

Short description of project: Fund program operations for Calexico On Demand Services

Benefit to a Priority Populations: The project is located within multiple SB 535 Disadvantaged Communities and AB 1550 Low-Income Communities

PASSED AND ADOPTED at a regular meeting of the Imperial County Transportation Commission held on April 24, 2024.

By: _____
Chairman

ATTEST:

By: _____

CRISTI LERMA
Secretary to the Commission

V. ACTION CALENDAR

A. Various Bus Stop Improvement Project – Design Services

1. Approve the award of contract for the completion of the Various Bus Stop Improvement Project to Nicklaus Engineering, Inc. in the amount of \$71,227.00.
2. Authorize the Chairperson to sign the agreement.



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EL CENTRO, CA 92243-2875
PHONE: (760) 592-4494
FAX: (760) 592-4410

April 12, 2024

Luis Plancarte, Chairman
Imperial County Transportation Commission
1503 N. Imperial Ave. Suite 104
El Centro, CA 92243

SUBJECT: Various Bus Stop Improvement Project – Design Services

Dear Commission Members:

ICTC is continuously exploring opportunities to improve transit services and complete bus stop infrastructure improvements. ICTC was able to obtain grant funding to implement bus stop improvements throughout the county. The proposed project is a smaller scale project. ICTC identified various locations throughout the county where bus stop improvements were lacking or existing facilities were deteriorating. The proposed cities that are anticipated to receive infrastructure improvements are the cities of Westmorland, Calipatria and El Centro.

ICTC Staff recently completed a competitive bid via a Request for Proposals (RFP) process to acquire the services of a qualified consulting team to complete the Design Services for the Bus Stop Improvement Project. The RFP was issued on January 8th, 2024. Multiple engineering firms were contacted by ICTC staff to create interest and to inform the engineering firms of the project. The RFP was sent directly to a total number of ten potential consultants in addition to being posted on ICTC's website. ICTC made multiple attempts to contact the consulting firms to increase interest in our project.

A total of one (1) consultant submitted a response to the RFP. The consultant that submitted a response was: Nicklaus Engineering (local firm) and a Disadvantaged Business Enterprise (DBE) certified firm.

Through the proposal response, Nicklaus demonstrated great knowledge of the proposed project and the ability to complete the critical elements of the project. The Nicklaus team has extensive experience and knowledge to complete the required services.

Nicklaus's proposed cost is \$71,227.00. The proposed cost is comprised of \$30,014.00 for design services and \$41,213.00 in surveying services. The proposed surveying services are anticipated to be completed Hourly Not to Exceed. Nicklaus is a DBE and a local firm.

A budget of \$75,000 was identified and approved in the ICTC 23-24 OWP and budget.

The original procurement documents; RFP and consultant response proposal; and all contract exhibits referenced in the contract documents are available for review at the ICTC administrative office on request.

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

Luis Plancarte, Chairman
Imperial County Transportation Commission

(2)

April 12, 2024

The ICTC Management Committee met on April 10, 2024, and forwards this item to the Commission for their review and approval after public comment, if any:

1. Approve the award of contract for the completion of the Various Bus Stop Improvement Project to *Nicklaus Engineering, Inc.* in the amount of \$71,227.00.
2. Authorize the Chairperson to sign the agreement.

Sincerely,



David Aguirre
Executive Director

DA/gg

1 **AGREEMENT FOR SERVICES**

2
3 THIS AGREEMENT FOR SERVICES (“Agreement”), made and entered into this 24th day of
4 April, 2024, is by and between the **IMPERIAL COUNTY TRANSPORTATION COMMISSION**
5 (“ICTC”) and **NICKLAUS ENGINEERING, INC.** (“CONSULTANT”) (individually, “Party;”
6 collectively, “Parties”).

7 **WITNESSETH**

8 **WHEREAS**, ICTC desires to retain a qualified individual, firm or business entity to provide
9 professional services for Bus Stop Improvement Project Design Services (“the Project”); and

10 **WHEREAS**, ICTC desires to engage CONSULTANT to provide services by reason of its
11 qualifications and experience for performing such services, and CONSULTANT has offered to provide the
12 required services for the Project on the terms and in the manner set forth herein.

13 **NOW, THEREFORE**, ICTC and CONSULTANT have and hereby agree to the following:

14 1. **DEFINITIONS.**

15 1.1. “RFP” shall mean ICTC’s request for proposals entitled “Imperial County Transportation
16 Commission (ICTC) Request for Proposals Bus Stop Improvement Project Design Services” dated January
17 2024. The RFP is attached as **Exhibit “A”** and incorporated herein by this reference.

18 1.2 “Proposal” shall mean CONSULTANT’s proposal entitled Bus Stop Improvement Project
19 Design Services. The Proposal is attached as **Exhibit “B”** and incorporated herein by this reference.

20 2. **CONTRACT COORDINATION.**

21 CONSULTANT shall assign a single Contract Manager to have overall responsibility for the
22 progress and execution of this Agreement. Antonio Alvarez is hereby designated as the Contract Manager
23 for CONSULTANT. Should circumstances or conditions subsequent to the execution of this Agreement
24 require a substitute Contract Manager for any reason, the Contract Manager’s designee shall be subject to
25 the prior written acceptance and approval of ICTC.

26 3. **DESCRIPTION OF WORK.**

1 3.1. CONSULTANT shall provide all materials and labor to perform this Agreement consistent
2 with the RFP and Proposal. In the event of a conflict among this Agreement, the RFP, and the Proposal, the
3 RFP shall take precedence over the Proposal and this Agreement shall take precedence over both.

4 3.2. CONSULTANT shall perform additional or extra work if required, utilizing the per hour
5 rate set forth in Exhibit "C".

6 4. WORK TO BE PERFORMED BY CONSULTANT.

7 4.1. CONSULTANT shall comply with all terms, conditions and requirements of the Proposal
8 and this Agreement.

9 4.2. CONSULTANT shall perform such other tasks as necessary and proper for the full
10 performance of the obligations assumed by CONSULTANT hereunder.

11 4.3. CONSULTANT shall:

12 4.3.1. Procure all permits and licenses, pay all charges and fees, and give all notices that
13 may be necessary and incidental to the due and lawful prosecution of the services to be performed
14 by CONSULTANT pursuant to this Agreement;

15 4.3.2. Use the standard of care usual to CONSULTANT's profession to keep itself fully
16 informed of all applicable existing and proposed federal, state and local laws, ordinances,
17 regulations, orders and decrees which may affect those engaged or employed under this Agreement,
18 any materials used in CONSULTANT's performance under this Agreement or the conduct of the
19 services under this Agreement;

20 4.3.3. At all times observe and comply with, and cause all of its employees to observe and
21 comply with all of said laws, ordinances, regulations, orders and decrees mentioned above; and

22 4.3.4. Immediately report to ICTC in writing any discrepancy or inconsistency it discovers
23 in said laws, ordinances, regulations, orders and decrees mentioned above in relation to any plans,
24 drawings, specifications or provisions of this Agreement.

25 4.4. Any videotape, reports, information, data or other material given to, or prepared or
26 assembled by, CONSULTANT pursuant to this Agreement shall be the property of ICTC and shall not be
27 made available to any individual or organization by CONSULTANT without the prior written approval of
28 ICTC. The preceding restriction shall not apply to information which is in the public domain, was

1 previously known to CONSULTANT, was acquired by CONSULTANT from others who have no
2 confidential relationship to ICTC with respect to same, or which through no fault of CONSULTANT
3 comes into the public domain. CONSULTANT shall not be restricted from releasing information,
4 including confidential information, in response to a subpoena, court order, or other legal process.
5 CONSULTANT shall not be required to resist such subpoena, court order, or legal process, but shall
6 promptly notify ICTC in writing of the demand for information before responding to such demand.

7 5. REPRESENTATIONS BY CONSULTANT.

8 5.1. CONSULTANT understands and agrees that ICTC has limited knowledge in the multiple
9 areas specified in the Proposal. CONSULTANT has represented itself to have experience in these fields
10 and understands that ICTC is relying upon such representation.

11 5.2. Subject to 5.2.1, CONSULTANT represents and warrants that it is a lawful entity
12 possessing all required licenses and authorities to do business in the State of California and perform all
13 aspects of this Agreement.

14 5.2.1. CONSULTANT shall not commence any work pursuant to this Agreement or
15 provide any other services, or materials, in connection therewith until CONSULTANT has received
16 written authorization from ICTC to do so.

17 5.3. CONSULTANT represents and warrants that the people executing this Agreement on behalf
18 of CONSULTANT have the authority of CONSULTANT to sign this Agreement and bind
19 CONSULTANT to the performance of all duties and obligations assumed by CONSULTANT herein.

20 5.4. CONSULTANT represents and warrants that any employee, contractor and/or agent who
21 will be performing any of the duties and obligations of CONSULTANT herein possess all required licenses
22 and authorities, as well as the experience and training, to perform such tasks.

23 5.5. CONSULTANT represents and warrants that the allegations contained in the Proposal are
24 true and correct.

25 5.6. CONSULTANT understands that ICTC considers the representations made herein to be
26 material and would not enter into this Agreement with CONSULTANT if such representations were not
27 made.

28 6. COMPENSATION.

1 The total compensation payable under this Agreement shall not exceed Seventy One Thousand Two
2 Hundred Twenty Seven dollars (\$71,227.00) - unless otherwise previously agreed to by ICTC. Cost
3 associated with the Topographic Survey shall be completed utilizing Time and Material Not to Exceed.

4 7. PAYMENT.

5 CONSULTANT will bill ICTC on a not to exceed time and material basis upon completion of the
6 project or as set forth in the cost schedule attached hereto as **Exhibit "C"**. ICTC shall pay CONSULTANT
7 for completed and approved services upon presentation of its itemized billing. Notwithstanding the
8 foregoing, ICTC may retain 5% of the total compensation until the work to be performed has been
9 completed in accordance with this Agreement, as determined by ICTC, and payment in full of all
10 subcontractors of CONSULTANT.

11 8. METHOD OF PAYMENT.

12 8.1 CONSULTANT shall at any time prior to the 15th day of any month, submit to ICTC a
13 written claim for compensation for services performed. The claim shall be in a format approved by ICTC.
14 CONSULTANT may expect to receive payment within a reasonable time thereafter and in any event in the
15 normal course of business within thirty (30) days after the claim is submitted.

16 9. TERM AND TIME FOR COMPLETION OF THE WORK.

17 9.1. This Agreement shall commence on the date first written above and shall remain in effect
18 through completion of the Project unless otherwise terminated as provided herein.

19 9.2. Program scheduling shall be as described in Exhibit "A" unless revisions to Exhibit "A" are
20 approved by both ICTC and CONSULTANT's Contract Manager. Time extensions may be allowed for
21 delays caused by ICTC, other governmental agencies, or factors not directly brought about by the
22 negligence or lack of due care on the part of CONSULTANT.

23 10. SUSPENSION OF AGREEMENT.

24 ICTC shall have the authority to suspend this Agreement, wholly or in part, for such period as
25 deemed necessary due to unfavorable conditions or to the failure on the part of CONSULTANT to perform
26 any provision of this Agreement. CONSULTANT will be paid the compensation due and payable to the
27 date of suspension.

28 11. SUSPENSION AND/OR TERMINATION.

1 11.1. ICTC retains the right to terminate this Agreement for any reason by notifying
2 CONSULTANT in writing seven (7) days prior to termination and by paying the compensation due and
3 payable to the date of termination; provided, however, if this Agreement is terminated for fault of
4 CONSULTANT, ICTC shall be obligated to compensate CONSULTANT only for that portion of
5 CONSULTANT's services which have been performed in accordance with the terms and conditions of this
6 Agreement. Said compensation is to be arrived at by mutual agreement between ICTC and
7 CONSULTANT; should the Parties fail to agree on said compensation, an independent arbitrator shall be
8 appointed and the decision of the arbitrator shall be binding upon the Parties.

9 11.2. Upon such termination, CONSULTANT shall immediately turn over to ICTC any and all
10 copies of videotapes, studies, sketches, drawings, computations and other data, whether or not completed,
11 prepared by CONSULTANT in connection with this Agreement. Such materials shall become the
12 permanent property of ICTC.

13 12. INSPECTION.

14 CONSULTANT shall furnish ICTC with every reasonable opportunity for ICTC to ascertain that
15 the services of CONSULTANT are being performed in accordance with the requirements and intentions of
16 this Agreement. All work done and materials furnished, if any, shall be subject to ICTC's inspection and
17 approval. The inspection of such work shall not relieve CONSULTANT of any of its obligations to fulfill
18 its Agreement as prescribed.

19 13. OWNERSHIP OF MATERIALS.

20 All original drawings, videotapes and other materials prepared by or in possession of
21 CONSULTANT pursuant to this Agreement shall become the permanent property of ICTC and shall be
22 delivered to ICTC upon demand.

23 ///

24 ///

25 ///

26 14. INTEREST OF CONSULTANT.

1 14.1. CONSULTANT covenants that it presently has no interest, and shall not acquire any
2 interest, direct or indirect, financial or otherwise, which would conflict in any manner or degree with the
3 performance of the services hereunder.

4 14.2. CONSULTANT covenants that, in the performance of this Agreement, no sub-contractor or
5 person having such an interest shall be employed.

6 14.3. CONSULTANT certifies that no one who has or will have any financial interest pursuant to
7 this Agreement is an officer or employee of ICTC.

8 15. INDEMNIFICATION.

9 A. Indemnity for Professional Services. To the furthest extent allowed by law, Consultant
10 shall indemnify, hold harmless and defend ICTC and its members, board members, officers, officials,
11 and employees, from any and all loss, liability, fines, penalties, forfeitures, costs and damages (whether
12 in contract, tort or strict liability, including but not limited to personal injury, death at any time and
13 property damage), and from any and all claims, demands and actions in law or equity (including
14 reasonable attorney's fees and litigation expenses) that arise out of, pertain to, or relate to the negligence,
15 recklessness or willful misconduct of Consultant, its principals, officers, and employees, in the
16 performance of professional services under this Agreement.

17 B. Other Indemnities. Other than in the performance of professional services, and to the
18 fullest extent allowed by law, Consultant shall indemnify, hold harmless and defend ICTC and its
19 members, board members, officers, officials, and employees, from any and all loss, liability, fines,
20 penalties, forfeitures, costs and damages (whether in contract, tort or strict liability, including but not
21 limited to personal injury, death at any time and property damage), and from any and all claims,
22 demands and actions in law or equity (including reasonable attorney's fees and litigation expenses)
23 arising or alleged to have arisen directly or indirectly out of performance of this Agreement.
24 Consultant's obligations under the preceding sentence shall apply regardless of whether ICTC or any of
25 its members, board members, officers, officials, employees, agents or volunteers are negligent, but shall
26 not apply to any loss, liability, fines, penalties, forfeitures, costs or damages caused by the active
27 negligence, or caused by the willful misconduct, of ICTC, or any of its members, board members,
28 officers, officials, employees, agents or volunteers.

1 C. If Consultant should subcontract all or any portion of the services to be performed under
2 this Agreement, Consultant shall require each subcontractor to indemnify, hold harmless and defend
3 ICTC and its members, board members, officers, officials, employees, agents and volunteers in
4 accordance with the terms of the preceding paragraphs.

5 D. This section shall survive termination or expiration of this Agreement.

6 16. INDEPENDENT CONTRACTOR.

7 In all situations and circumstances arising out of the terms and conditions of this Agreement,
8 CONSULTANT is an independent contractor, and as an independent contractor, the following shall
9 apply:

10 16.1. CONSULTANT is not an employee or agent of ICTC and is only responsible for the
11 requirements and results specified by this Agreement or any other agreement.

12 16.2. CONSULTANT shall be responsible to ICTC only for the requirements and results
13 specified by this Agreement and except as specifically provided in this Agreement, shall not be subject
14 to ICTC's control with respect to the physical actions or activities of CONSULTANT in fulfillment of
15 the requirements of this Agreement.

16 16.3. CONSULTANT is not, and shall not be, entitled to receive from, or through, ICTC, and
17 ICTC shall not provide, or be obligated to provide, CONSULTANT with Worker's Compensation
18 coverage or any other type of employment or worker insurance or benefit coverage required or provided
19 by any Federal, State or local law or regulation for, or normally afforded to, an employee of ICTC.

20 16.4. CONSULTANT shall not be entitled to have ICTC withhold or pay, and ICTC shall not
21 withhold or pay, on behalf of CONSULTANT, any tax or money relating to the Social Security Old Age
22 Pension Program, Social Security Disability Program, or any other type of pension, annuity, or disability
23 program required or provided by any Federal, State or local law or regulation.

24 16.5. CONSULTANT shall not be entitled to participate in, or receive any benefit from, or
25 make any claim against any ICTC fringe program, including, but not limited to, ICTC's pension plan,
26 medical and health care plan, dental plan, life insurance plan, or any other type of benefit program, plan,
27 or coverage designated for, provided to, or offered to ICTC's employee.

1 16.6. ICTC shall not withhold or pay, on behalf of CONSULTANT, any Federal, State, or local
2 tax, including, but not limited to, any personal income tax, owed by CONSULTANT.

3 16.7. CONSULTANT is, and at all times during the term of this Agreement, shall represent
4 and conduct itself as an independent contractor, not as an employee of ICTC.

5 16.8. CONSULTANT shall not have the authority, express or implied, to act on behalf of, bind
6 or obligate ICTC in any way without the written consent of ICTC.

7 17. INSURANCE.

8 Throughout the life of this Agreement, Consultant shall pay for and maintain in full force and
9 effect all policies of insurance required hereunder with an insurance company(ies) either (i) admitted by
10 the California Insurance Commissioner to do business in the State of California and rated not less than
11 "A- VII" in Best's Insurance Rating Guide, or (ii) as may be authorized in writing by ICTC's Executive
12 Director or his/her designee at any time and in his/her sole discretion. The following policies of
13 insurance are required:

14 (i) COMMERCIAL GENERAL LIABILITY insurance which shall be at least as broad as the
15 most current version of Insurance Services Office (ISO) Commercial General Liability Coverage Form
16 CG 00 01 and include insurance for "bodily injury," "property damage" and "personal and advertising
17 injury" with coverage for premises and operations (including the use of owned and non-owned
18 equipment), products and completed operations, and contractual liability (including, without limitation,
19 indemnity obligations under the Agreement) with limits of liability of not less than the following:

20 \$1,000,000 per occurrence for bodily injury and property damage

21 \$1,000,000 per occurrence for personal and advertising injury

22 \$2,000,000 aggregate for products and completed operations

23 \$2,000,000 general aggregate

24 (ii) COMMERCIAL AUTOMOBILE LIABILITY insurance which shall be at least as broad as
25 the most current version of Insurance Service Office (ISO) Business Auto Coverage Form CA 00 01,
26 and include coverage for all owned, hired, and non-owned automobiles or other licensed vehicles (Code
27 1 - Any Auto) with limits of liability of not less than \$1,000,000 per accident for bodily injury and
28 property damage.

1 (iii) WORKERS' COMPENSATION insurance as required under the California Labor Code.

2 (iv) EMPLOYERS' LIABILITY insurance with limits of liability of not less than \$1,000,000
3 each accident, \$1,000,000 disease policy limit and \$1,000,000 disease each employee.

4 (v) PROFESSIONAL LIABILITY (Errors and Omissions) insurance appropriate to
5 Consultant's profession, with limits of liability of \$2,000,000 per claim/occurrence and \$2,000,000
6 policy aggregate.

7 In the event Consultant purchases an Umbrella or Excess insurance policy(ies) to meet the
8 minimum limits of insurance set forth above, this insurance policy(ies) shall "follow form" and afford
9 no less coverage than the primary insurance policy(ies).

10 Consultant shall be responsible for payment of any deductibles contained in any insurance policies
11 required hereunder and Consultant shall also be responsible for payment of any self-insured retentions.
12 At no time shall ICTC be responsible for the payment of any deductibles or self-insured retentions.

13 All policies of insurance required hereunder shall be endorsed to provide that the coverage shall
14 not be cancelled, non-renewed, reduced in coverage or in limits except after 30 calendar day written
15 notice has been given to ICTC. Upon issuance by the insurer, broker, or agent of a notice of
16 cancellation, non-renewal, or reduction in coverage or in limits, Consultant shall furnish ICTC with a
17 new certificate and applicable endorsements for such policy(ies). In the event any policy is due to
18 expire during the work to be performed for ICTC, Consultant shall provide a new certificate, and
19 applicable endorsements, evidencing renewal of such policy not less than 15 calendar days prior to the
20 expiration date of the expiring policy.

21 The General Liability and Automobile Liability insurance policies shall be written on an
22 occurrence form. The General Liability (including ongoing operations and completed operations) and
23 Automobile Liability insurance policies shall name ICTC, its members, board members, officers,
24 officials, employees and agents as an additional insured. All such policies of insurance, excluding
25 Professional Liability and Workers Compensation, shall be endorsed so Consultant's insurance shall be
26 primary and no contribution shall be required of ICTC, its members, board members, officers, officials,
27 employees, agents or volunteers. The coverage(s) shall contain no special limitations on the scope of
28 protection afforded to ICTC, its members, board members, officers, officials, employees and agents.

1 The Workers' Compensation insurance policy shall contain a waiver of subrogation as to ICTC, its
2 members, board members, officers, employees, agents and volunteers.

3 If the Professional Liability (Errors and Omissions) insurance policy is written on a claims-made
4 coverage form:

5 (i) The retroactive date must be shown, and must be before the effective date of this Agreement
6 or the commencement of work by Consultant.

7 (ii) Insurance must be maintained and evidence of insurance must be provided for at least 5
8 years after completion of the work or termination of the Agreement, whichever first occurs.

9 (iii) If coverage is canceled or non-renewed, and not replaced with another claims-made policy
10 form with a retroactive date prior to the effective date of the Agreement, or work commencement date,
11 Consultant must purchase extended reporting period coverage for a minimum of 5 years after
12 completion of the work or termination of the Agreement, whichever first occurs.

13 (iv) A copy of the claims reporting requirements must be submitted to ICTC for review.

14 (v) These requirements shall survive expiration or termination of the Agreement.

15 Consultant shall furnish ICTC with all certificate(s) and applicable endorsements effecting
16 coverage required hereunder. **All certificates and applicable endorsements are to be received and**
17 **approved by ICTC's Executive Director or his/her designee in his/her sole discretion prior to**
18 **ICTC's execution of the AGREEMENT and before work commences.** Upon request by ICTC,
19 Consultant shall provide for review of redacted copies of insurance policies at Consultant's corporate
20 office. This requirement shall survive expiration or termination of this Agreement.

21 If at any time during the life of the Agreement or any extension, Consultant or any of its sub-
22 Consultants fail to maintain any required insurance in full force and effect, all work under this
23 Agreement shall be discontinued immediately, until notice is received by ICTC that the required
24 insurance has been restored to full force and effect and that the premiums therefore have been paid for a
25 period satisfactory to ICTC. Any failure to maintain the required insurance shall be sufficient cause for
26 ICTC to terminate this Agreement. No action taken by ICTC hereunder shall in any way relieve
27 Consultant of its responsibilities under this Agreement.
28

1 The fact that insurance is obtained by Consultant shall not be deemed to release or diminish the
2 liability of Consultant, including, without limitation, liability under the indemnity provisions of this
3 Agreement. The duty to indemnify ICTC shall apply to all claims and liability regardless of whether any
4 insurance policies are applicable. The policy limits do not act as a limitation upon the policy limits do
5 not act as a limitation upon the amount of indemnification to be provided by Consultant. Approval or
6 purchase of any insurance contracts or policies shall in no way relieve from liability nor limit the
7 liability of Consultant, its principals, officers, agents, employees, persons under the supervision of
8 Consultant, vendors, suppliers, invitees, sub-Consultants, or anyone employed directly or indirectly by
9 any of them.

10 If Consultant should subcontract all or any portion of the services to be performed under this
11 Agreement, Consultant shall require each sub-Consultant to provide insurance protection in favor of
12 ICTC, its members, board members, officers, officials, employees, agents and volunteers in accordance
13 with the terms of each of the preceding paragraphs, except that the sub-Consultant's certificates and
14 endorsements shall be on file with Consultant and ICTC prior to the commencement of any work by the
15 sub-Consultant.

16 18. ASSIGNMENT.

17 Neither this Agreement nor any duties or obligations hereunder shall be assignable by
18 CONSULTANT without the prior written consent of ICTC. CONSULTANT may employ other
19 specialists to perform services as required with prior approval by ICTC.

20 19. NON-DISCRIMINATION.

21 During the performance of this Agreement, CONSULTANT shall not unlawfully discriminate
22 against any employee or applicant for employment or employee of ICTC or member of the public
23 because of race, religion, color, national status, age, or sex. CONSULTANT shall ensure that the
24 evaluation and treatment of its employees and applicants for employment and employees and members
25 of the public are free of such discrimination. CONSULTANT shall comply with all provisions of the
26 Fair Employment and Housing Act (Government Code §12900, *et seq.*). The applicable regulations of
27 the Fair Employment Housing Commission implementing Government Code §12900 set forth in
28 Chapter 5 of Division 4 of Title 2 of the California Administrative Code are incorporated into this

1 Agreement by reference and made a part hereof as if set forth in full. CONSULTANT shall abide by the
2 Federal Civil Rights Act of 1964 and all amendments thereto, and all administrative rules and
3 regulations issued pursuant to said Act. CONSULTANT shall also abide by the American Disabilities
4 Act and all amendments thereto, and all administrative rules and regulations issued pursuant to said Act.
5 CONSULTANT shall give written notice of its obligations under this clause to labor organizations with
6 which it has a collective bargain or other agreement. CONSULTANT shall include the non-
7 discrimination and compliance provision of this paragraph in all subcontracts to perform work pursuant
8 to this Agreement.

9 20. NOTICES AND REPORTS.

10 20.1. All notices and reports pursuant to this Agreement shall be in writing and may be given
11 by personal delivery or by mailing by certified mail, addressed as follows:

12 **ICTC**

CONSULTANT

13 Attn: Executive Director
14 Imperial County Transportation Commission
15 1503 N. Imperial Ave., Ste 104
El Centro, CA 92243

Attn: Antonio Alvarez
Nicklaus Engineering, Inc.
1461 Main Street,
El Centro, CA 92243

16 20.2. All notices and reports pursuant to this Agreement may be given by personal delivery or
17 by mailing by certified mail at such other address as either Party may designate in a notice to the other
18 Party given in such manner.

19 20.3. Any notice given by mail shall be considered given when deposited in the United States
20 Mail, postage prepaid, addressed as provided herein.

21 21. ENTIRE AGREEMENT.

22 This Agreement contains the entire agreement between ICTC and CONSULTANT relating to the
23 transactions contemplated hereby and supersedes all prior or contemporaneous agreements,
24 understandings, provisions, negotiations, representations, or statements, either written or oral.

25 ///

26 ///

27 22. MODIFICATION.

1 No modification, waiver, amendment, discharge, or change of this Agreement shall be valid
2 unless the same is in writing and signed by both parties.

3 23. PARTIAL INVALIDITY.

4 If any provision in this Agreement is held by a court of competent jurisdiction to be invalid,
5 void, or unenforceable, the remaining provisions will nevertheless continue in full force without being
6 impaired or invalidated in any way.

7 24. GENDER AND INTERPRETATION OF TERMS AND PROVISIONS.

8 As used in this Agreement and whenever required by the context thereof, each number, both
9 singular and plural, shall include all numbers, and each gender shall include a gender. CONSULTANT
10 as used in this Agreement or in any other document referred to in or made a part of this Agreement shall
11 likewise include both singular and the plural, a corporation, a partnership, individual, firm or person
12 acting in any fiduciary capacity as executor, administrator, trustee or in any other representative capacity
13 or any other entity. All covenants herein contained on the part of CONSULTANT shall be joint and
14 several if more than one person, firm or entity executes the Agreement.

15 25. WAIVER.

16 No waiver of any breach or of any of the covenants or conditions of this Agreement shall be
17 construed to be a waiver of any other breach or to be a consent to any further or succeeding breach of
18 the same or any other covenant or condition.

19 26. CHOICE OF LAW.

20 This Agreement shall be governed by the laws of the State of California. This Agreement is
21 made and entered into in Imperial County, California. Any action brought by either Party with respect
22 to this Agreement shall be brought in a court of competent jurisdiction within said County.

23 27. ATTORNEY'S FEES.

24 If either Party herein brings an action to enforce the terms thereof or declare rights hereunder,
25 each Party in any such action, on trial or appeal, shall bear its own attorney's fees and costs.

26 ///

27 ///

28 28. AUTHORITY.

1 Each individual executing this Agreement on behalf of CONSULTANT represents and warrants
2 that:

3 28.1. He/She is duly authorized to execute and deliver this Agreement on behalf of
4 CONSULTANT;

5 28.2. Such execution and delivery is in accordance with the terms of the Articles of
6 Incorporation or Partnership, any by-laws or Resolutions of CONSULTANT and;

7 28.3. This Agreement is binding upon CONSULTANT accordance with its terms.

8 29. COUNTERPARTS.

9 This Agreement may be executed in counterparts.

10 30. REVIEW OF AGREEMENT TERMS.

11 This Agreement has been reviewed and revised by legal counsel for both ICTC and
12 CONSULTANT, and no presumption or rule that ambiguities shall be construed against the drafting
13 Party shall apply to the interpretation or enforcement of the same or any subsequent amendments
14 thereto.

15 31. NON-APPROPRIATION.

16 31.1. All obligations of ICTC are subject to appropriation of resources by various federal,
17 State, and local agencies, including but not limited to the U.S. Department of Transportation
18 (“DOT”) and the California Department of Transportation (“Caltrans”).

19 31.2. This Agreement is valid and enforceable only if sufficient funds are made available to
20 ICTC for the purposes of this Project. In addition, this Agreement is subject to any additional
21 restrictions, limitations, conditions, or any statute enacted by Congress, State Legislature, or
22 ICTC, and any regulations prescribed therefrom, that may affect the provisions, terms, or
23 funding of this Agreement.

24 31.3. If sufficient funds for the Project are not appropriated, this Agreement may be amended
25 or terminated in order to reflect said reduction in funding.

26 ///

27 ///

28

1 33. WORKERS' COMPENSATION CERTIFICATION.

2 33.1. Prior to the commencement of work, CONSULTANT shall sign and file with ICTC the
3 following certification: "I am aware of the provisions of California Labor Code §§3700 et seq.
4 which require every employer to be insured against liability for workers' compensation or to
5 undertake self-insurance in accordance with the provisions of that code, and I will comply with
6 such provisions before commencing the performance of the work of this contract."

7 33.2. This certification is included in this Agreement and signature of the Agreement shall
8 constitute signing and filing of the certificate.

9 33.3. CONSULTANT understands and agrees that any and all employees, regardless of hire
10 date, shall be covered by Workers' Compensation pursuant to statutory requirements prior to
11 beginning work on the Project.

12 33.4. If CONSULTANT has no employees, initial here: _____.

13 34. DISADVANTAGED BUSINESS ENTITY COMPLIANCE.

14 34.1. When applicable, CONSULTANT represents and warrants that it has fully read the
15 applicable Disadvantaged Business Enterprise ("DBE") requirements pertaining to this Project
16 and has fully and accurately completed any and all required DBE forms.

17 34.2. CONSULTANT represents and warrants that it will comply with all applicable DBE
18 requirements for this Project.

19 34.3. CONSULTANT shall comply with any applicable DBE provisions attached hereto as
20 **Exhibit "D"** and incorporated by this reference as though fully set forth herein.

21 34.4. If any state or federal funds are withheld from ICTC or not reimbursed to ICTC due to
22 CONSULTANT's failure to either comply with the DBE requirements set forth in the RFP and
23 this Agreement, or to meet the mandatory DBE goals as determined by ICTC, Caltrans, the
24 Federal Highway Administration, and/or any other state or federal agency contributing funds to
25 the Project, then CONSULTANT shall fully reimburse ICTC the amount of funding lost. ICTC
26 reserves the right to deduct any such loss in funding from the amount of compensation due to
27 CONSULTANT under this Agreement.
28

1 34.5. In addition to the above, CONSULTANT's failure to comply with DBE
2 requirements/goals shall subject it to such sanctions as are permitted by law, which may include,
3 but shall not be limited to the following:

4 34.5.1. Termination of this Agreement;

5 34.5.2. Withholding monthly progress payments;

6 34.5.3. Compensatory, special, incidental, liquidated and other damages; and/or

7 34.5.4. Designation of CONSULTANT as "nonresponsible," and disqualification from
8 bidding on future public works projects advertised by ICTC.

9 35. **APPENDIX E OF THE TITLE VI ASSURANCES.**

10 During the performance of this contract, the CONSULTANT, for itself, its assignees, and
11 successors in interest agrees to comply with the following nondiscrimination statutes and
12 authorities; including but not limited to:

13 35.1. Pertinent Nondiscrimination Authorities:

14 (a) Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq, 78 stat. 252),
15 prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21.

16 (b) The Uniform Relocation Assistance and Real Property Acquisition Policies Act of
17 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose
18 property has been acquired because of Federal or Federal-Aid programs and projects);

19 (c) Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 et seq.), prohibits discrimination
20 on the basis of sex);

21 (d) Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 et seq.) as amended,
22 (prohibits discrimination on the basis of disability); and 49 CFR Part 27;

23 (e) The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 et seq.)
24 (prohibits discrimination on the basis of age);

25 (f) Airport and Airway Improvement Act of 1982, 949 U.S.C. § 4 71, Section 47123), as
26 amended, (prohibits discrimination based on race, creed, color, national origin, or sex);

27 (g) The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope,
28 coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age

1 Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by
2 expanding the definition of the terms “programs or activities” to include all the programs
3 or activities of the Federal-aid recipients, subrecipients and contractors, whether such
4 programs or activities are Federally funded or not);

- 5 (h) Titles II and III of the Americans with Disabilities Act, which prohibit
6 discrimination on the basis of disability in the operation of public entities, public
7 and private transportation systems, places of public accommodation, and certain
8 testing entities (42 U.S.C. §§ 12131-12189) as implemented by Department of
9 Transportation regulations at 49 C.F.R. parts 37 and 38;
- 10 (i) The Federal Aviation Administration’s Nondiscrimination statute (49 U.S.C. §
11 47123) (prohibits discrimination on the basis of race, color, national origin, and
12 sex);
- 13 (j) Executive Order 12898, Federal Actions to Address Environmental Justice in
14 Minority Populations and Low-Income Populations, which ensures discrimination
15 against minority populations by discouraging programs, policies, and activities
16 with disproportionately high and adverse human health or environmental effects
17 on minority and low-income populations;
- 18 (k) Executive Order 13166, Improving Access to Services for persons with Limited
19 English Proficiency, and resulting agency guidance, national origin
20 discrimination includes discrimination because of limited English proficiency
21 (LEP). To ensure compliance with Title VI, you must take reasonable steps to
22 ensure that LEP persons have meaningful access to your programs (70 Fed. Reg.
23 at 74087 to 74100);
- 24 (l) Title IX of the Education Amendment of 1972, as amended, which prohibits you
25 from discriminating because of sex in education programs or activities (20 U.S.C.
26 1681 et seq).

27 36. ADDITIONAL FEDERAL CLAUSES.
28

1 During the performance of this Agreement, the CONSULTANT, for itself, its assignees, and
2 successors in interest, agrees to comply with the Federal Clauses attached hereto as **Exhibit "E"**
3 and incorporated by this reference as though fully set forth herein.
4

5
6 **IN WITNESS WHEREOF**, the Parties have executed this Agreement on the day and year first above
7 written.


8 **IMPERIAL COUNTY TRANSPORTATION COMMISSION:**

9
10
11 _____
12 LUIS PLANCARTE
13 Chair

14 ATTEST:

15 *Cristi Lerma*
16 _____
17 CRISTI LERMA
18 Secretary to the Commission

19 **CONSULTANT:**

20 
21 By: _____
22 Eric Gardner, Vice President
23 Nicklaus Engineering, Inc.

24 APPROVED AS TO FORM:

25 ERIC HAVENS
26 COUNTY COUNSEL

27 By: _____
28

VI. REPORTS

- A. ICTC/LTA/IVRMA EXECUTIVE DIRECTOR REPORT
- B. SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS REPORT
- C. CALIFORNIA DEPARTMENT OF TRANSPORTATION-DISTRICT 11
- D. COMMITTEE MEMBER REPORTS



1503 N IMPERIAL AVE SUITE 104
EL CENTRO, CA 92243-2875
PHONE: (760) 592-4494
FAX: (760) 592-4410

Memorandum

Date: April 12, 2024
To: ICTC Commission Members
From: David Aguirre, Executive Director
Re: Executive Director's Report

The following is a summary of the Executive Director's Report for the ICTC Commission meeting on April 24, 2024.

- 1) **Community Project Funding/Congressionally Directed Spending (CPFCDs):** ICTC recently received an award of 4.1 million dollars to be utilized towards the Calexico Intermodal Transportation Center Project. The project has already received awards from the RAISE, ATP and REAP 2.0 programs. We would like to thank our local, State and Federal Partners and Congressman Raul Ruiz for their continued support of the project, ICTC and the Imperial County. **ICTC would also like to congratulate the cities of Imperial and El Centro, the County of Imperial and the Imperial Irrigation District on their awards.**
- 2) **Active Transportation Program, Cycle 7:** *The California Transportation Commission (CTC) has released the Active Transportation Program (ATP) guidelines as of March 22, 2024. Approximately \$568 Million funding will be available for fiscal years 2025/26 through 2028/29 statewide. Applications will be due to the CTC by June 17, 2024. Imperial County applicants must also submit a copy of their applications to the Imperial County Transportation Commission (ICTC). For a copy of the adopted ATP guidelines please refer to Active Transportation Program Guidelines directly at: <https://dot.ca.gov/programs/local-assistance/fed-and-state-programs/active-transportation-program/cycle7>.*

In addition, only applicants that submit applications to the statewide ATP will be eligible for Regional ATP funds. Imperial County anticipates approximately \$1.2 million in ATP Cycle 7 Regional Funds will be available for all applicants that are not successful in the statewide call. There might also be additional funding available for quick build type projects. ICTC staff have developed an ATP factsheet for reference to both funding opportunities. Also, the Regional Active Transportation Plan adopted by ICTC is a valuable resource for agencies seeking funding through ATP Cycle 7. The document outlines priorities for each jurisdiction within Imperial County and was developed with significant input from the public. This input likely reflects the needs and preferences of the local community, making it a valuable tool for agencies seeking to align their grant proposals with the region's priorities. The ATP document is on the ICTC website at https://www.imperialctc.org/assets/documents/transportation-plans-and-studies/ICTC-ATP_Final-Document_2022.02.28_Reduced-Size.pdf

- 3) **Surface Transportation Block Grant Program (STBG), Carbon Reduction Program (CRP) and Congestion Mitigation and Air Quality Program (CMAQ) 2024 Call for Projects – FFY 2023-2024 to FFY 2025/2026:** The STBG, CRP and CMAQ Call for Projects began on November 9, 2023. Applications were due on Friday, January 26, 2024, at the ICTC office. All agencies were provided guideline documentation were encouraged to submit potential projects.

Program	Applicants	Total Value Requested by All Applicants
CMAQ	City of Imperial	\$388,000
STBG	City of Imperial, City of Brawley and City of El Centro	\$2,416,000
CRP	ICTC – City of Imperial	\$1,083,000

Due to the number of projects submitted, ICTC was able to evaluate all projects internally without utilizing the normal process which involves all cities participating in the scoring and ranking process. ICTC will be recommending projects to SCAG as part of the final submittal process. ICTC staff will be working with local agency staff and programming all approved projects in the Federal Transportation Improvement Program (FTIP) upon award notification. *The list of projects was approved by the commission in February. The proposed project applications were submitted to SCAG for consideration of approval.*

- 4) **Imperial Valley Transit and Associated Services Operations and Maintenance Request for Proposals:** *ICTC's existing agreement with its current operator (Transdev) is coming to a conclusion. As required by federal law, ICTC has issued a Request for Proposals (RFP) to qualified transit operations and maintenance operators. The RFP was issued on February 16th, 2024. ICTC's goal is to complete the procurement process and award a contract to a qualified firm by the end of the fiscal year. The proposed new agreement will be for a 5-year fixed period with two additional single-year options. More information to come. ICTC received multiple responses to its RFP and is currently evaluating the responses. Staff will attempt to award the contract in the month of May or June 2024.*

- 5) **Imperial County EV Charging Infrastructure Feasibility Study** – ICTC recently submitted a grant application under the Carbon Reduction Program (CRP) to prepare a Countywide EV Charging Infrastructure Feasibility Study. The project will aim to identify strategic locations within the county for EV Charging Infrastructure. Caltrans is currently developing a similar project for locations along State facilities.

- 6) **Calexico East Port of Entry Bridge Widening Project:** The Project proposes to widen the bridge over the All-American Canal at the U.S./Mexico border approximately 0.7 miles south of State Route (SR) 7. The project proposes to widen the existing structure by adding four lanes: Two New Northbound Auto Lanes and Two New Northbound Commercial Vehicle Lanes. In May 2018, Caltrans and ICTC received \$3,000,000 from the California Transportation Commission and the Trade Corridor Enhancement Program (TCEP) to complete the Project Approval and Environmental Document (PA/ED) for the project. In June 2018, Caltrans completed a Project Initiation Document (PID). In Fall of 2018, the PA/ED phase was initiated by Caltrans, technical studies for the National Environment Policy Act (NEPA) document under Caltrans as the NEPA lead are in progress and is scheduled for completion in May 2020. In December 2018, ICTC was awarded \$20 million under the U.S. Department of Transportation's BUILD discretionary grant program to complete the Design-Build construction phase. ICTC subsequently received TCEP in the amount of \$7.4 Million for construction efforts. The design portion of the project is complete. The project construction is underway, and construction was anticipated to be completed at the beginning of 2023 but suffered delays due to the issuance of the presidential permit. Approximately 87% of construction efforts have been completed. The project was temporarily placed on hold for 6 months due to the issuance of the presidential permit to relocate the border fence. The Presidential Permit was received on July 7, 2023. On November 15, 2023, GSA, ICTC, and regional partners celebrated the completion of Stage 1 of the project with a Ribbon Cutting celebration. ICTC Executive Director David Aguirre led the ceremony. Speakers included ICTC Chair Mike Goodsell, CBP Calexico Port Director Roque Caza, GSA Pacific Rim Region Public Buildings Service Deputy Regional Commissioner Amanda Sweeney, FHWA Senior Project Engineer Tay Dam, Caltrans District 11's South County and Trade Corridor Director Nikki Tiongco, CTC Commissioner Clarissa Reyes Falcon, and Head Counsel of the Mexican Consulate in Calexico Tarcisio Montes de Oca. The event concluded with the anticipated Ribbon Cutting followed by media opportunities. For additional information regarding this project visit the ICTC website at: <https://www.imperialctc.org/projects/calexico-east-port-of-entry-bridge-expansion>. *The project is estimated to be completed in June 2024.*

- 7) **Imperial Mexicali Binational Alliance (IMBA):** *An IMBA meeting and strategic planning session was held in the City of Mexicali's Preparatoria y Universidad 16 de Septiembre, on January 16, 2024. At the strategic planning meeting, the committee developed the schedule for the year. ICTC hosted the March 14th, 2024, meeting at ICTC offices. The following dates are tentatively scheduled for IMBA in 2024.*
- *May 9th – Mexicali*
 - *July 11th – Imperial County*
 - *September 12th – Mexicali*
 - *November 14th (Strategic Planning and IMBA meetings) – Imperial County*
- 8) **Imperial Valley Transit (IVT) FREE FARES PROGRAM:** *On August 7, 2020, the Imperial County Transportation Commission (ICTC) announced the implementation of a **Free Fares Program** for various Imperial Valley Transit (IVT) services. Eligible services include IVT Fixed Route, IVT Circulators (Blue, Green and Gold Lines), IVT ACCESS and IVT RIDE (EL Centro, Imperial, Heber, Brawley, Calexico, Westshores). All passengers are eligible to benefit from the Free Fares Program. The fares are subsidized by a State of California grant and fare contributions to IVT RIDE passengers by the County of Imperial's Area Agency for the Aging (AAA). *ICTC was able to secure a new grant to provide free fares for all its transit programs. Due to the previous labor issues, ICTC implemented free fares for all services to assist with the inconvenience to the public. The labor issues have since been resolved but ICTC will continue to offer free fares to the public until further notice. ICTC was also able to secure a second grant to provide free fares for all services with the exception of the Calexico On Demand service. **The free fares program will end in June 2024 with existing fares being re-implemented on July 1, 2024. A formal public hearing was held on March 27, 2024, prior to the Commission Meeting.****
- 9) **IVT Ride Potential Service Modifications:** *IVT Ride is a dial-a-ride service that is available to seniors (55 years of age or older) and persons with disabilities in the communities of Calexico, Heber, El Centro, Imperial and Brawley. The service primarily operates in an intracity capacity with the exception of the communities of El Centro, Imperial and Heber and the Westshores service which travels to the city of Brawley or the Coachella Valley. The Westshores service is also available to the general public. Due to continuing declining ridership on all IVT Ride services, staff are exploring the possibility of modifying the service to provide trips to the general public but still provide priority to the senior population. The possible modification would enable the service to capture additional passengers and implement a microtransit like service in various communities. The possible modification would also require financial investment in technology and the development of a passenger web and mobile application. Staff anticipates bringing the further evaluated concept to the Management Committee and Commission in the coming months. Staff are also pursuing funding opportunities to facilitate the possible transition of the service.*
- 10) **Calexico Intermodal Transportation Center (ITC):** *A new Intermodal Transportation Center in the City of Calexico has been part of ICTC's long range transit planning. The new Calexico ITC will serve as a regional mobility hub that will accommodate bus bays for Imperial Valley Transit in addition to private bus companies, taxis and farm labor buses. ICTC previously received a Congestion Mitigation and Air Quality federal program fund to complete the environmental and design plans of the new Calexico ITC. The environmental and design phase has been completed. *Right of Way Acquisition is underway. ICTC has already acquired 2 of the required 3 properties for the project. The City of Calexico Council approved the commencement of the eminent domain process for two of the required properties. ICTC was recently awarded multiple grants to complete the required construction efforts for the project. ICTC received grant awards from the Regional Early Action Planning (REAP) 2.0, Active Transportation Program (ATP) and Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Grant Programs. Due to the anticipated State budget deficit, REAP 2.0 funding may be impacted. SCAG is working to ensure that the REAP 2.0 funding is not negatively impacted. ICTC is working with SCAG to identify possible alternative funding sources in the interim. It is anticipated that the project will start construction in July 2024. **The project construction management RFP has been released and is available for bidding by qualified engineering firms. ICTC is working to attempt to award the contract in April 2024. Due to the selection process and associated timing, the item may be taken to the commission directly for consideration and approval.****

- 11) **Bus Stop Improvement Project:** Staff are working on developing a bus stop improvement project across multiple cities throughout the county. The project consists of installing various bus shelters and potentially other amenities. ICTC will be coordinating with the various cities to complete the development. *ICTC released the Request for Proposals for design services for the project. ICTC is looking to begin design services soon and have construction take place within FY23-24/FY24-25. The contract award will take place at the April Commission meeting.*
- 12) **Transit Comprehensive Operational Analysis –** Staff was able to secure grant funding to complete a Transit Comprehensive Operational Analysis (COA). The COA is a comprehensive evaluation of ICTC’s existing transit services while also presenting evaluation findings and recommendations to further improvement of ICTC’s existing public transit system. ICTC intends to evaluate all ICTC operated services in addition to incorporating an assessment of the feasibility of intercity passenger rail. Staff is currently working on the development of the Request for Proposals (RFP) and it is anticipated that the RFP will be released in the coming months.
- 13) **EV Charger Installation Project:** Staff are working on developing an EV charger installation project across multiple cities throughout the county. ICTC will be coordinating with the various cities to complete the development. *It is anticipated that the project will be completed within FY23-24/FY24-25.*
- 14) **2022 Long Range Transportation Plan:** The ICTC in its capacity as the Regional Transportation Planning Agency is responsible for leading the Long Range Transportation Plan (LRTP) in Imperial County. The last update to the LRTP was conducted in 2013. ICTC staff completed a Request for Proposal (RFP) to prepare a full update of the Imperial County LRTP. Michael Baker International was the selected consultant. The process took around 18 months to complete, and included various outreach activities including several pop-up events, technical and stakeholder meetings. The final LRTP document adoption took place in the month of February 2024. The completed document and project listings are posted on the ICTC website for review and download, at <https://www.imperialctc.org/publications-and-reports/transportation-plans-and-studies>.
- 15) **Forrester Road Project Study Report (PSR):** Caltrans District 11 has been working on a project report on behalf of ICTC. The PSR will analyze safety and operation improvements along Forrester Road between I-8 and SR86/SR78. Other improvements include the Westmorland bypass. A meeting to discuss the draft PSR took place at the ICTC offices on Wednesday, March 29, 2023, at 9 a.m. Further updates to the PSR are anticipated along with additional meetings to discuss the updated PSR. *The updated PSR was recently received, and staff will be reviewing the updated document.*
- 16) **Calexico Microtransit Service – Calexico On Demand:** ICTC submitted a grant application for the Clean Mobility Options (CMO) program in October of 2020. The grant application was submitted to provide a clean energy microtransit service in the city of Calexico. In early 2021, ICTC was notified of its grant award of \$1 Million to fund the pilot microtransit service. The microtransit service will operate as an on-demand service available to provide trips to the general public within the boundaries of the city of Calexico. The award required that ICTC fund and operate the service for a minimum of 4 years. ICTC partnered with Via Transportation, an experienced transportation operator to operate the service. ICTC and Via began the development of the project including service criteria, marketing information, and operational criteria. ICTC obtained approval from the CMO program to commence the service. ICTC kicked off the service on January 9th, 2023, and intends to have a formal event to celebrate the kickoff of the service as soon as approval is received by the CMO. The service was free for all passengers until February 9th, 2023. Further information about the service can be viewed on the website: <https://city.ridewithvia.com/calexico-ondemand>. *The service has averaged 180 passengers per day since the removal of the free fares and has been well received. ICTC has been working with CMO to obtain additional funding for the project. ICTC was awarded an additional \$500,000 to be utilized for operations of the service and additional service hours. The contract amendment with the operator was approved at the June 23, 2024 meeting. ICTC is pursuing additional grant opportunities to continue to fund the project.*
- 17) **State Route 86 (Northbound) Border Patrol Checkpoint:** State Route 86 (Northbound) Border Patrol Checkpoint: In August 2017 following a year of coordination, Caltrans, the County of Imperial and ICTC met with CBP management and operations staff achieved consensus for a new conceptual alternative prepared by Caltrans. The LTA Board met on September 27, 2017; staff presented the Board with a fund request for \$1.3

million from the 5% Regional Highway Set-Aside from the Measure D allocations. A Consultant Agreement with AECOM for design and construction engineering was approved by the LTA on February 28, 2018. Following our ICTC Board meeting in late September 2020, ICTC has initiated a traffic study as required by Caltrans. Design work has been delayed due to Border Patrol's concern related to their ability to provide additional funding necessary to meet their operational requirements. On Wednesday, March 17, 2021, ICTC received confirmation from Border Patrol Headquarters in Washington D.C. that they wish to proceed with the original Canopy Design that is similar to Interstate 8 Pine Valley Checkpoint.

As discussed, and confirmed with Border Patrol, ICTC will only provide the remaining funds we had available (February 2021) of approximately \$1.3 million to complete the traffic study, 100% design plans, and construction of the canopy, lighting related to the canopy, and traffic related improvements required by Caltrans. Border Patrol is committed to paying for all other construction-related costs and Border Patrol will lead the construction contract. Border Patrol, Caltrans and ICTC are having weekly meetings toward completing design plans. CBP will be working with Caltrans to obtain environmental clearance once funding for construction is obtained. The improvement plans have been prepared in final draft form and have been submitted to Caltrans for review.

- 18) **Bus Stop along Cole Road west of Highway 111 in the City of Calexico:** *ICTC received a request through its Unmet Transit Needs Public Hearing Process asking for the installation of bus stop improvements along Cole Road west of Highway 111 in the City of Calexico. ICTC and the City of Calexico were able to work together to have the bus shelter and associated infrastructure improvements installed. The bus stop is now open for public use.*
- 19) **Clean California Bus Stop Improvement Project:** Through Clean California Round 1 Funding, Caltrans was able to secure funding to complete bus stop and shelter improvements in the communities of Niland, Calipatria, Brawley and Holtville along various state routes. Caltrans, ICTC and the communities worked together to identify locations, in addition to reviewing possible secondary amenities such as trash enclosures. Construction activities for the new bus stop improvements began on March 13, 2023. The project bus stop improvements were completed in November/December 2023. The final set of bus stop improvements were completed in the city of Brawley in late March/early April 2024.
- 20) **Funding for Phase II of the Calexico West Port of Entry:** As previously noted, Congress authorized \$98 million for Phase 1. The U.S. General Services Administration (GSA) began construction for Phase 1 in December 2015 with completion now scheduled for July 2018. Phase 2A was awarded in the amount of \$191million and will include six additional northbound privately-owned vehicle (POV) inspection lanes, permanent southbound POV inspection, expanded secondary inspection and adding a pre-primary canopy, new administration building, and employee parking structure. *Funding for phase 2B was awarded in the amount of \$103.4 million. Work for phase 2B will include demolition of the old port building and construction of the new pedestrian building. The total estimated investment for the Calexico West POE improvements are \$416.2 million. Construction efforts for the West Port of Entry are anticipated to begin on September 26, 2022. Noticing information pertaining to lane closures and closure times, adjustments to the East Port of Entry passenger vehicle operating hours and other items have been distributed and shared via multiple media outlets including ICTC's website at [Canopy construction at the Calexico West Port of Entry to impact vehicle traffic | Imperial County Transportation Commission \(imperialctc.org\)](https://www.imperialctc.org/canopy-construction-at-the-calexico-west-port-of-entry-to-impact-vehicle-traffic)*
- 21) **Regional Active Transportation Program:** ICTC staff has been working with staff from the Southern California Association of Governments (SCAG) in the development 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). The approved California Transportation Commission 2023 ATP (Cycle 6) program guidelines divide the funds into state and regional shares. State funds are available through a competitive application process. Applicants that are unsuccessful at the state level are considered for regional funds. Regional ATP funds are administered by the Metropolitan Planning Organizations (MPO). SCAG is Imperial County's MPO. Per SCAG's 2023 ATP Regional Guidelines, county transportation commissions may assign up to 20 points to each statewide project application deemed consistent and meeting eligibility requirements. ICTC staff has completed the adoption process of the scoring methodology. ICTC staff received state scoring of ATP applications from Imperial County and presented staff

recommendations to TAC members on December 15, 2022. Projects are underway at various stages by the agencies. Staff recommendations were approved at the January Commission meeting. See the table below for further information.

Regional ATP Projects		
Agency	Project Name	Total ATP Funds Requested
City of Calipatria	Bonita Place Pedestrian Safety Project	\$997,000
City of El Centro	Pedestrian Improvement Project – various locations on Main Street	\$1,200,000
ICTC	Pedestrian Improvements for the Calexico Intermodal Transportation Center	\$1,073,000
TOTAL Regional ATP funds		\$3,270,000

- 22) **Orchard Road & SR115 Traffic Concept Report:** During the Commission meeting of September 2022, the Commission asked ICTC staff to follow up on the SR 115 Transportation Concept Report (TCR). ICTC staff has conducted meetings with Caltrans and County Public Works staff during the week of October 17th. ICTC staff in partnership with County and Caltrans staff are continuing discussions for short term options to deter trucks from using Orchard Road. The parties are also expected to discuss long term options as well. More information will be shared as discussions continue.
- 23) **San Diego & Imperial Counties Sustainable Freight Strategy:** San Diego Association of Governments (SANDAG) and ICTC received a Caltrans Sustainable Transportation Planning Grant for a Sustainable Freight Implementation Strategy for both counties. The goal with the strategy is to help transition the freight sector in San Diego and Imperial Counties to sustainable technologies, operations, infrastructure over the next 30 years. The strategy will systematically implement multimodal freight projects and policies, seek to pilot innovation technologies, create a workforce development toolkit, and identify potential funding sources for implementation. The area of study includes communities adjacent to major freight infrastructure in San Diego and Imperial Counties. Environmental justice areas, as defined by AB617, will be a particular focus and include the Portside Environmental Justice Communities, the International Border Community, and Calexico-El Centro-Heber corridor. This plan kicked off in February 2022 and is expected to be completed March 2024. Public engagement has been instrumental in the creation of this strategy, participants of Imperial County have included County Public Works department, Work Force Development, Comité Civico del Valle, Imperial Valley Economic Development Corporation, among others. Strategy outcomes are scheduled to be presented to SANDAG and ICTC groups as well as community organizations such as IMBA and AB617 meetings starting in June in Imperial County.
- 24) **State Route 98 Widening from Ollie to Rockwood:** As part of the Calexico West POE Expansion project, SR-98 and Cesar Chavez Boulevard were widened and improved to serve the expansion to the west. Caltrans’ SR-98 work between VV Williams and Ollie Avenue was completed in March 2018, and the Cesar Chavez Blvd. Widening was completed in October 2019. Caltrans has completed the design and right of way phase for SR-98 Widening between Rockwood Avenue and Ollie Avenue. On June 24, 2020, CTC authorized construction funding. The total project cost is estimated at \$7 million using a combination of 2016 Earmark Repurposing, Demonstration, Traffic Congestion Relief, ICTC and local funds. The construction start date was delayed to due to environmental impacts and other utility projects in progress within the project area. Construction of the project began on August 6, 2021. The existing contractor of the project has been removed. Caltrans has secured a new temporary contractor to complete the project improvements from Ollie Avenue to Highway 111. Caltrans completed Phase 1 in late November. *Phase 2 of the project commenced on January 9th, 2023. The portion of the project that consisted of the north side of Highway 98 between Highway 111 and Ollie Avenue has been completed. Caltrans is now working on completing the southeast side of Highway 98 between Highway 111 and Rockwood Avenue.*
- 25) **State and Federal Local funding Obligations:** Projects programmed in programmed in Federal Fiscal Year (FFY) 2019/2020 were fully obligated according to Caltrans Local Assistance. Beginning October 1, 2020, agencies can move forward with request for authorization (RFA) for Congestion Mitigation Air Quality (CMAQ), Surface Transportation Block Grant program (STBG) programmed in FFY 2020/2021. Other state funding also

included in the Federal Transportation Improvement Program (FTIP) include the Active Transportation Program (ATP).

26) **State Legislation for Transportation Funding – SB 1 Road Maintenance and Rehabilitation Account (RMRA):** According to the California League of Cities, overall local streets and roads allocations to cities and counties from the Highway Users Tax Account (HUTA) and the Road Maintenance and Rehabilitation Account (RMRA) are projected to climb 14.8% in the current fiscal year, 2021-22, above last year, reflecting a rebound from peak impacts of the pandemic in 2020. For the budget year 2022-23, allocations are projected to grow 10.8% over the current year. This presumes that if the scheduled July 1 cost-of-living fuel tax increase is suspended, the Legislature will backfill any revenue impacts to local governments as leaders have pledged. The estimates are based on new statewide tax revenue estimates released by the California Department of Finance with the Governor’s 2022-23 Proposed Budget. The county estimates were prepared in collaboration with the California State Association of Counties.

For RMRA remittance advice by cities visit: https://www.sco.ca.gov/ard_payments_rmra_cities.html

For RMRA remittance advice by counties visit: https://www.sco.ca.gov/ard_payments_rmra_counties.html

27) **Funding Opportunities:**

- **ATP Cycle 7 Call-for-Projects:** ATP Cycle 7 is expected to include about \$568M made up of Federal, State SB1, and State Highway Account (SHA) funding. The funding/programming years include the 25/26, 26/27, 27/28, and 28/29 fiscal years.
 - Schedule and major milestones can be found at: <https://dot.ca.gov/programs/local-assistance/fed-and-state-programs/active-transportation-program/cycle7>
- For a complete list of California specific grant opportunities go to <https://www.grants.ca.gov/>.
 - [Fiscal Year \(FY\) 2023 through FY 2026 Bridge Investment Program, Planning and Bridge Project Grants](#)
- For a complete list of federal transportation grant opportunities go to <https://www.transportation.gov/bipartisan-infrastructure-law/key-notices-funding-opportunity>.

28) **Meetings/trainings attended on behalf of ICTC:**

- Various Weekly Reoccurring Calexico East POE Bridge Widening Project Meetings
- Various Weekly Project Specific Meetings
- March 28, 2024 – ICTC TAC Meeting at the ICTC offices and via zoom meeting
- April 3, 2024 – ICTC SSTAC Meeting at the ICTC offices and via zoom meeting
- April 3, 2024 – Brawley Senior Center Presentation (attended by the mobility staff)
- April 4, 2024 – Senior Resource Fair in Imperial (attended by the mobility staff)
- April 5, 2024 – SHCC Legislative Meeting via zoom meeting
- April 8, 2024 – Unmet Transit Hearing at the ICTC offices and via zoom meeting
- April 10, 2024 – ICTC Management Meeting at the City of Holtville and via zoom meeting
- April 15-18, 2024 – 2024 California Association for Coordinated Transportation (CALACT) Annual Spring Conference (attended by Gustavo Gomez, Priscilla Baca, and Angela Delgadillo)
- April 19, 2024 – CTC CEOs/SCAG Meeting via Teams Meeting

ACTIVE TRANSPORTATION PROGRAM CYCLE 7 FACT SHEET

March 2024

STATE ATP CYCLE 7

\$568 Million Funding Available
over a four year period

Funding Available for Fiscal Years
2025-26, 2026-27, 2027-28, and 2027-28

Applications must be submitted using online ATP
application portal

*Make sure to provide a copy of your State ATP
application to ICTC Staff.*

State Deadline: June 17, 2024

ELIGIBLE PROJECTS

Infrastructure Projects:

This typically includes the environmental, design, right-of-way, and construction phases of a capital (facilities) project. A new infrastructure project will not be programmed without a complete Project Study Report (PSR) or PSR equivalent.

Plans:

The development of a community wide bicycle, pedestrian, safe routes to school, or active transportation plan in a disadvantaged community.

Non-infrastructure Projects:

Education, encouragement, and enforcement activities that further the goals of this program.

Infrastructure Projects with non-Infrastructure Components:

These are capital projects with educational or encouragement components.

Quick built Projects:

These projects require minor construction activities and are typically built with durable, low to moderate cost materials, and last from one year to five years. These projects have moderate design flexibility to anticipate adjustments that may occur based on community feedback.

Projects NOT funded in the state call will be eligible for ATP Regional funds

ATP REGIONAL FUNDING

Projects considered for ATP Regional Funds will be evaluated by using the 2025 ATP Regional Guidelines adopted by SCAG on March 2024

FUNDS AVAILABLE

Imperial County's Anticipated
ATP Cycle 7 Regional Funds

**Estimated amount of:
\$1.2 million**



QUESTIONS ON ATP REGIONAL FUNDS?

For more information, please
contact, Marlene Flores at:
marleneflores@imperialctc.org





SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS
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Memorandum

Date: April 10th, 2024
To: ICTC Committee and Management Meeting
From: David Salgado, Government Affairs Officer (GAO)
Re: **Southern California Association of Government’s (SCAG) Report**

The following is a summary of the SCAG Executive Director’s Report and/or Federal and State Legislature Staff Report for the Imperial County Transportation Commission Management Committee and Regular Commission meeting for the month of April 2024.

1. REGIONAL EARLEY ACTION PLANNING GRANT PROGRAM 2021 (REAP 2.0) ADVOCACY UPDATES

Governor Gavin Newsom’s proposed budget announced on Jan. 16 includes \$300 million in cuts to the Regional Early Action Planning program of 2021 (REAP 2.0) that will result in approximately \$123 million in cuts from SCAG’s \$246 million REAP 2.0 program.

SCAG issued a hold on sub-allocation projects while working to assess impacts of the proposed cuts. Given the delays and impact caused by the proposed budget, adjustments will need to be made to SCAG’s REAP 2.0 program. Staff plans to bring an informational item to the Executive Administration Committee in April to discuss priorities and processes for reshaping the program.

In the meantime, SCAG encourages the Governor to reconsider these cuts and submitted an official letter to state legislators and the Senate Budget and Fiscal Review Committee. SCAG will continue to advocate to preserve REAP 2.0 at the 2024 Legislative Summit in Sacramento and during the state budget process. SCAG has also prepared a grantee toolkit, with template letters and other share-able information, for partners to assist in this advocacy.

2. SCAG Joint Policy Committee Recommends Connect SoCal 2024 for Approval

The Joint Policy Committee, at its March 7, 2024, meeting, recommended the proposed final Connect SoCal 2024 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) including the associated proposed final transportation conformity analysis, and the Connect SoCal 2024 proposed Final Program Environmental Impact Report (PEIR) to the Regional Council for approval and certification.



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This decision came after a staff presentation summarizing comments from the public review periods. During public review, SCAG hosted 15 elected official briefings and three public hearings on the draft RTP/SCS, receiving 53 comment letters on the draft RTP/SCS and 33 comment letters on the Draft PEIR.

SCAG staff are currently in the process of updating the draft Connect SoCal 2024 in response to comments. A direct response to each plan comment will be included in the proposed final Connect SoCal 2024 Public Participation & Consultation Technical Report. Response to PEIR comments will be included in the proposed Final PEIR.

The proposed final Connect SoCal 2024 will be available on the SCAG website on March 28. The Regional Council is set to consider certification of the Final PEIR and adoption of the final RTP/SCS, including the associated final transportation conformity analysis, in April 2024.

3. REGIONAL COUNCIL APPROVES DRAFT COMPREHENSIVE BUDGET FOR FISCAL YEAR 2025

At its March 2024 meeting, SCAG’s Regional Council moved to approve SCAG’s Draft Comprehensive Budget for Fiscal Year (FY) 2024-25, including the Draft Overall Work Program (OWP). The framework

for developing the FY 2024-25 Draft Comprehensive Budget is SCAG’s multi-year Strategic Plan, which focuses on the agency’s vision for improving the organization and its operations.

The Regional Council’s vote also authorized the release of the FY 2024-25 Draft OWP for a 30-day public review period from March 7 to April 8. Comments may be submitted by completing the comment form or emailing nguyenk@scag.ca.gov.

At the close of the public comment period, the FY 2024-25 Final OWP will be submitted to the Regional Council for approval on May 2. The General Fund Budget and the Membership Assessment will also be submitted to the General Assembly for approval in May.

4. SCAG 2024 SAVE THE DATE! 2024 REGIONAL CONFERENCE & GENERAL ASSEMBLY

Early bird registration is open for SCAG’s 59th Annual Regional Conference and General Assembly at the JW Marriott Desert Springs Resort & Spa in Palm Desert on May 2-3. Don’t miss this event, which brings together elected officials and policymakers, as well as business, community and civic leaders, from across Southern California to collaborate on the future of mobility, communities, the environment and the economy.

For additional details about the event, visit the 2024 Regional Conference and General Assembly website. Please contact update@scag.ca.gov with any questions.

5. U.S. ENVIRONMENTAL PROTECTION AGENCY PROPOSED DISAPPROVAL OF SOUTH COAST AIR QUALITY MANAGEMENT DISTRICTS 2019 CONTINGENCY MEASURE PLAN

According to a Consent Decree issued in January 2024, the U.S. Environmental Protection Agency (EPA) is required to take action by July 1 on the South Coast Air Quality Management District (AQMD) 2019 Contingency Measure Plan for the 1997 federal ozone standard. This plan covers the South Coast Air Basin, which includes all of Orange County and urban areas within Los Angeles, Riverside and San Bernardino counties.

On Feb. 2, the EPA published a notice of proposed disapproval of the air plan, which will set in motion a 24-month highway sanction clock for AQMD to address underlying issues in the plan. If the issue is not addressed within the 24-month period, highway sanctions and a federal air plan would be imposed in the South Coast Air Basin, impacting the ability of nonexempt highway capacity projects in the region to receive federal approval or funding.

SCAG provided comments on the substantial negative consequences of the EPA's proposed disapproval and requested an extension of the March 4 public comment period deadline to allow careful analysis of the implications for the SCAG region. EPA granted this extension, and the comment period deadline is now April 3. SCAG and county transportation commissions are preparing a letter outlining the significant implications of the disapproval and recommending that EPA consider full approval of the plan, conditional approval that supports meaningful partnerships, or partial approval that provides a realistic and short pathway to resolve the underlying issues.

EPA and AQMD representatives have been asked to provide a status report on the proposed disapproval at SCAG's monthly Transportation Conformity Working Group meetings. SCAG will continue to evaluate potential impacts of highway sanctions.