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**TRANSPORTATION COMMISSION MEETING
AGENDA**

**WEDNESDAY, DECEMBER 14, 2016
6:00 p.m. (or immediately after IVRMA or LTA)**

**County of Imperial Administration Center
Board of Supervisors Chambers
940 W. Main Street, Second Floor
El Centro, CA 92243**

CHAIR: JAMES PREDMORE

VICE CHAIR: DOUG COX

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

I. CALL TO ORDER AND ROLL CALL

II. EMERGENCY ITEMS

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

III. PUBLIC COMMENTS

Any member of the public may address the Commission for a period not to exceed three minutes on any item of interest not on the agenda within the jurisdiction of the Commission. The Commission will listen to all communication, but in compliance with the Brown Act, will not take any action on items that are not on the agenda.

IV. CONSENT CALENDAR

(Executive Director recommends approval of consent calendar items)

- A. Approval of ICTC Board Draft Minutes: October 26, 2016 Pages 5-21
B. Receive and File:
1. ICTC SSTAC Minutes: October 5, 2016
2. ICTC SSTAC Minutes: November 2, 2016
3. ICTC TAC Minutes: October 27, 2016
C. 2017 Active Transportation Program (ATP) Project Nomination List Page 23

ICTC Management Committee will meet on December 14th, and it is anticipated that they will forward this item to the Commission for review and approval after public comment, if any:

1. Approve the Project Nomination List for the Imperial County's 2017 Active Transportation Program (ATP)
2. Approve the award of ATP funds to the Imperial County Office of Education's Project Ride, Walk, Learn project in the amount of \$224,000

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

3. Approve the award of ATP funds to the County of Imperial's Aten Road Class I Bicycle Path Improvements project in the amount of \$285,572
4. Direct staff to submit a Formal Nomination List to SCAG and proceed with the State/Federal programming and documentation

D. California Transit Security Grant Program FY 2014-15 Page 26

ICTC Management Committee will meet on Decembers 14th, and it is anticipated that they will forward this item to the Commission for review and approval after public comment, if any:

1. Approve the attached resolution authorizing the Executive Director or his designee to take any actions necessary on behalf of the ICTC for the purposes of obtaining FY 2014-15 financial assistance provided by the Governor's Office of Homeland Security under the California Transit Security Grant Program

V. REPORTS

- A. ICTC Executive Director
 - See attached Executive Director Report on page 30
- B. Southern California Association of Governments
 - See attached report on page 76
- C. California Department of Transportation – District 11
 - See attached report on page 83
- D. Commission Member Reports

VII. ACTION CALENDAR

- A. Funding Request from the City of El Centro to provide added Security at the El Centro Bus Transfer Terminal on 7th and State Streets Page 94

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

1. Direct Staff to forward the request from the City of El Centro in an amount up to \$90,000.00 to assist the City of El Centro in providing daily security at the Bus Transfer Terminal on 7th and State Streets, to the Board of the Local Transportation Authority (LTA) as a one-year demonstration.

- B. Unmet Transit Needs Public Hearing - for Fiscal Year 2017-18 Page 98

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

1. Appoint the Unmet Transit Needs Hearing Panel: two members from the County, three City representatives with two City alternates
2. Select a Public Hearing date of February 9 or February 16, 2017
3. Select the time of the meeting
4. Direct staff to conduct the administrative arrangements

- C. Transportation Development Act (TDA) Tri-ennial Performance Audit of the Administration/Management of the Imperial County Transportation Commission: FY 2013-14, 2014-15, 2015-16 Page 101

ICTC Staff requests that the Management Committee forward this item to the Commission for their review and approval after public comment(s), if any:

1. Approve the award of the Consultant Agreement for the FY 2013-14, 2014-15, 2015-16 Transportation Development Act Triennial Performance Audit of the Imperial County Transportation Commission, to Michael Baker International for the fee of \$72,076.
2. Authorize the Chairperson to sign the Consultant Agreement.

VIII. NEXT MEETING DATE AND PLACE

- A. The next meeting of the **Imperial County Transportation Commission** will be held on **Wednesday, January 25, 2017 at 6:00 p.m.**, at the **County of Imperial Board Chambers**, at 940 W. Main Street, El Centro, CA.

IX. ADJOURNMENT

- A. Motion to adjourn

IV. CONSENT CALENDAR

A. APPROVAL OF BOARD DRAFT MINUTES:

OCTOBER 26, 2016

B. RECEIVE AND FILE:

1. ICTC SSTAC MINUTES:

OCTOBER 5, 2016

2. ICTC SSTAC MINUTES:

NOVEMBER 2, 2016

3. ICTC TAC MINUTES:

OCTOBER 27, 2016

IMPERIAL COUNTY TRANSPORTATION COMMISSION**DRAFT MINUTES FOR OCTOBER 26, 2016****6:00 p.m.****VOTING MEMBERS PRESENT:**

City of Brawley	George Nava
City of Calipatria	Maria Nava-Froelich
City of El Centro	Cheryl Viegas-Walker
City of Holtville	James Predmore
City of Imperial	Doug Cox
County of Imperial	Jack Terrazas
County of Imperial	Ryan Kelley

NON-VOTING MEMBERS PRESENT:

Caltrans District 11	Bill Figge
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STAFF PRESENT: Mark Baza, Kathi Williams, David Aguirre, Michelle Bastidas, Cristi Lerma, Guillermo Gonzalez, Vicky Hernandez

OTHERS PRESENT: Norma Villicana: City of El Centro; Sam Amen, David Sanchez, Marcelo Peinado: Caltrans; Phil White: VTD; John Gay: County Public Works;

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 October 26, 2016 together with staff reports and related documents attached thereto and incorporated therein by reference.

I. CALL TO ORDER AND ROLL CALL

Chair Predmore called the Commission meeting to order at 6:11 p.m. Roll call was taken and a quorum was present.

II. EMERGENCY ITEMS

There were none. However, staff requested to pull the CTP presentation under Caltrans reports section on the agenda.

III. PUBLIC COMMENTS

Mr. Brian McNeece and Mr. Jesse Zermin from the IV Velo Club were present for public comment. They stated their concerns regarding the public's unfamiliarity with the new bike laws. They were present to inquire about possible signage that can be installed to notify the public of bicyclists, particularly on Old State Route 111 from Calexico to Brawley, including frontage roads. Mr. McNeece and Mr. Zermino were encouraged to attend the Technical Advisory Committee the next morning at the ICTC office. Ms. Viegas-Walker also suggested that they reach out to SCAG through the GoHuman campaign. Mr. Nava stated the City of Brawley has a contract with Spectrum to create three minute video vignettes and they are willing to create a bike safety video.

IV. CONSENT CALENDAR

A. Approved ICTC Board Draft Minutes: September 28, 2016

A motion was made by Cox and seconded by Viegas-Walker to approve consent items A, **Motion carried with 1 abstention from Calipatria.**

- B. Received and Filed:
1. ICTC Management Committee Draft Minutes: October 12, 2016
 2. ICTC SSTAC Minutes: September 7, 2016
- C. FY 2016-17 Appointment of the Social Services Transportation Advisory Council (SSTAC)
1. Appointed the Social Services Transportation Advisory Council (SSTAC) for FY 2016-17 for the positions and terms per the enclosure.
- D. 2016 Active Transportation Program Regional Guidelines
1. Approved the following methodology for assigning points of the 2016 Active Transportation Program Regional Guidelines:
 - a. 10 points for projects that have been identified in an adopted local and/or regional plan; and
 - b. Zero points for projects that have not been identified in an adopted local and/or regional plan.

A motion was made by [Cox](#) and seconded by [Viegas-Walker](#) to approve consent items B, C and D, **Motion carried unanimously.**

V. REPORTS

- A. ICTC Executive Director
Mr. Baza and staff had the following announcements:
- ICTC has initiated discussions with management and staff with Customs and Border Protections (CBP) Border Patrol regarding the potential to add a second inspection lane at State Route 86 (Northbound) Border Patrol checkpoint. Coordination efforts will follow with Border Patrol, Caltrans and the region to determine feasibility, costs and funding of required improvements within Caltrans right-of-way. A meeting was held on July 20th with all of the above stakeholders. Following the meeting input, Border Patrol will begin to draft concept alternates to meet short-term and mid-term needs. Our follow-up meeting is scheduled for October 24, 2016 at the El Centro Sector Office.
 - A complete list of ICTC updates can be found on Page 29 of the agenda.
- B. Southern California Association of Governments (SCAG)
Ms. Viegas-Walker had the following announcements:
- The Southern California Economic Summit will be held on December 1, 2016 in Los Angeles.
To register please visit the SCAG website at www.scag.ca.gov/economicsummit.
 - SCAG has a new logo.
 - A SCAG report can be found on page 34.
- C. California Department of Transportation (Caltrans)
- Mr. Figge stated that a full report of Caltrans updates can be found on page 36 of the agenda.
 - Mr. Kelley had questions regarding the process for the relinquishment of Hwy 86. Mr. Figge stated that the discussions are with the specific agency and how they want to handle it. Caltrans will be responsible for road improvements requested by the agency or funding will be given to the agency and they will be responsible for the road improvements.

- Ms. Nava-Froelich inquired what will happen to the Two Rivers Rest Area that was recently closed. Mr. Figge stated that it will be used as a Caltrans staging area.

D. Commission Member Report

- Ms. Viegas-Walker stated that the City of El Centro will be updating their master lighting plan between State and Main Streets from 4th to 8th Streets.
- Mr. Cox stated that the Worthington Square project will be opening next month.
- Ms. Nava-Froelich stated that the League of California Cities – Imperial Division meeting will be tomorrow. She also stated that a Niland Family Resource Center will be available soon. An MOU with the County of Imperial is being finalized. Services on site will be Social Services, Behavioral Health Services and Work Force Development Services.
- Mr. Nava stated that Cattle Call will be in November with events all week long.
- Mr. Predmore stated that he attended the Mobility 21 Summit where he was a part of the Chairman’s Roundtable. He said most agencies are having finding and congestion issues.

VI. INFORMATION CALENDAR

A. Southern California Association of Governments (SCAG) Goods Movement Border Crossing Study

A presentation was made by Mike Jones, Senior Regional Planner from SCAG.

The Study was done to assess the mobility of commerce at the California – Baja California border and develop freight planning strategies that address long term trade and transportation infrastructure needs in the border region.

The primary purpose of the effort was to gather and synthesize information on goods movement across the U.S.-Mexico border moving through the San Diego and Imperial Counties international Land Ports of Entry (LPOEs) and to develop future projections of freight flows in order to assist SCAG and regional stakeholders in their assessment of future infrastructure needs and general planning efforts.

The study provided a better understanding of the characteristics of the movement of goods across the California – Baja California binational region, forecasted the future volumes of these flows and their impact on the SCAG transportation network and derived recommendations for improving the efficiency with which these flows move.

For a copy of the presentation please [click here](#) or visit the ICTC website at: <http://www.imperialctc.org/publications-&-reports/transportation-plans-and-studies/>

VII. ACTION CALENDAR

A. Agreement for Professional Financial Reporting Services of the ICTC Transit Operations - FY 2015-16 through FY 2019-20

The Commission conducts fiscal reviews of its transit operators on an annual basis as a prudent management practice. The most recent five year agreement for this service completed its final year in FY 2014-15. The work associated includes but is not limited to; reviews and sampling of operator financial records i.e. invoices and billing, operator budget and schedule development, records management and financial controls, review of reportable revenue hours for billing purposes, review of spare parts inventories,

monitoring of the accountability and security of the cash handling, conducted by each transit operator in the collection of fare revenue on a daily basis.

A competitive bid was completed in September 2016 for a new five year contract for the reporting period of FY 2015-16 through FY 2019-20. A Request for Proposal was circulated for the five year period in order to maximize pricing reductions, increase potential competition and reduce the level of effort for ICTC staff. An Evaluation Committee comprised of staff from Caltrans, the Southern California Association of Governments (SCAG) and ICTC conducted the proposal scoring and ranking process, as well as, an oral interview.

Two proposals were received as follows:

Firm	Annual/Total hrs	Total 5 Yr Cost/Avg Cost/Per hr
Vavrinek, Trine, Day & Co., LLP	362 / 1810	\$228,227/\$126.10
Hutchinson and Bloodgood, LLP	284 / 1420	\$219,393/\$154.50

For comparison, the expiring contract final year allowed 459 hours at a rate of \$152 per hour, or a total annual cost of \$69,768.

It must be noted that the current four transit operations are under separate contracts, but with one operator, First Transit Inc. This reduces the physical locations and accounting systems etc. that must be reviewed by the audit team, thereby reducing the annual cost. Should future competitive bids be conducted for transit services during this five year period, a contract modification may be required for additional time and expense.

The Evaluation Team recommends that a contract be awarded to the firm of Vavrinek, Trine, Day & Co., LLP (VTD). The proposal from VTD indicated that their project team were focused on governmental accounting at several peer transit agencies in Southern California, and are familiar with transit regulations and transit administrative practices. In addition, the VTD project team offered value added benefits through their knowledge and association with larger transit agencies including periodic review sessions with ICTC staff on financial reporting, validating and reporting transit related metrics, best practices, or a variety of other topics depending on the future needs and interests of ICTC.

Funding for this project is in the ICTC adopted 2016-17 Budget and specifically in the ICTC Overall Work Program and Budget/Transit Finance Plan: through the Transportation Development Act (TDA) Fund, approved on July 27, 2016.

The ICTC Management Committee met on October 12, 2016 and forwarded this item to the Commission for their review and approval after public comment, if any:

1. Authorized the Chairman to sign the agreement for the ICTC Transit Operators Fiscal Reporting services effective October 1, 2016, for the audit period FY 2015-16 through FY 2019-20, with the firm of Vavrinek, Trine, Day & Co., LLP:
 - a. For the fiscal reporting period of July 1, 2015 through June 30, 2016, the annual not to exceed fee set at \$42,988
 - b. For the fiscal reporting period of July 1, 2016 through June 30, 2017, the annual not to exceed fee set at \$44,277
 - c. For the fiscal reporting period of July 1, 2017 through June 30, 2018, the annual not to exceed fee set at \$45,605

- d. For the fiscal reporting period of July 1, 2018 through June 30, 2019, the annual not to exceed fee set at \$46,974
- e. For the fiscal reporting period of July 1, 2019 through June 30, 2020, the annual not to exceed fee set at \$48,383

A Motion was made by Cox, seconded by Nava-Froelich, **Motion Carried unanimously.**

- B. Funding Request from the City of El Centro to provide added Security at the El Centro Bus Transfer Terminal on 7th and State Streets

The City of El Centro is respectfully requesting funding through the Imperial County Transportation Commission or any other available funding source that may be available in the amount of \$90,000. This funding would assist with in providing additional security at the El Centro Bus Transfer Terminal located at State Street and 7 Street in El Centro. Over the last couple of months, the City particularly the transfer terminal and surrounding areas have been greatly affected by an increase in criminal activity and homelessness. Based on research, an armed security guard salary for 12 hour shift 7 days a week would cost approximately \$88,400 for one year.

Various City departments have taken measures to address these concerns. Some of those measures include an increase in police presence in the downtown area, design plans to install additional lighting in downtown alleys, clean up, and code enforcement efforts. The El Centro Police Department will work closely with additional security if approved, to monitor the transfer terminal and surrounding areas. These efforts will improve the security but will not be enough and therefore, a need for armed security personnel is requested. An armed security guard would provide a sense of security to all the transfer terminal riders coming from different parts of the County.

The City of El Centro is requesting funding in the amount of \$90,000 for a one-year period to assist with addressing the existing security concerns. We believe that once the armed security is in place the major concerns affecting the area should dissipate.

Ms. Villicana was present and available to answer questions. She assured that the process will be done through an RFQ process.

The ICTC Management Committee met on October 12, 2016 and forwarded this item to the Commission for their review and approval after public comment, if any:

1. Directed ICTC Staff to research funding sources in the amount of \$90,000.00 to assist the City of El Centro in providing added security at the Bus Transfer Terminal on 7th and State Streets.
2. If funding is found available, directed staff to begin coordination with the City of El Centro to develop a fund transfer agreement and parameters of proposed armed security services for consideration to approve by the Commission and the City.

A Motion was made by Cox, seconded by Nava, **Motion Carried unanimously.**

VIII. NEXT MEETING DATE AND PLACE

- A. The next meeting of the Imperial County Transportation Commission will be held on **Wednesday, November 9, 2016 at 6:00 p.m.**, at the County of Imperial Board Chambers, at 940 W. Main Street, El Centro, CA.

IX. ADJOURNMENT

- A. Meeting adjourned at 8:11 p.m. ([Nava-Froelich/Cox](#)) **Motion carried.**



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SOCIAL SERVICES TRANSPORTATION ADVISORY COUNCIL

MINUTES

October 5, 2016

Present

Voting Attendees:

Michael L. Hack	Consumer
Rosie Blakenship	Area Agency on Aging
Heddy McNeer	Consumer
Rosyo Ramirez	Imperial County Public Authority/IHSS
Angie Pena	Work Training Center
Michelle Soto	California Children's Services
Mitzi Perez	ARC – Imperial Valley
Kathi Williams	CTSA – ICTC
David Aguirre	CTSA – ICTC
Lorena Arambula	San Diego Regional Center (SDRC)
Dr. Kathleen Lang	California Health & Wellness

Non-Voting Attendees:

Vicky Hernandez	ICTC
Guillermo Gonzalez	ICTC
Ted Ceasar	Consumer
Sofia Gonzalez	Area Agency on Aging
Eduardo Mantinez-Inzunza	Imperial Valley College
Orlando Johnson	211
Raul Martinez	Imperial County Health Dept.
Kitty Gay	Imperial County Health Dept.
Cesar Sanchez	IVT/IVT Access/IVT Ride
Narcisa Montemayor	IVT/IVT Access/IVT Ride
Karla Pacheco	IVT/IVT Access/IVT Ride
Helio Sanchez	IVT/IVT Access/IVT Ride

1. Mike Hack called the meeting to order at 10:05 a.m. A quorum was present. Introductions were made.
2. Minutes adopted for September 2, 2015. **(Lang/Hack) Motion Carried. Pending Kathleen Lang being added to attendee list.**
3. CTSA Reports:

There were none.
4. Do Not Leave Alone (DNLA) policy

Ms. Williams and Mr. Gonzalez introduced the DNLA policy and forms. This is a new policy under

development designed to protect the impaired passengers and the IVT transit services. The issue has arisen in that several persons had been left on the bus for extended periods of time, because the person who was to receive them was not available, or, refused to answer the residence door. This can affect the health and welfare of the patient, as well as, disrupt the service when it must return to the same location for another attempt at passenger delivery.

- Sought comments and a recommendation to proceed for Commission approval for the draft "Do Not Leave Alone Policy". Policy was tabled to next meeting pending revisions suggested by Rosyo Ramirez, Dr. Kathleen Lang and Kitty Gay.

5. Transit 101

Ms. Williams and Mr. Gonzalez co-introduced and co-presented the Transit 101 presentation describing transportation services. Operations Supervisors for all of the IVT branded services provided the actual presentation for their respective services.

Imperial Valley Transit (IVT) - Cesar Sanchez, Operations Supervisor:

- FIXED ROUTE services operate along specific routes and fixed time schedules
- 353 days of operation, including Sundays
- Average Monthly Passenger Trips are 66,788
- The current operations contract is between ICTC and First Transit Inc.
- The FY 2015-16 cost was approximately \$3.39 million for 34,697 annual service hours
- Dedicated website www.IVTRANSIT.com
- Fleet Make-up
 - All vehicles are ADA and CARB Compliant
 - 16 - 40 Foot Low-Floor Gillig Transit Buses (Clean Diesel)
 - Wheel Chair Ramp and 2 Wheelchair Tie Down Positions
 - 40 seated, 70+ is the Total Capacity
 - 6 - 25 Foot Cutaway Buses
 - Wheelchair Lift Equipped
- IVT Blue Line Circulator
 - Fixed Route Service to serve Southern El Centro
 - The FY2015-16 cost was \$318,276 for 3,209 service hours
 - 70 Minute Headways with timed transfers at 7th and State St.
 - Approximately 20 stops including ICSO, AAA, Public Admin., Imperial County Social Services (4th St.), WTC, IRS, County Admin./Court House, ECRMC
 - 3 Cutaway vehicles shared between Blue and Green Lines
 - 1 Blue Line, 1 Green Line, 1 Spare Bus
 - 20 passenger vehicle with 2 wheel chair tie down positions
- IVT Green Line Circulator Route
 - Fixed Route Service to serve Northern El Centro
 - The FY2015-16 cost was \$322,955 for 3,209 service hours
 - 70 Minute Headways with timed transfers at the 7th and State St.
 - Approximately 25 stops including ECRMC, El Centro Library, Wal-Mart, Food-For-Less, Costco, and limited service in Southern Imperial
 - 3 Cutaway vehicles shared between IVT Circulator Routes
 - 1 Blue Line, 1 Green Line, 1 Spare Bus
 - 20 passenger vehicle with 2 wheel chair tie down positions
- IVT Gold Line Circulator Route
 - Fixed Route Service in Brawley
 - The FY2015-16 cost of \$256,457 for 3,326 hours
 - 70 Minute Headways with timed transfers at the Brawley Transit Transfer Terminal (5th and Plaza)
 - Approximately 28 stops including Imperial County Admin, PMH, Wal-Mart, Senior Center, City Library, Cattle Call Park, Social Services, Lions Center
 - 2 Cutaway vehicles in operation

- 1 for Daily Operations and 1 Spare
- 20 passenger vehicles with 2 wheel chair tie down positions
- ALL FARE PRICES ARE ONE WAY PER TRIP
 - Local Zone Fare \$1.00
 - Senior/Disabled Local Zone Fare.... \$0.50
 - Regional Zone Fare \$1.25
 - Senior/Disabled Regional Zone.....\$0.60
 - The following fares are “convenience” priced
 - Direct Routes..... \$2.50
 - Fast Trip\$2.25
 - The following are discounted trips for IVC students
 - IVC Express Students.....\$1.25
 - NON-IVC Students..... \$1.75

ADA Paratransit – IVT ACCESS Karla Pacheco, Operations Supervisor:

- Curb to Curb intercity service for disabled persons who cannot access regular fixed route transit service
- Window and Corridor Window is the time frame the fixed route is in vicinity of pick-up
Corridor is ¾ of a mile within the fixed route alignment
- 30 minute pick up window (15 minutes before and after schedule time)
- Eligibility/Certification Process
- Requires a completed application with the Physician Disability Verification form (6 pages)
- ICTC is Allowed 21 days to process
- Upon completion a personal identification number is issued to use when scheduling trips
- All trips must be scheduled in advance
- Dispatch and Drivers use remote tablets for schedules and updates
- Fleet of 8 active and 3 spares – 25 Foot Cutaway vehicles with 4 wheel chair positions each
 - Up to 16 passengers seated without wheelchairs
 - The FY15-16 Cost is \$1,500,562 for 13,547 service hours
 - Fare is 2x’s the fixed route fare (\$2 to \$2.50)
 - FY2015-16 – 32,291 Passengers
 - FY2015-16 – 9,675 Wheelchairs (30%)
 - The IVT ACCESS service has a dedicated website www.IVTACCESS.com

IVT RIDE - Narcie Montemayor, Operations Supervisor:

- Service operations began Fall 2014; El Centro Summer 2016
- Intracity Dial-A-Ride Consolidation:
Brawley – Calexico –El Centro –Imperial –West Shores
- Curb to Curb Demand Response Paratransit Service
- Seniors age 60 and over OR Disabled (ADA Riders)
- Riders must schedule their trips in advance (ALL TRIPS)
 - Dispatch and Drivers use remote tablets for schedules and updates
- Intake form with ID card provided
- FY2015-16 Contract Cost \$832,858 for 13,548 Hours
- Fleet of 11 plus three spares New -Floor Cutaway Buses
 - Complete ADA and CARB compliance
 - Hi-Capacity Roof Mount AC
 - 19 passengers w/o wheelchairs
 - 13 passengers plus 3 wheelchair spaces
 - Dedicated website www.IVTRIDE.com

IVT MedTrans - Helio Sanchez, Operations Supervisor:

- Nonemergency transportation services started July 2016
- Same Day Round Trip service for Medical Trip Purposes Only
- Services all major San Diego Health Care facilities in the I-8 corridor with service to South Bay

once a month

- Riders must schedule their trips in advance (ALL TRIPS)
- Dispatch and Drivers use remote tablets for schedules and updates
- Children's Hospital, UCSD Med Center, Scripps, VA Hospital, Sharps, Shiley Eye Center, and many others
- Service Operates 4 days a week (Rotates Monday and Friday off)
- \$15 round trip for passenger + \$7 for Personal Care Attendant (PCA)

YCAT/QUECHAN/ICTC BLUE ROUTE 5 AND TURQUOISE ROUTE 10:

- Turquoise Route 10 – YCAT provides Monday and Wednesday twice daily roundtrip service. Effective July 1, 2016. Saturday services are no longer available.
- Blue Route 5 – YCAT provides 12 circulator trips daily between Winterhaven and Reservation areas, to Yuma, AZ.

Specialized Services:

- Emilio Nares Foundation: More information about the service provided by the Emilio Nares Foundation can be found at the following link: <http://enfhope.org/our-programs/ride-with-emilio/ride-with-emilio-imperial-county/>
- ARC – Imperial County
 - ARC Paratransit Services
 - ARC Non-Emergency Medical Transportation
- Valley Medical Transport

Ms. Williams also provided some role playing scenarios for the IVT services using the IVT Rider's Guide and schedule. For the next meeting, Ms. Williams requested that each participant provide a 5 minute presentation describing their agency's mission and clientele, transportation if any, and if they have any perceived transportation gaps.

- SSTAC attendees were invited to tour the transit buses staged in a display in the parking lot after adjournment (IVT ACCESS, IVT RIDE, IVT MEDTRANS, MV1)

6. General Discussion

- Everardo Martinez-Inzunza introduced a new issue on reported bullying of disabled students on the IVT buses, a question about monthly passes, developing interest by students for the IVC express at night and a code of conduct for IVC students.

7. Adjournment

- The next meeting of the SSTAC will be on November 2, 2016 at 10:00 a.m.
- Motion to adjourn the meeting was made by [Hack](#) and seconded by [Williams](#), **Motion carried.** Meeting adjourned at 12:15 p.m.



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SOCIAL SERVICES TRANSPORTATION ADVISORY COUNCIL

MINUTES

November 2, 2016

Present

Voting Attendees:

Letty Zuno	Access to Independence
Michael L. Hack	Consumer
Sofia Gomezalez	Area Agency on Aging
Heddy McNeer	Consumer
Rosyo Ramirez	Imperial County Public Authority/IHSS
Mitzi Perez	ARC – Imperial Valley
Kathi Williams	CTSA – ICTC
David Aguirre	CTSA – ICTC
Dr. Kathleen Lang	California Health & Wellness

Non-Voting Attendees:

Cristi Lerma	ICTC
Guillermo Gonzalez	ICTC
David Salgado	SCAG
Mark McCumsey	Caltrans
Ted Ceasar	Consumer
Rosie Blankenship	Area Agency on Aging
Charles Brockwell	IVT/IVT Access/IVT Ride/IVT MedTrans
Cesar Sanchez	IVT/IVT Access/IVT Ride/IVT MedTrans
Narcisa Silva	IVT/IVT Access/IVT Ride/IVT MedTrans
Karla Pacheco	IVT/IVT Access/IVT Ride/IVT MedTrans
Helio Sanchez	IVT/IVT Access/IVT Ride/IVT MedTrans

1. Ms. Zuno called the meeting to order at 10:01 a.m. A quorum was present. Introductions were made.
2. Minutes adopted for November 2, 2015. **(Hack/McNeer) Motion Carried**, pending correction on the voting attendees list.
3. CTSA Reports:

Ms. Williams had the following announcements:

- The SSTAC voting positions were approved by the Commission at the October meeting.

Mr. Gonzalez had the following announcements:

- Staff is still reviewing the comments for the Do Not Leave Alone (DNLA) Policy. For additional comments, please email Mr. Gonzalez.
- Mobility training was held for Behavioral Health staff and clients facilitated by Mr. Gonzalez, Mr. Cesar Sanchez and Mr. Michael Cortez for Imperial Valley Transit services.

The training was conducted in groups of 12 clients at one time. Follow up training will be done for 2 more groups.

- The IVT Access website is in the process of an update.
- A presentation on transit services was conducted at the Homeless Taskforce meeting by Mr. Gonzalez.

Mr. Aguirre had the following updates:

- The City of El Centro is having issues at the El Centro Transit Terminal. Staff from both agencies has met to discuss the issues.
- IVT MedTrans will soon have Wi-Fi in all buses.
- Staff will be attending a FTA 5310 grant program training in Riverside.
- Imperial Valley Transit (IVT) will be offering those with valid Military I.D. cards, a day to ride IVT buses for no fare on Monday, November 10th only, in honor of Veterans' Day.
- Ride any IVT bus from Monday November 7th until Friday November 18th, give a gift of a canned or dry food item to the driver and we will give you ONE RIDE in return! Donations can also be made at Imperial Valley Transit at 792 E. Ross Ave and the ICTC offices at 1405 N. Imperial Ave. Suite 1, El Centro Ca, 92243.

4. Review of Agencies' Missions and Clientele; Transportation; and, of Perceived Transportation Needs

Ms. Williams stated that agencies that are prepared to give a short presentation explaining their agencies mission and clientele, and transportation and/or perceived transportation needs can present at this meeting or at the December meeting. She further stated that if needs are addressed staff could follow up and proceed from there.

✚ Dr. Kathleen Lang presented on behalf of California Health and Wellness.

- California Health & Wellness, a wholly-owned subsidiary of Centene, was awarded a contract by the California Department of Health Care Services (DHCS) to serve Medicaid beneficiaries in 19 counties, as of November 1, 2013. Under the contract, California Health and Wellness serves members under the state's Medi-Cal Managed Care Rural Expansion program. The expansion program covers members eligible for Temporary Assistance for Needy Families (TANF) and Children's Health Insurance Program (CHIP), as well as other populations.
- Services provided are coordinated healthcare, pharmacy and vision benefits to members.
- In Imperial County, 60,000 people are being served.
- Transportation services are provided only to doctors' appointments and pharmacy.
- Family members can be reimbursed at the Federal IRS rate if they prefer.
- A formal grievance procedure is accessible, if needed.
- Perceived gaps are: information and education
- Dr. Lang would like for ICTC to present regarding transit services at a Regional Connections meeting.

✚ Ms. Blankenship presented on behalf of Area Agency on Aging (AAA).

- AAA is a local agency that provides information and services on a range of assistance for older adults and those who care for them. Currently they are servicing 330 clients. By contacting your local agency you get access to critical information including:
 - Mobility assistance programs, meal plans & housing
 - 10 sites in Imperial County for congregate meals
 - 185 people on the waiting list for meals on wheels
 - Health Clinics periodically provided at congregate sites
 - Individual counseling, support groups and caregiver training
 - Respite care
 - Supplemental services, on a limited basis

- Assistance in gaining access to other services
 - Perceived transportation needs
 - There is no IVT Ride Intercity transportation in Heber to the congregate meal sites
 - Only Intracity available (for disabled only)
 - In Calxico a designated IVT Ride bus for Seniors attending congregate meal sites.
 - Post bus route schedule at bus stops
 - AAA Board meetings are the 3rd Thursday of every month.
 - 17 board members and 17 alternates
 - Senior transportation committee
5. Transit Operator Reports
- Imperial Valley Transit: Updates were given by Mr. Sanchez for the month of October
 - 2000 average passengers per day, 3000 average passengers per day when IVC began
 - Gold Line: 61 average passengers per day
 - IVC Express: An average of 42 passengers per trip in the morning and an average of 45 passengers in the evening.
 - Saturdays: 1200+ per Saturday
 - Sundays: 412 passengers per Sunday
 - IVT Access: Updates were given by Ms. Pacheco for the month of October
 - On time performance was 96%
 - No Shows: 137
 - Wheelchairs: 899
 - Passenger Count: 3,055
 - Weekdays: 39 passengers per week day
 - Saturdays: 15 per Saturday
 - Sundays: 12 per Sunday
 - IVT Ride – Updates were given by Ms. Montemayor for the month of October
 - i. City of Brawley – 294 registered
 - 60 or older or disabled can use this service with an ID card
 - Passenger per revenue hour: 2.5
 - On time performance was 99%
 - Wheelchairs: 253
 - Passenger Count: 929 weekday 43 average per day, Saturday 6 average per day
 - 24 No-Shows
 - ii. City of Calxico – 972 registered
 - 60 or older or disabled can use this service with an ID card
 - On time performance was 98%
 - Passenger per revenue hour: 2.8
 - Wheelchairs: 375
 - Passenger Count: 1,785; weekday; 74 average per day, Saturday 18 average per Saturday and Sunday 25 average per Sunday
 - 37 No-Shows
 - iii. City of El Centro – 503 registered
 - 60 or older or disabled can use this service with an ID card
 - On time performance was 96%
 - Passenger per revenue hour: 2.6
 - Wheelchairs: 438
 - Passenger Count: 2,342; weekday; 107 average per day Saturday 18 average per Saturday
 - 93 No-Shows

- iv. City of Imperial – 165 registered
 - 60 or older or disabled can use this service with an ID card
 - On time performance was 97%
 - Passenger per revenue hour: 1.6
 - Passenger Count: 375; weekday 16 per week day; Saturday 6 average per Saturday
 - 5 No-Shows

- v. West Shores – 122 registered
 - 60 or older or disabled can use this service with an ID card
 - On time performance was 100%
 - Tuesdays/Thursdays service
 - Passenger per revenue hour: 1.2
 - Wheelchairs: 0
 - Passenger Count: 43, average 5 per day
 - 1 No-Shows

- IVT MedTrans – Updates were given by Mr. Sanchez for the month of October
 - 329 registered
 - Transportation services to San Diego County medical facilities
 - On time performance was 100%
 - Passenger per revenue hour: 1.74
 - Wheelchairs: 12
 - Passenger Count: 280
 - Personal Care Attendant (PCA): 174

6. General Discussion

- Ms. McNeer announced a United Way fundraiser titled “Nite at the Races” being held Saturday, February 4, 2017 at the Stockman’s Club at 6:30 p.m. Cost is \$75 per person and includes one horse. To purchase tickets contact 760-355-4900.
- Ms. Ramirez stated that their Senior Appreciation event would be held tomorrow, November 3, 2016 from 1:30 to 4 p.m. at the Social Services offices parking lot.
- Mr. Hack announced that the Peoples First Conference will be in March of 2017 and the theme is super heroes.
- Ms. Zuno stated that their Annual Employment Resource Fair will be on November 10, 2016 at 9 a.m.

7. Adjournment

- The next meeting of the SSTAC will be on December 7, 2016 at 10:00 a.m.
- Meeting adjourned at 11:11 p.m.



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EL CENTRO, CA 92243-2875
PHONE: (760) 592-4494
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TECHNICAL ADVISORY COMMITTEE
DRAFT MINUTES

October 27, 2016

Present:

Guillermo Sillas	City of Brawley
Nick Fenley	City of Calexico
Mindy Hernandez	City of Calipatria
Abraham Campos	City of El Centro
Hector Orozco	City of Holtville
Jesus Villegas	City of Imperial
Joel Hamby	City of Westmorland
John Gay	County of Imperial

Others:

Virginia Mendoza	ICTC
Cristi Lerma	ICTC
David Aguirre	ICTC
Guillermo Gonzalez	ICTC
David Salgado	SCAG
Gustavo Gomez	The Holt Group
Wishing Lima	Caltrans
Joseph Chua	Caltrans
Brian McNeece	IV Velo Club
Jesse Zermin	IV Velo Club

1. The meeting was called to order by Chair Sillas at 10:04 a.m. A quorum was present and introductions were made.

Mr. Brian McNeece and Mr. Jesse Zermin from the IV Velo Club were present for public comment. They stated their concerns regarding the public's unfamiliarity with the new bike laws. They were present to inquire about possible signage that can be installed to notify the public of bicyclists, particularly on Old State Route 111 from Calexico to Brawley, including frontage roads. The County was present and stated that they would look into fund sources that could assist in facilitating the request. Other agencies also described their efforts in promoting active transportation.

2. A *motion* was made to adopt the minutes for August 25, 2016, (Fenley/Gay) **Motion Carried.**

3. ICTC Updates / Announcements

➤ Transit Planning Updates

- Updates were given by Mr. Aguirre and Mr. Gonzalez:
- Mr. Aguirre stated that the Call for Projects for TDA Article 3 Bikes and Pedestrian funding for FY 2016-17 is open. The fund distribution by agency was passed out to all agencies present. Project descriptions are due on December 30, 2016.
- Wi-Fi is installed on all 16 Gilligs. Wi-Fi will also be installed on the 6 cutaways and IVT MedTrans buses beginning on November 1, 2016.
- Mr. Gonzalez stated that he is involved with the local and regional OES systems under the direction of the OES office. For a Regional emergency, IVT Access buses would be used and for a local emergency, IVT Ride buses will be used.
- Mr. Gonzalez has been assisting with mobility training efforts. He gave a couple examples of the specific situations he's been presented with.

➤ Transportation Planning Updates (By Virginia Mendoza):

- The RSTP/CMAQ project list is projected to be approved until January. A handout of the 2017 FTIP which included amendment 2 was given to all agencies present.
- The repurposed earmarks were submitted in Amendment 2 of the 2017 FTIP.

➤ LTA Updates:

- Mr. Mendoza requested that all agencies submit their project requests. She also provided all agencies with a remaining bond project funds balance.
 - o The September 2016 bank statement reflected the following:

a. Brawley	\$1,980,407
b. Calexico	\$6,073,143
c. Calipatria	\$0
d. Imperial	\$264,538
e. County	\$626,776 (this should reflect as 0 soon)

4. Cities and County Planning / Public Works Updates:

- The Cities of El Centro, Imperial, Calipatria, Calexico, Brawley, Holtville, Westmorland and the County of Imperial gave an update on their current projects.

5. SCAG Updates / Announcements: (By Mr. Salgado)

- Mr. Salgado stated that the Sustainability Planning Grants are due to SCAG on November 18, 2016 and encouraged agencies to apply. The range is \$50,000 to \$1 million.

6. Caltrans Updates / Announcements

- Mr. Lima was present and provided all with the DLAE updates. A handout was distributed. A new Caltrans employee was also introduced; Joseph Chua will be attending future ICTC TAC meetings.
 - The NEPA Assignment – waiver of sovereign immunity expires on December 31, 2016.
 - Agencies with inactive projects should submit an invoice to Caltrans by November 18,

7. General Discussion / New Business

- Next TAC meeting will be on November 17, 2016.

8. Meeting adjourned at 11:05 a.m.

IV. CONSENT CALENDAR

C. 2017 ACTIVE TRANSPORTATION PROGRAM (ATP) PROJECT NOMINATION LIST



1405 N. IMPERIAL AVE., SUITE 1
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PHONE: (760) 592-4494
FAX: (760) 592-4497

December 9, 2016

James Predmore, Chairman
Imperial County Transportation Commission
1405 N. Imperial Ave., Suite 1
El Centro, CA 92243

SUBJECT: 2017 Active Transportation Program (ATP) Project Nomination List

Dear Commission Members:

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

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

Imperial County projects did not receive funding under the ATP Statewide Program. Therefore, all projects from Imperial County were passed to SCAG for consideration of ATP Regional Share of funding. As part of the regional evaluation and as part of the ATP guidelines, ICTC must evaluate and rank all projects identified as part of plans adopted by local and/or regional governments within the county. If a project is determined to be eligible, ICTC can add up to 10 points. The Commission previously adopted the following methodology for assigning points:

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

The regional share of ATP funds for Imperial County is in the amount of \$509,572. ICTC staff reviewed all projects that did not qualify under the State ATP Program. The following table describes the scoring and ranking of projects after the additional 10 points projects were included in local and/or regional plans:

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

Agency	Project Name	Total Project Cost	Total Funds Requested	Score
Imperial County Office of Education	Project Ride, Walk, Learn	\$224,000	\$224,000	88
Imperial County	Aten Road Class I Bicycle Path Improvements	\$442,000	\$393,000	82
Imperial County Public Health Department	Imperial County Safe Routes to School Project	\$200,000	\$200,000	82
Imperial County	Sidewalk Improvements on Rio Vista Street in Seeley	\$1,584,000	\$1,401,000	58
Imperial County	Sidewalk Improvements near Heber Elementary School	\$1,354,000	\$1,182,000	50
Totals		\$3,804,000	\$3,400,000	

After consideration of the final scores and following the ATP guidelines, ICTC staff recommends to award the regional ATP funds to the top two scoring projects committing the full amount of \$509,572. The funding recommendation is as follow: \$224,000 to the Project Ride, Walk, Learn; and \$285,572 to the Aten Road Class I Bicycle Path Improvements. Per the direction of CTC and the ATP guidelines ICTC or project sponsors are not allowed to partially award a project. Therefore, the remaining gap funding need in the amount of \$156,428 for the Aten Road Class I Bicycle Path Improvements, the County of Imperial will utilize Article 3 funds to cover the funds needed.

The Management Committee met on December 14, 2016 and forwards this item to the Commission for review and approval after public comment, if any:

1. Approve the Project Nomination List for the Imperial County's 2017 Active Transportation Program (ATP)
2. Approve the award of ATP funds to the Imperial County Office of Education's Project Ride, Walk, Learn project in the amount of \$224,000
3. Approve the award of ATP funds to the County of Imperial's Aten Road Class I Bicycle Path Improvements project in the amount of \$285,572
4. Direct staff to submit a Formal Nomination List to SCAG and proceed with the State/Federal programming and documentation

Sincerely,



MARK BAZA
Executive Director

MB/vm
Attachment

IV. CONSENT CALENDAR

D. CALIFORNIA TRANSIT SECURITY GRANT PROGRAM FY 2014-15



1405 N. IMPERIAL AVE., SUITE 1
EL CENTRO, CA 92243-2875
PHONE: (760) 592-4494
FAX: (760) 592-4497

December 5, 2016

James Predmore, Chairman
Imperial County Transportation Commission
1405 N. Imperial Ave. Suite 1
El Centro, CA 92243

SUBJECT: California Transit Security Grant Program FY 2014-15

Dear Commission Members:

The California Transit Security Grant Program (CTSGP) provides funds for use on a variety of transit capital improvement projects. These projects are designed to enhance security for transit systems and passengers. The program is administered by the State of California's Governor's Office of Homeland Security.

In previous years, ICTC has successfully applied for funding through this program for security cameras and lighting improvements to the Imperial Valley College Bus Transfer Terminal, solar lighting at the Brawley and Imperial Transfer Terminals and for security cameras on the larger Imperial Valley Transit (IVT) buses. For the FY 2014-15 funding, ICTC is seeking funding in an amount of \$133K through this program to provide security cameras on board the five, smaller IVT buses for the IVT Blue, Green and Gold lines. No matching funds are required.

The application process requires the submittal of a resolution from the Commission authorizing the Executive Director to act on behalf of the Commission.

ICTC Management Committee will meet on Decembers 14th, and it is anticipated that they will forward this item to the Commission for review and approval after public comment, if any:

1. Approve the attached resolution authorizing the Executive Director or his designee to take any actions necessary on behalf of the ICTC for the purposes of obtaining FY 2014-15 financial assistance provided by the Governor's Office of Homeland Security under the California Transit Security Grant Program.

Sincerely,

MARK BAZA
Executive Director

BY: 

Kathi Williams
Senior Transit Planner

Attachment

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

A RESOLUTION OF THE IMPERIAL COUNTY TRANSPORTATION COMMISSION (ICTC) AUTHORIZING THE COMMISSION TO SUBMIT AN APPLICATION FOR THE CALIFORNIA TRANSIT SECURITY GRANT PROGRAM - CALIFORNIA TRANSIT ASSISTANCE FUND (CTSGP-CTAF) FOR FY 2014-15.

RESOLUTION NO. _____

WHEREAS, the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006 authorizes the issuance of general obligation bonds for specified purposes, including, but not limited to, funding made available for capital projects that provide increased protection against security and safety threats, and for capital expenditures to increase the capacity of transit operators to develop disaster response transportation systems; and

WHEREAS, the California Governor's Office of Emergency Services (Cal OES) administers such funds deposited in the Transit System Safety, Security, and Disaster Response Account under the California Transit Security Grant Program (CTSGP); and

WHEREAS, the Imperial County Transportation Commission is eligible to receive CTSGP funds; and

WHEREAS, the Imperial County Transportation Commission will apply for FY 2014-15 CTSGP funds in an amount up to \$133,338 for security cameras to improve the safety and security of passengers and related equipment on the Imperial Valley Transit system in ICTC's service area, which satisfies the tenets of the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006; and

WHEREAS, the Imperial County Transportation Commission recognizes that it is responsible for compliance with all Cal OES CTSGP grant assurances, and state and federal laws, including, but not limited to, laws governing the use of bond funds; and

WHEREAS, Cal OES requires the Imperial County Transportation Commission to complete and submit a Governing Body Resolution for the purposes of identifying agent(s) authorized to act on behalf of the Imperial County Transportation Commission to execute actions necessary to obtain CTSGP funds from Cal OES and ensure continued compliance with Cal OES CTSGP assurances, and state and federal laws.

THEREFORE, IT IS HEREBY RESOLVED BY THE BOARD OF THE IMPERIAL COUNTY TRANSPORTATION COMMISSION, THAT MARK BAZA, THE EXECUTIVE DIRECTOR, AND/OR HIS DESIGNEE, is hereby authorized to execute for and on behalf of the Imperial County Transportation Commission, a public entity established under the laws of the State of California, any actions necessary for the purpose of obtaining financial assistance provided by the California Governor's Office of Emergency Services under the CTSGP.

PASSED AND ADOPTED at a regular meeting of the Imperial County Transportation Commission held on _____.

By: _____
Chairman

ATTEST:

By: _____

CRISTI LERMA
Secretary to the Commission

V. REPORTS

- A. ICTC EXECUTIVE DIRECTOR REPORT
- B. SOUTHERN CALIFORNIA ASSOCIATION OF
GOVERNMENTS
- C. CALTRANS - DISTRICT 11 REPORT



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Memorandum

Date: December 9, 2016
To: ICTC Commission and Management Committee
From: Mark Baza, Executive Director
Re: Executive Director's Report

The following is a summary of the Executive Director's Report for the Commission and Management Committee Meetings on December 14, 2016.

- 1. State Legislation for Transportation Funding and the National Environmental Policy Act:** Assemblyman Jim Frazier has introduced a new bill and funding package for \$6 billion to repair maintain our state and local roads, improve our trade corridors, and support public transit and active transportation. See attached summary and supporting documentation as prepared by the Self Help Counties Coalition (SHCC). Additionally, an urgent provision permanently extends the existing National Environmental Policy Act (NEPA) delegation to Caltrans – this is very critical to our federal-aid funded projects as Caltrans currently assist us in streamlining the review and approval of our local projects, such as projects with CMAQ, RSTP, HSIP, federal earmark funds, etc. If this element is not approved, our local projects may be delayed so significantly that could result in the loss of funds to our region.
- 2. SCAG Economic Summit:** The Summit was held on December 1, 2016. Attached is a draft report of the 2017 Economic Forecast for Imperial County, October 30, 2017.
- 3. Community of Niland Bus Stop Bench and Shelter Request:** The ICTC submitted a formal request to the California Department of Transportation (Caltrans) District 11 requesting their assistance in identifying a location for a bus stop bench and shelter in the Community of Niland along State Route 111 (SR-111). Caltrans and ICTC are finalizing a preferred location and any improvements necessary for installation of the bench and shelter. Project is in design phase. Construction will begin and completed in late 2017.
- 4. Heber Bus Stop & Pedestrian Access Improvements on State Route 86:** The community of Heber has had a need to improve pedestrian and bus stop access along State Route 86. The ICTC Commission granted the use of Regional Set-Aside Local Transportation Account (LTA) funds for the project. Caltrans has served as the project lead; the first phase will begin in January and completed February 2017. Phase 2 is scheduled for completion in June/July 2017 and Phase 3 in October/November 2017. Community outreach will be necessary prior to initiating construction in Phase 2 and 3 as road closures and detours will be necessary.
- 5. State Route 86 (Northbound) Border Patrol Checkpoint:** ICTC has initiated discussions with management and staff with Customs and Border Protections (CBP) Border Patrol regarding the potential to add a second inspection lane at this very busy checkpoint. Coordination efforts will follow with Border Patrol, Caltrans and the region to determine feasibility, costs and funding of required improvements within Caltrans right-of-way. A meeting was held on July 20th with all of the above stakeholders. Following the meeting input, Border Patrol drafted concept alternatives to meet short-term and mid-term needs. A second

meeting was held on October 24, 2016, concept alternatives were reviewed. Discussion determined the need to develop a streamlined feasible option for possible funding from the Measure D Regional Highway Set-aside fund. A follow-up meeting is tentatively scheduled for mid to late December 2016.

6. **Imperial Mexicali Binational Alliance Meeting:** On October 13, 2016 the Imperial Mexicali Binational Alliance (IMBA) held the second annual strategic planning meeting at the San Diego State University – Calexico campus. During the meeting the group discussed the achievements and goals for the upcoming year. Nomination for 2017 Chair and Vice-Chair remain the same, Sergio Tagliaprieta will be the Chair and Tom Dubose will be Vice-Chair. After the Strategic Planning Meeting the group conducted a regular scheduled IMBA meeting. During the regular IMBA meeting there were presentations by the U.S. General Services Administration (GSA) on the Calexico Urban Planning Feasibility Study as well as a presentation by the Southern California Association of Governments (SCAG) on the Goods Movement Border Crossing Study – Phase II. The next meeting is scheduled for January 12, 2017 in Mexicali.
7. **Repurposing Demo Funds:** The Federal Highways Administration (FHWA) passed the Consolidated Appropriations Act, 2016 which allows State to repurpose any earmark that was designated on or before September 2005. It is anticipated that FHWA will approve the repurposing project list in mid to late January 2017. For Imperial County this is an opportunity to preserve over \$6 million for the following projects:

Sponsoring Agency	Demo Description	Demo Amount (\$)
City of Brawley	Rio Vista Avenue between Allen Street and Cattle Call Drive, in the City of Brawley, Imperial County.	\$86,554.81
City of Holtville	Pavement Improvements. 6th Street between Holt Ave and Melon Avenue in the City of Holtville, Imperial County.	\$18,185.95
ICTC/Caltrans	Road Widening on SR98, from Rockwood Ave to Ollie Ave in the City of Calexico, Imperial County	\$3,594,849.51
Imperial County	Street paving, drainage and ADA sidewalk improvements on Heber Avenue from Highway 86 to Correll Road and south of Highway 86 to Fawcett Road	\$1,017,400
Imperial County/IV Desert Museum	Conservation easement, access improvements and parking facilities at the Desert museum, Imperial County	\$719,920.75
San Diego State University – IV Campus	Parking lot paving and ADA access improvements on CA-78 in the City of Brawley, Imperial County.	\$719,920.75
TOTAL		\$6,156,831.77

8. **2016 Regional Transportation Plan (RTP)/Sustainable Communities Strategy (SCS), Amendment #1:** The Southern California Association of Governments (SCAG) has approved the regional 2016 RTP/SCS that has been accepted by the Air Resource Board. SCAG developed the RTP/SCS in collaboration with ICTC, other County Transportation Commissions, and local governments from the six county Southern California region through a bottoms-up, collaborative process. The RTP/SCS addresses many challenges including projected growth, changing demographics, climate change adaption, housing needs, and transportation demands.

SCAG has opened Amendment 1 of the 2016 RTP/SCS for any changes to existing projects or adding new projects. Projects listed in the RTP/SCS must be of regional significance and increase the road capacity. ICTC has received a request to submit 3 projects as part of Amendment 1. The amendments are necessary to our ability to fund and complete these projects if funding is made available.

Lead Agency	Project Description	Project Type
City of El Centro	Imperial Avenue Extension South – new roadway from I-8 to McCabe Road	New project

County of Imperial	Menvielle Road Widening, from 2 to 4 lanes between Carr Road to SR-98	New project
ICTC	Expansion of the Calexico East Port of Entry – increase Commercial Vehicle Lane inspection lanes and booths from existing 3 to 6 lanes and booths; and widen bridge over the All American Canal	Existing project – amending project timeline

9. **California HERO Program:** The California Hero Program was launched in April 2014 in Imperial County with ICTC as the administering agency. A copy of the November 2016 program activity report is attached to this report.
10. **RSTP and CMAQ Obligation:** The table below is a list of all FY 2016-2017 Congestion Mitigation Air Quality (CMAQ), Regional Surface Transportation Program (RSTP), and Active Transportation Program (ATP) that are pending request for allocations (RFA). For ease of receiving approvals, the local agency RFA’s should be submitted to Caltrans Local Assistance in March/April 2017.

Agency	Fund Type	Project Name	Total Project Cost (in thousands)	Status
Brawley	CMAQ	Paving Wildcat Drive	\$1,008	<i>Pending RFA submittal</i>
Calexico	CMAQ	Paving of De Las Flores St.	\$466	<i>Pending RFA submittal</i>
Calipatria	CMAQ & RSTP	Roadway & Pedestrian Improvements on N. Brown St.	\$1,233	<i>Pending RFA submittal</i>
El Centro	CMAQ	Signal Lights Synchronization along Dogwood Ave. & Danenberg Ave.	\$351	<i>Pending RFA submittal</i>
El Centro	ATP	Establish of SR2S Program and Bicycle Route Improvements	\$524	<i>Pending RFA submittal</i>
Holtville	CMAQ & RSTP	9 th St. from Palm Ave. to Olive Ave.	\$633	<i>Pending RFA submittal</i>
Holtville	CMAQ & RSTP & EAR-Repurpose	6 th Street Pavement	\$682	<i>Pending RFA submittal</i>
Imperial City	RSTP	Dogwood Road Pavement from Aten Rd. to Southeast City Limits	\$302	<i>Pending RFA submittal</i>
Imperial County	RSTP	Dogwood Road Pavement between El Centro City Limits to Imperial City Limits	\$2,335	<i>Pending RFA submittal</i>
Imperial County	ATP	Pedestrian Master Plan	\$100	<i>Pending RFA submittal</i>
Westmorland	CMAQ	Paving H Street and 8 th Street	\$429	<i>Pending RFA submittal</i>
ICTC	CMAQ	Design of New Intermodal Transportation Center in the City of Calexico	\$559	<i>Pending RFA submittal</i>

11. **Funding for Phase II of the Calexico West Port of Entry Project in the President’s FY17 Budget – Press Release (Summary):** (February 9, 2016) – Rep. Juan Vargas (CA-51) announced the inclusion of \$248 million for the Calexico West Land Port of Entry (LPOE) reconfiguration and expansion project in the Fiscal Year (FY) 2017 budget released today. If approved, the funding would be sufficient to complete the project.” 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 scheduled for January 2018. Phase II funding is pending Congressional approval.

As part of the POE Expansion project, traffic will be rerouted from the existing roadways to SR-98 and Cesar Chavez Boulevard which are not designed to handle the high volumes of traffic associated with the

border travel. As result, ICTC submitted a 2016 TIGER grant in the amount of \$12,046,400 to improve SR-98 and Cesar Chavez Boulevard. Improvements will include widening, signalization, channelization, lighting, pedestrian/bicycle and ADA improvements. The TIGER grant application was submitted on April 29, 2016. TIGER awards were approved by the U.S. Department of Transportation in July 2016 and ICTC did not receive an award.

12. **Calexico East Commercial Vehicle Port of Entry Expansion Project:** ICTC submitted the Calexico East Commercial Vehicle Port of Entry Expansion Project under the California Sustainable Freight Action Plan: Pilot Project Ideas. The project is a proposed public-private partnership for the construction costs of the freight elements of the Calexico East Expansion that include: bridge expansion, commercial vehicle primary inspection booths and road construction totaling \$30 million. The California Environmental Protection Agency Air Resources Board has reviewed the project ideas submitted and presented pilot project concepts at the Sustainable Freight Action Plan workshop held on February 1, 2016. The concepts presented in the workshop included “Advanced Technology Truck Fast Lane (Border)”. Additionally in December 2015, Safer Community Foundation, Inc. in partnership with the County of Imperial and ICTC submitted the expansion proposal to Customs and Border Protection through their “559 Donation Authority.” In addition to the Sustainable Freight Action Plan submittal, ICTC also submitted a FASTLane grant application on April 14, 2016 and a 2016 TIGER program on April 29, 2016.

The 559 Donation proposal was not approved due to concerns related to the toll collections within federal property. The discretionary grant application submittals for FASTLane and TIGER grant programs were also not successful for this year’s grant programs. All stakeholders are considering options that will address federal agencies concerns.

13. **Regional Mobility Hubs Strategy for Imperial and San Diego:** This project funded by Caltrans will develop a Regional Mobility Hubs Implementation Plan for San Diego County and Imperial Valley. This project is led by SANDAG in collaboration with ICTC. The focus of the plan will be to develop recommended improvements, conceptual designs, and implementation strategies for different mobility hub station place types for both regions. Mobility hubs can help maximize the capital investment in transit services and support the emphasis on smart growth and transit-oriented development.

The Consultant has completed drafts Mobility Hub Concept Designs for the intermodal facilities in the City of Brawley, Imperial Valley College and the City of El Centro. The draft concept designs will be distributed for feedback from project stakeholders. The draft final report is anticipated by March 2017. Virginia Mendoza, Project Manager

14. **California-Baja California Binational Region:** A Fresh Look at Impacts of Border Delays: Building upon previous Caltrans, SANDAG, and ICTC studies, this project will refine the economic models developed to assess economic impacts of delays at the land ports of entry (POEs) between the San Diego and Imperial Counties region and Baja California, Mexico, on the border region economies. It will also estimate greenhouse gas (GHG) emissions of passenger and commercial vehicles due to northbound and southbound border delays at the six California POEs, and propose strategies to reduce GHG emissions at the border region. Lastly, extensive outreach to government agencies, local border communities, and private sector stakeholders will be conducted. Extensive data collection and modeling work has been conducted on these areas by ICTC, SANDAG and other agencies, this project will build upon that work. The consultant team is completing the development of the survey instrument that will be used in all 6 POEs.

15. **Meetings attended on behalf of ICTC:**

- October 27, 2016 – California League of Cities Imperial County Division meeting
- November 3-4, 2016 – California Transportation Foundation's Transportation Education Symposium in Santa Cruz
- November 17, 2016 – FTA 5310 Grant Workshop in Riverside (attended by staff)
- December 1, 2016 – SCAG Economic Summit at the LA Hotel in Los Angeles
- December 5-6, 2016 – 27th Annual Focus on the Future Conference in Los Angeles
- December 7-8, 2016 – ADA Paratransit Eligibility Training in Las Vegas (attended by staff)

AB XXX (Frazier) Transportation Funding Package

- A \$6 billion annual funding package to repair and maintain our state and local roads, improve our trade corridors, and support public transit and active transportation.
- A \$706 million repayment of outstanding transportation loans for state and local roads.
- Eliminates the BOE "true up" that causes funding uncertainty and is responsible for drastic cuts to regional transportation projects.
- Indexes transportation taxes and fees to the California CPI to keep pace with inflation.
- Includes reforms and accountability for state and local governments to protect taxpayers.
- Streamlines transportation project delivery to help complete projects quicker and cheaper.
- Protects transportation revenue from being diverted for non-transportation purposes.*
- Helps local governments raise revenue at home to meet the needs of their communities.*

New Annual Funding

- **State** -- \$1.9 billion annually for maintenance and rehabilitation of the state highway system.
- **Locals** -- \$2.4 billion annually for maintenance and rehabilitation of local streets and roads.
- **Regions** -- \$577 million annually to help restore the cuts to the State Transportation Improvement Program (STIP).
- **Transit** -- \$563 million annually for transit capital projects and operations.
- **Freight** -- \$600 million annually for goods movement.
- **Active Transportation** -- \$80 million annually, with up to \$150 million possible through Caltrans efficiencies, for bicycle and pedestrian projects.
- Constitutional Amendment to help locals raise funding at home by lowering the voter threshold for transportation tax measures to 55 percent.*

Reforms and Accountability

- Restores the independence of the California Transportation Commission (CTC).
- Creates the Office of Transportation Inspector General to oversee all state spending on transportation.
- Increases CTC oversight and approval of the State Highway Operations and Protection (SHOPP) program.
- Requires local governments to report streets and roads projects to the CTC and continue their own funding commitments to the local system.

Streamlining Project Delivery

- Permanently extends existing CEQA exemption for improvements in the existing roadway.
- Permanently extends existing federal NEPA delegation for Caltrans.
- Creates an Advance Mitigation program for transportation projects to help plan ahead for needed environmental mitigation.

New Annual Funding Sources

- Gasoline Excise Tax -- \$1.8 billion (12 cents per gallon increase)
- End the BOE "true up" -- \$1.1 billion
- Diesel Excise Tax -- \$600 million (20 cents per gallon increase)
- Vehicle Registration Fee -- \$1.3 billion (\$38 per year increase)
- Zero Emission Vehicle Registration Fee -- \$21 million (\$165 per year starting in 2nd year)
- Truck Weight Fees -- \$500 million (return to transportation over five years)
- Diesel Sales Tax -- \$263 million (increase increment to 5.25%)
- Cap and Trade -- \$300 million (from unallocated C&T funds)
- Miscellaneous transportation revenues -- \$185 million

Keeping Promises and Protecting Revenues

- One-time repayment of outstanding loans from transportation programs over two years. (\$706 million)
- Return of half of the truck weight fees to transportation projects over five years. (\$500 million)
- Constitutional amendment to ensure new funding cannot be diverted for non-transportation uses.

**These provisions will be in companion bills.*

**Revenue estimates using 2016 LAO funding projections and \$500 million weight fee return in 2021*



IMPERIAL COUNTY
TRANSPORTATION COMMISSION

1405 N. IMPERIAL AVE., SUITE 1
EL CENTRO, CA 92243-2875
PHONE: (760) 592-4494
FAX: (760) 592-4497

December 9, 2016

The Honorable Jim Frazier
California State Assembly
State Capitol, Room 3091
Sacramento, CA 95814

Re: Support AB 28

Dear Assemblyman Frazier:

I am writing you on behalf of the Imperial County Transportation Commission (ICTC) and as a member of the Self Help Counties Coalition (SHCC) in support of AB 28. We are pleased to work with you again this year and thank you for authoring this important legislation.

SHCC is proud to sponsor this measure, which is a key element of Caltrans' continuing efforts to streamline the environmental review process for critical transportation projects in Imperial and across our great state.

As you know, the 2005 federal transportation bill, the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), established a Pilot Program through which Caltrans was delegated the U.S. Secretary of Transportation's responsibilities under National Environmental Policy Act (NEPA) and other federal environmental laws.

ICTC and SHCC strongly supports AB 28 and the removal of the sunset for the delegated authority; participation in the pilot has enabled us to substantially streamline our environmental project review process under NEPA.

While we still must comply with all federal regulations, environmental policies and formal guidance, by assuming the federal role, we are able to eliminate a layer of review, enabling us to achieve timesaving in processing standard environmental documents and significant savings on local projects as well.

For these reasons and more we support AB 28.

Sincerely,

A handwritten signature in blue ink that reads 'Mark Baza'. The signature is fluid and cursive.

MARK BAZA
Executive Director

MB/ksw/cl

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



Self-Help Counties Coalition

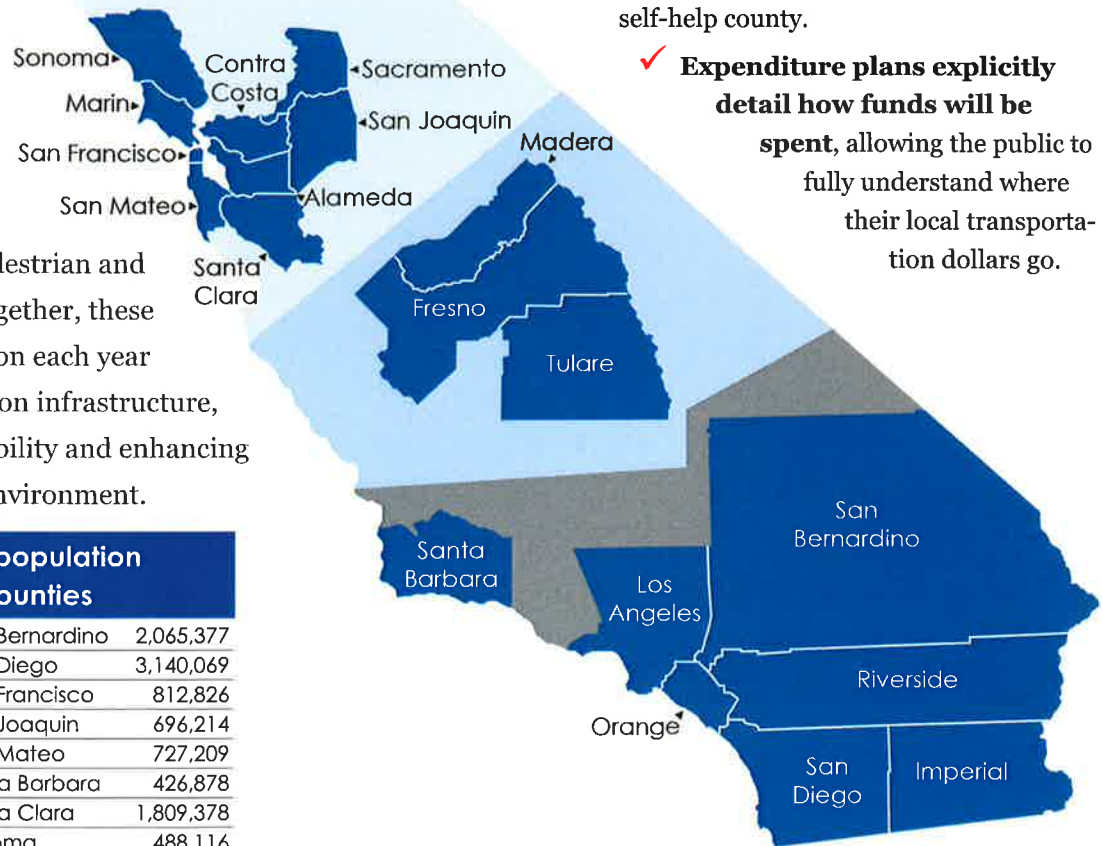
Locally Funded Transportation Investments



California's Economy Fueled by Local Sales Tax Measures

THROUGHOUT California, 19 county transportation agencies have formed the Self-Help Counties Coalition (SHCC). **Californians depend on these agencies for accessible, safe, innovative and cutting-edge transportation solutions.** Each county delivers voter-approved (by super-majority) transportation sales tax measures that fund transit, highway, freight, bicycle, pedestrian and other mobility programs. Together, these counties pump \$3 to \$4 billion each year into California's transportation infrastructure, creating jobs, expanding mobility and enhancing local communities and the environment.

IN CALIFORNIA, 19 Self-Help Counties will fund over \$95 billion of voter-approved transportation investments by mid-century, pumping \$3 to \$4 billion each year for essential transportation programs and projects.



- ✓ **Self-Help Counties create and maintain jobs** for transportation infrastructure, operations and maintenance.
- ✓ The SHCC provides a **reliable and stable funding stream** that far outstrips state and federal funding on an annual basis.
- ✓ The SHCC has **extensive accountability** measures and local elected official oversight on all taxpayer's dollars.
- ✓ The public has **direct access to local decision-makers**, and public meetings are held each month throughout the state with public opportunities to participate in every self-help county.
- ✓ **Expenditure plans explicitly detail how funds will be spent**, allowing the public to fully understand where their local transportation dollars go.

81% of California's population is in Self-Help Counties

Alameda	1,529,875	San Bernardino	2,065,377
Contra Costa	1,066,096	San Diego	3,140,069
Fresno	942,904	San Francisco	812,826
Imperial	177,057	San Joaquin	696,214
Los Angeles	9,889,056	San Mateo	727,209
Madera	152,925	Santa Barbara	426,878
Marin	255,031	Santa Clara	1,809,378
Orange	3,055,745	Sonoma	488,116
Riverside	2,239,620	Tulare	449,253
Sacramento	1,436,105	TOTAL: 31 Million	

Local Funding for Major Transportation Initiatives

CALIFORNIA REPRESENTS

the United States' largest economy, and the ninth largest in the world. Its diverse industries range from agriculture to mining to biotechnology to the Internet — all of which support the state's economic strength. Each industry relies on a backbone of transportation to move its people, goods and services. Local sales tax dollars represent a stable fund source to finance critical transportation programs and projects, despite volatile federal and state funding. The Self-Help Counties spend a small portion of the sales tax on administration. The majority of sales tax expenditures result in:

- ✓ **Job creation:** Local sales tax dollars are pumped back into the local economy through contracts with local firms. Transportation system improvements require the services of architects, engineers, construction workers, project managers and other professionals. High-quality, efficient transportation systems attract and retain businesses in California.
- ✓ **Mobility:** The Self-Help Counties invest in multimodal transportation that provides choices for the traveling public — from express bus services, pathways for bicyclists and pedestrians, and public transit for youth, seniors and people with disabilities, to road and highway investments — Self-Help Counties move people, goods and services that are vital to the quality of life and economic strength of California.

** Figures are based on projections from the individual Self-Help Counties; each has a different basis for projecting dollar values.*

- ✓ **Technological innovation:** Implementing technologies on heavily traveled roadways such as express lanes, adaptive ramp metering, real-time signage, monitoring and incident management reduces congestion and travel time and improves safety. Throughout California, the SHCC is implementing state-of-the-art transportation solutions.



Technical innovations reduce congestion, reduce travel time and improve air quality.

- ✓ **Community vitality:** Reinvesting local dollars back into communities attracts additional funding resources. Leveraging these local dollars allows counties to complete major capital infrastructure projects, operate public transit and paratransit services and focus on transit oriented development to revitalize communities and meet the needs of people at all income levels.



Local dollars reinvested help meet the transportation needs of the community.



Providing multimodal alternatives to driving reduces greenhouse gas emissions.

- ✓ **Sustainability:** Multimodal investments — bicycle and pedestrian improvements, public transit and paratransit for seniors and people with disabilities — support greenhouse gas reduction mandates in California Assembly Bill 32, the Global Warming Solutions Act, and California Senate Bill 375, the Sustainable Communities and Climate Protection Act of 2008. These investments also support Sustainable Communities Strategies across the state.

Self-Help Transportation Spending in California

Based on the Self-Help Counties' expenditure plans, over \$95 billion will be infused in California's transportation infrastructure from local transportation sales tax measures over the next 28 years. These figures are based on the individual projections from the counties.

Self-Help Transportation Spending in California*	
Capital Projects	\$45.9B
Local Streets & Roads	\$23.9B
Mass Transit	\$17.6B
Paratransit	\$3B
Express Bus	\$1.8B
Bicycle & Pedestrian	\$1.3B
Program Administration	\$997.6M
Other	\$908.1M
Transit Oriented Development	\$264.4M

TOTAL: Over \$95B

Transportation Needs Rise While Funding Declines



Averting a Transportation Fiscal Cliff

Exponential population growth, climate change legislation to reduce greenhouse gas emissions and a growing economy are increasing the demand for transportation services, despite diminishing financial resources. Statewide voters have funded transportation by passing infrastructure bonds, some countywide sales taxes and other local measures to help meet basic, ongoing transportation needs. But, these sources are time-limited. Most Proposition 1B Bond projects are under construction and will be complete within two years, many sales tax measures have delivered promises to voters early, and others have been thwarted by the current two-thirds voter threshold requirement to pass new sales tax measures. At a time when needs are growing, transportation funding is heading toward a cliff.

FUND REVENUES WILL ONLY MEET ABOUT 45 PERCENT OF NEED

According to the 2011 Statewide Transportation System Needs Assessment, total transportation system costs will be \$538.1 billion (from 2011 to 2020), and the estimated revenues from all sources is \$242.4 billion, only 45 percent of what's needed. This includes an estimated \$158.4 billion in local revenues.

TWO-THIRDS MAJORITY SPECIAL TAX THRESHOLD OBSTRUCTS TRANSPORTATION PROGRESS

Two measures failed passage in November 2012 — depriving counties of much needed funding for transportation infrastructure, maintenance and operations.

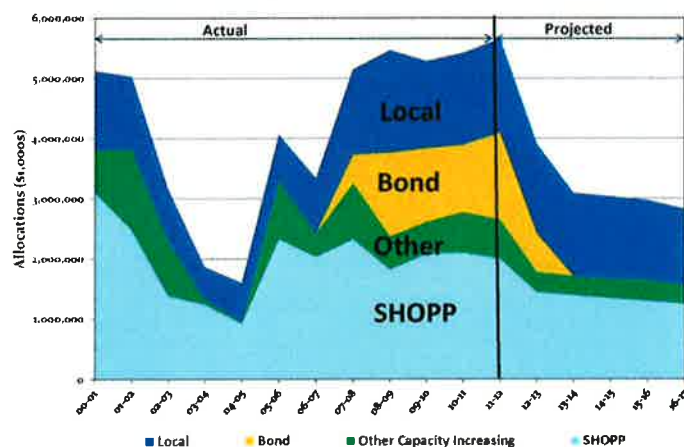
Alameda County: Measure B1, an \$8 billion extension and half-cent augmentation of a half-cent sales tax for transportation did not pass:

Votes required: 66.67 percent
 Votes received: 66.53 percent

Los Angeles County: Measure J, a \$90 billion 30-year extension of a half-cent sales tax for transportation did not pass.

Votes required: 66.67 percent
 Votes received: 66.11 percent

Actual and Estimated Transportation Expenditures Dramatically Decline¹



Ongoing challenges

A growing economy coupled with new legislative mandates requires a transportation system that is reliable, efficient and clean. At the state and federal levels, transportation funding is on the decline, while maintenance, transit operations and capital investments to meet growing travel demands are on the rise. The federal Highway Trust Fund has had to borrow almost \$50 billion since 2008 to meet authorized expenditures. MAP-21, the federal transportation bill, did not increase revenues for transportation, nor address a future funding mechanism to create a reliable funding stream.

If the U.S. fails to increase infrastructure investments between now and 2020, the nation will lose:²

- \$3.1 trillion in gross national product.
- \$1.1 trillion in trade.
- \$3,100 per year in personal disposable income.
- \$2.4 trillion in consumer spending.
- Over 3.1 million jobs.



As people live longer and the population increases exponentially, the demand for public transportation is becoming more difficult to meet.

LOCAL FUNDING FOR MAJOR TRANSPORTATION INITIATIVES

California is one of the largest economies in the world and growing. Local sales tax dollars represent a stable fund source to finance critical transportation programs and projects, despite volatile federal and state funding.

SELF-HELP COUNTIES COALITION

- 19 counties in the SHCC represent 81 percent of California's population.
- SHCC funds critical transportation investments — \$3-4 billion per year.
- California SHCC member agencies are accountable to voters.
- SHCC agencies deliver transportation that Californians depend on every day.

¹"Preliminary Review of the Governor's Proposed 2013-14 State Budget," California State Assembly, January 31, 2013.

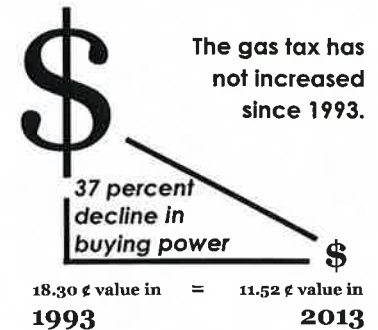
²"The Impact of Current Infrastructure Investment on America's Economic Future," ASCE.

Gas Tax Loses Buying Power

State and federal revenue streams for transportation are primarily funded through the fuel tax, which hasn't increased since 1993. According to the federal Department of Labor's statistics inflations calculator, the gas tax in 2013 has lost almost 37 percent of its buying power since 1993. Higher fuel efficiency vehicles, increases in electric vehicle use (which do not pay any gas tax) and changes in vehicle use patterns all affect the current revenue stream and foreshadow continuing declines in fuel tax receipts for future transportation investments.

Even though vehicle miles traveled in California have increased by 25 percent and fuel prices have fluctuated significantly in that same time period, the California gas tax remains flat with no index to inflation. Combined with recent sales tax measure losses, this creates serious transportation and economic issues.

Value of Gas Tax Over Time



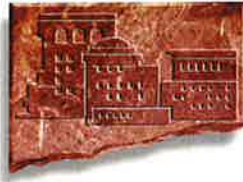
Ways to increase transportation funding

As local governments take on more fiscal responsibility for their transportation systems, supporting key legislation that increases transportation funding is critical. Ways to increase funding include:

- ✓ **Lower the two-thirds majority:** Support bills that decrease the voter threshold for transportation sales tax measures. This will support passage of measures to fund transportation investments that far exceed available state and federal sources.
- ✓ **Support cap-and-trade:** Ensure that cap-and-trade funding for transportation is commensurate with the green house gas emissions of the transportation sector (38 percent statewide) to support projects and programs that protect the environment, reduce emissions and spur economic growth.

Development Management Group, Inc.

economic development ■ fiscal & economic analysis ■ development management



SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS

Project: 12-043-C09-T08

(Imperial County, California)



Economic Forecast 2017
Draft Report
October 30, 2016

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Task Order Information

The Southern California Association of Governments (SCAG) has contacted with Development Management Group, Inc. (DMG) to provide a 2017 Economic Forecast for Imperial County (SCAG Task Order Number 12-043-C09-T08: 2016 Economic Forecast for Imperial County, California). The forecast will provide key data points and analysis in a number of areas. This information is used in concert with similar research and analysis to better determine the potential for economic growth across Southern California as a whole and Imperial County specifically.

1. Introduction to Imperial County

Imperial County is located in the southeast corner of California and shares borders with San Diego County, Riverside County, Yuma County (Arizona) and Mexico (and the region and City of Mexicali). The County has a population of approximately 182,277. This represents an increase of 7,749 from 174,528 (or about 4.44% since 2010). The economy of the region is based on the following industries:

- A. Agriculture
- B. Energy Production (Solar, Wind, Geothermal)
- C. Prison/Detention Facilities (Federal and State)
- D. Border Security (namely Department of Homeland Security)
- E. Logistics (Goods Movement of Agriculture Products and Products Assembled in Mexicali through the Maquiladora Program).
- F. Local Serving Small Businesses

The Imperial Valley historically has higher unemployment rates than other areas in California. This is a function of three factors. First, the region's largest industry is agriculture, which has seasonal elements impacting labor. Next, the region is located along an international border (Mexico). The greater Mexicali Valley (located just south of the international border) has a population of approximately 1,000,000 or more than five times that of Imperial County. The sheer size of Mexicali and proximity to Imperial County provides for greater immigration/migration for work, shopping, entertainment and housing which influences unemployment rates as people (from both sides of the border) enter and leave the labor force. Finally, Imperial County is more rural in nature than most areas in California and is faced with economic issues as a result of lack of job opportunities in higher paying industries and work-related transportation constraints.

Over the last ten (10) years, the region has experienced significant economic investment in the form of utility scale renewable power production facilities (solar, wind, geothermal) and foreign-direct investment through the EB-5 Visa program*.

Note: The EB-5 Visa program, administered through the United States Customs and Immigration Service (USCIS) provides an opportunity to for permanent residency in the United States by foreign nationals that invest a minimum of \$500,000 into a business/development that generates 10 or more permanent full-time jobs.

As the Renewable Portfolio Standard (RPS) requirements continue to increase, so will investment in the region. California has essentially met the RPS standard of a minimum of 33% (SBX1-2) and is now working toward the implementation of SB350 which increases the RPS standard to 50%.

Imperial County has been a leader in renewable power generation. As of June 30, 2016, Imperial County is producing 2,005 MW (megawatts) of power from a total of 43 different projects. The producers represent geothermal, small hydro, solar photo-voltaic and wind. Imperial County is the 3rd largest producer of renewable power in the State of California (Riverside County-2,043 MW, Kern County 4,745MW). The region has approved about 1,300 MW of additional renewable power that is in the development process and will likely be built/become operational in the next 36 months.

The report that follows will provide a statistical understanding of the region's economy. After which the report will conclude with a forecast section to guide potential investors, government officials, business leaders and residents into 2017.

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 - Ex. LL: 2015 CAASPP 11th Grade Math Test Results
10. Economic Outlook for 2017
11. References
12. Certification of Independence

2. Status of Economic Recovery

As of September, 2016 (the latest number available), the unemployment rate in Imperial County was 22.7%. This figure is up from 20.3% from this time in 2015, but is down from the height of the "Great Recession" when unemployment peaked at about 32%.

The total number of persons in the labor force continues to decline slightly. The region has a peak labor force of 80,900 in 2012. Today, the labor force is 79,200 (1,000 less). In past forecasts, DMG, Inc. has stated that one reason for the large increase in labor force between 2010 and 2012 (increase of 21% over 5 years) was the re-entry of labor that is based in Mexicali to the United States as the economy began to recover. As persons that first re-entered the labor force through Imperial County migrate to the job bases in San Diego, Orange County, Los Angeles and other similar places, the labor force has slowly reduced and stabilized. is 300 less today than it was one year ago while the total number of those employed has increased by 2,500. This is what has resulted in a significant decline in the unemployment rate (from 23.7% to 20.3%). In past forecasts, it has been discussed that as the economy began to recover, migrant workers from Mexicali were reentering the workforce through Imperial County. The reduction in workforce availability is likely a result of these same workers moving toward jobs in more urbanized areas (San Diego, Orange County and Los Angeles) returning to the industries they were in prior to the "Great Depression".

Exhibits A-D provides trend data regarding the labor force, employment, total persons unemployed and the unemployment percentage.

SCAG often poses the question to economists in regards to when the various sub-regional economies recovered from the "Great Recession". In the case of Imperial County, job recovery occurred in 2012. Today, the region actually contains 7,000 more jobs than it did in 2008. Unfortunately, the story of the economy for Imperial County does not end with a statistical job recovery. As you will see throughout this report, there is evidence of region-wide poverty and low educational achievement that manifests in the types of jobs generally available.

Exhibit A: Total Available Labor Force

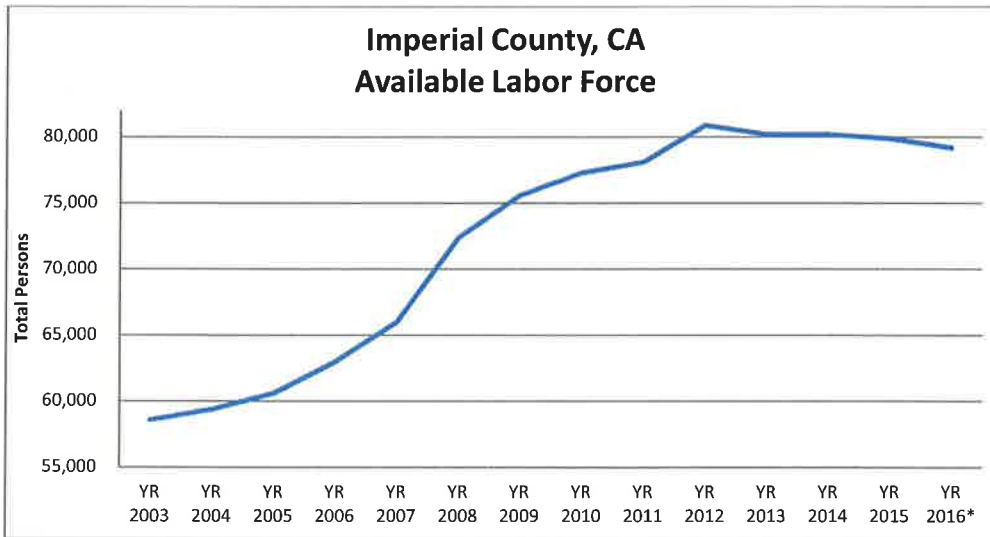


Exhibit B: Total Persons Employed

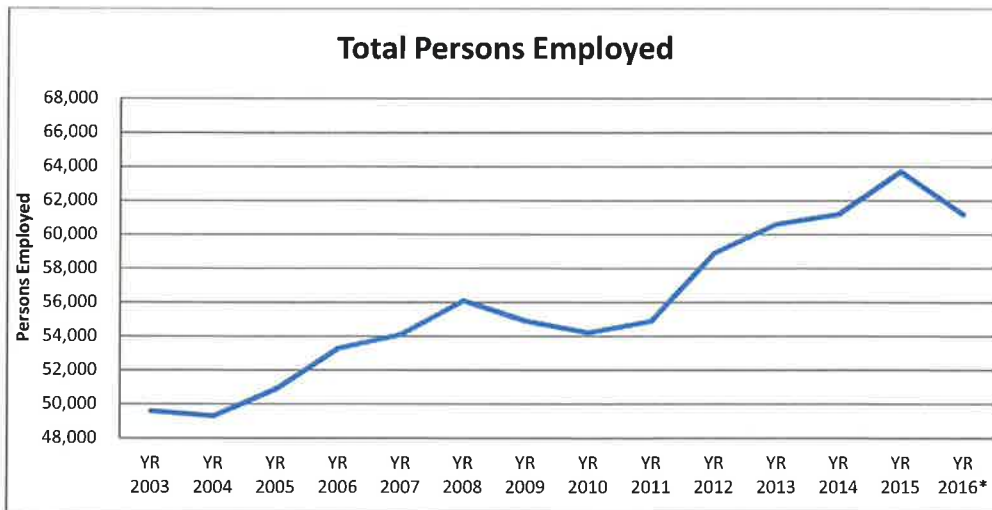


Exhibit C: Total Persons Unemployed

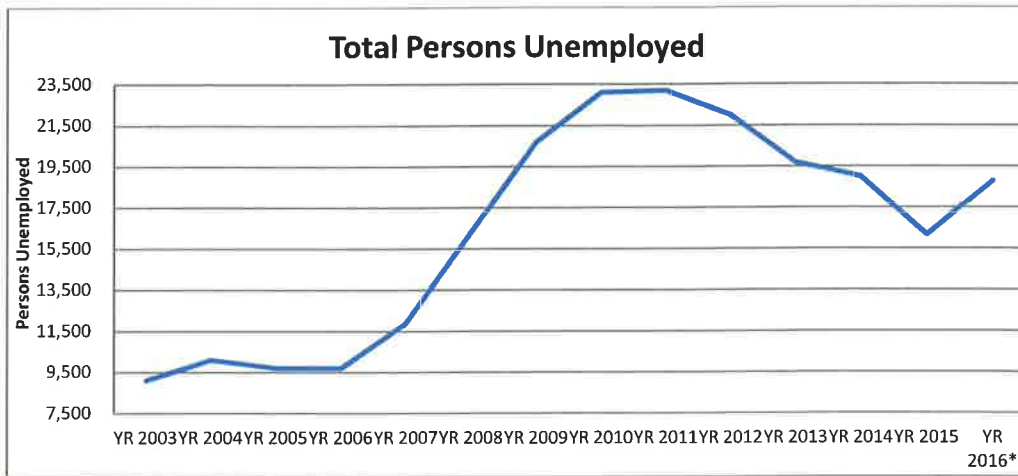
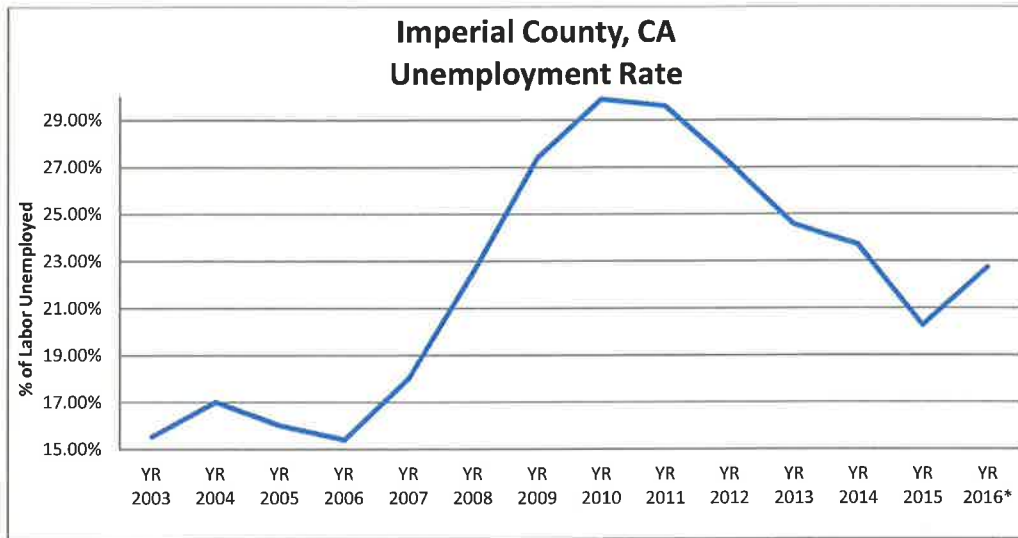


Exhibit D: Unemployment Rate

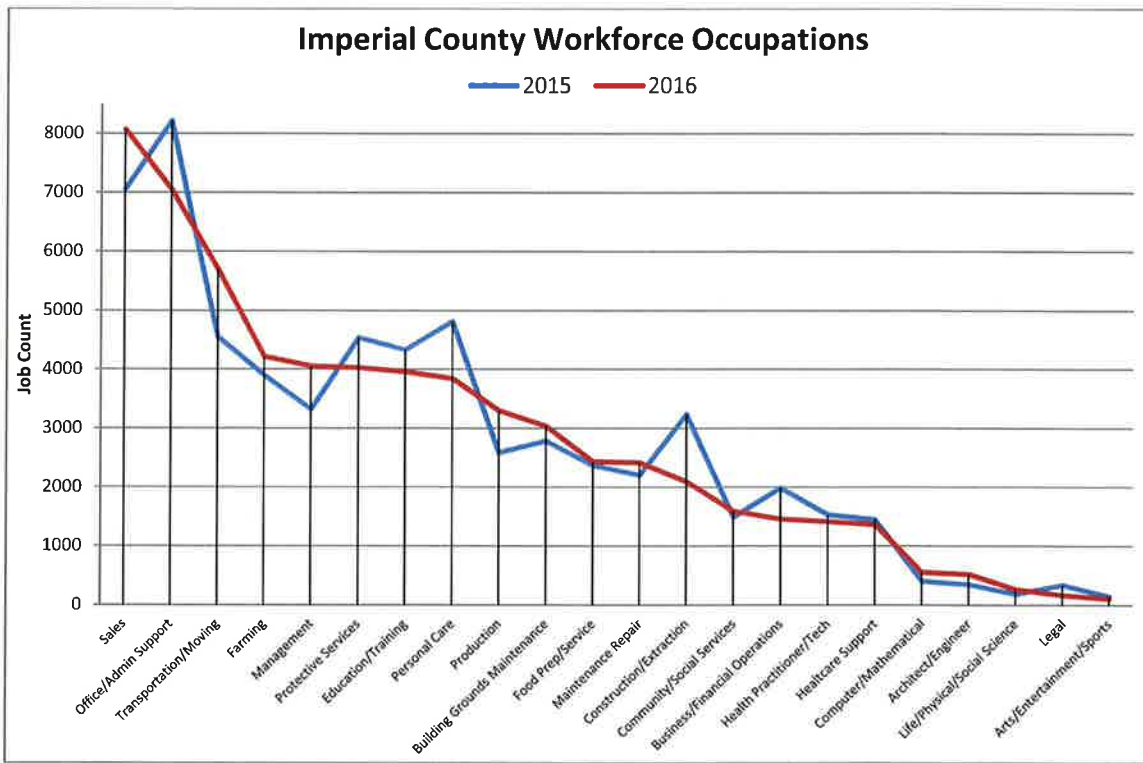


3. Industry & Occupational Analysis

Economist note: the graphs and analysis that follow in this section are based on minimum current employment of between 50-150 persons within a specific category (position). While this sounds low in terms of pure numbers, consider that the population of Imperial County is about 180,000. Scaled in comparison to Los Angeles County where the population is almost 10 million people, the same minimum requirement ratio is 53.33 persons per Imperial County person. Another way to explain is for each 50 persons employed in a position in Imperial County it would take 2,667 persons in Los Angeles County to reach the same scaled ratio.

Approximately 30% of the total jobs in Imperial County are within government agencies (local, state and federal). The seven incorporated cities along with the school and utility districts account for local jobs while state jobs are driven by the presence of state prisons and Federal jobs are predominately by border security (Department of Homeland Security) and a privately operated immigration detention facility. The greatest numbers of private sector jobs are associated with the agriculture (farming, transportation and some administrative support) and retail sectors (sales). Exhibit E provides a breakdown of the number of jobs by occupation and a comparison between 2015 and 2016. In short, jobs in sales and transportation related industries have increased by 1,000 and 1,145 respectively while jobs tied to office/administration, construction, protective services and personal care have all declined. In the case of construction (-1,150 jobs), this is largely due to market pauses between renewable energy projects. The decline in protective services (public safety/law enforcement) (-500 jobs) is based on the realignment of an older federal detention facility to a newer modern facility that requires less staff to operate.

Exhibit E: Distribution of Jobs by Occupation Type



In terms of professions with anticipated growth, Exhibits F provides the total new positions anticipated between 2012-2022 while Exhibit G provides percentage growth per occupation for the same time period.

Exhibit F: Professions with Anticipated Growth by Total New Positions (100 or More) (2012-2022)

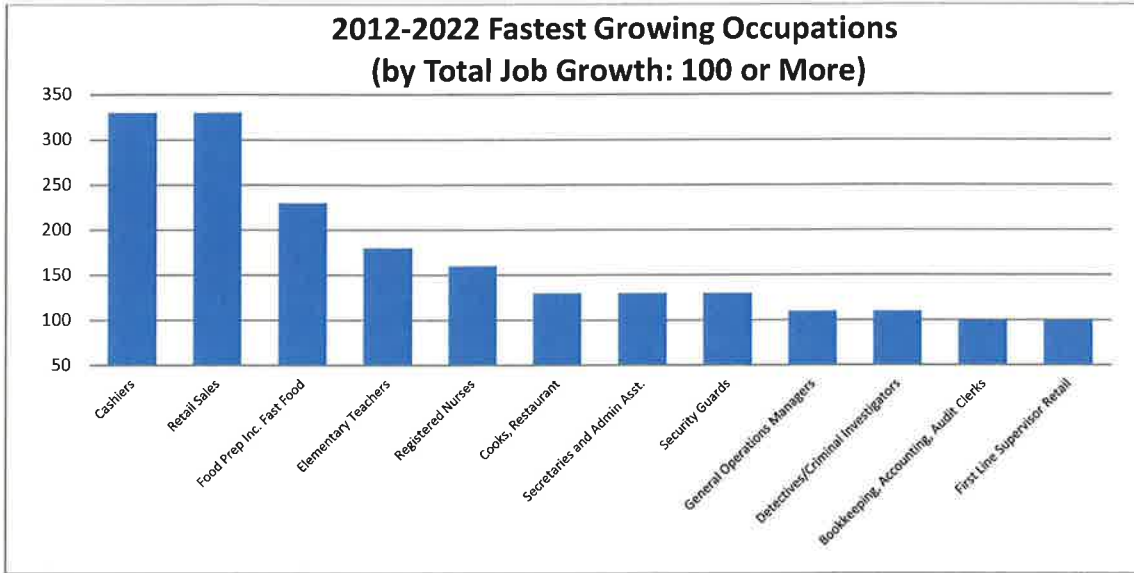


Exhibit G: Professions with Anticipated Growth by Percentage of New Positions (2012-2022)

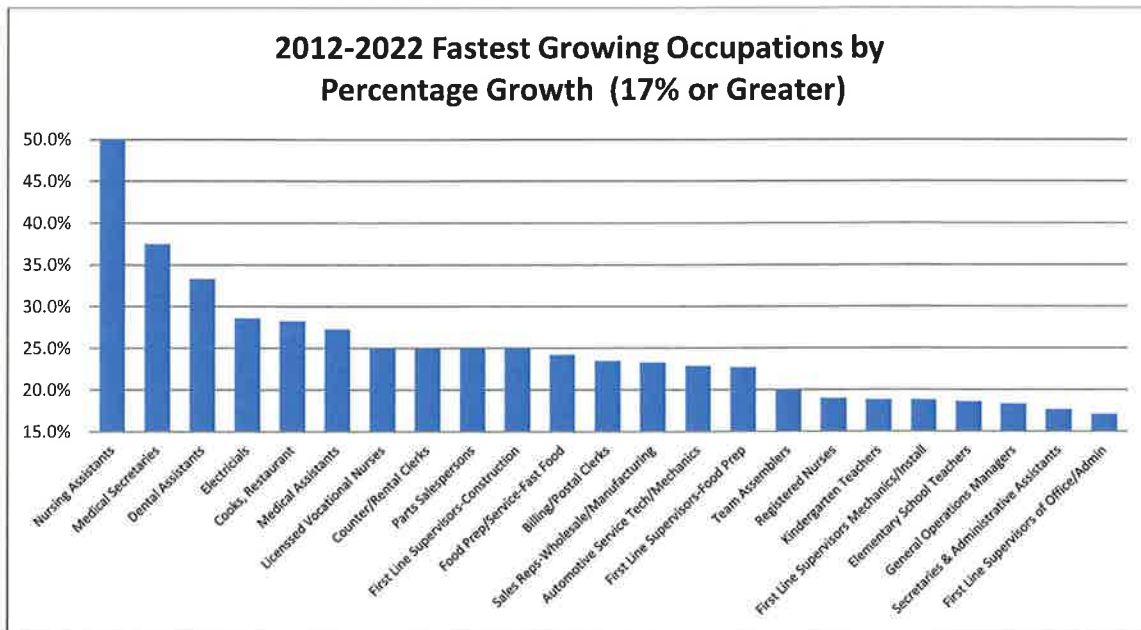
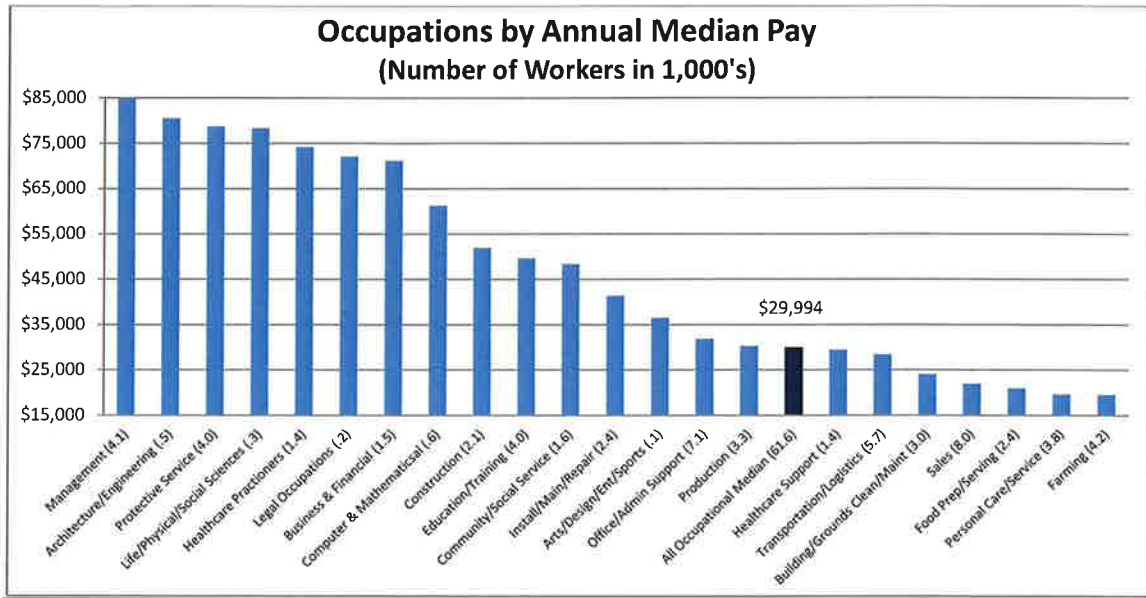


Exhibit H provides an understanding of job/occupational distribution ranked by median annual pay. The total number of jobs within the region is listed in parenthesis (in thousands of jobs). As a reminder the comparative ratio between Imperial County and Los Angeles County is 1:53.33, meaning if an industry has 500 jobs in Imperial County, it would have to have 26,667 jobs in Los Angeles County to have the same statistical significance on that economy. The median pay for all industries in Imperial County is \$29,994 per year, about \$400 more than in 2015 (an increase of 1.4%). Note that 5 of the 7 largest occupational categories pay less than the median.

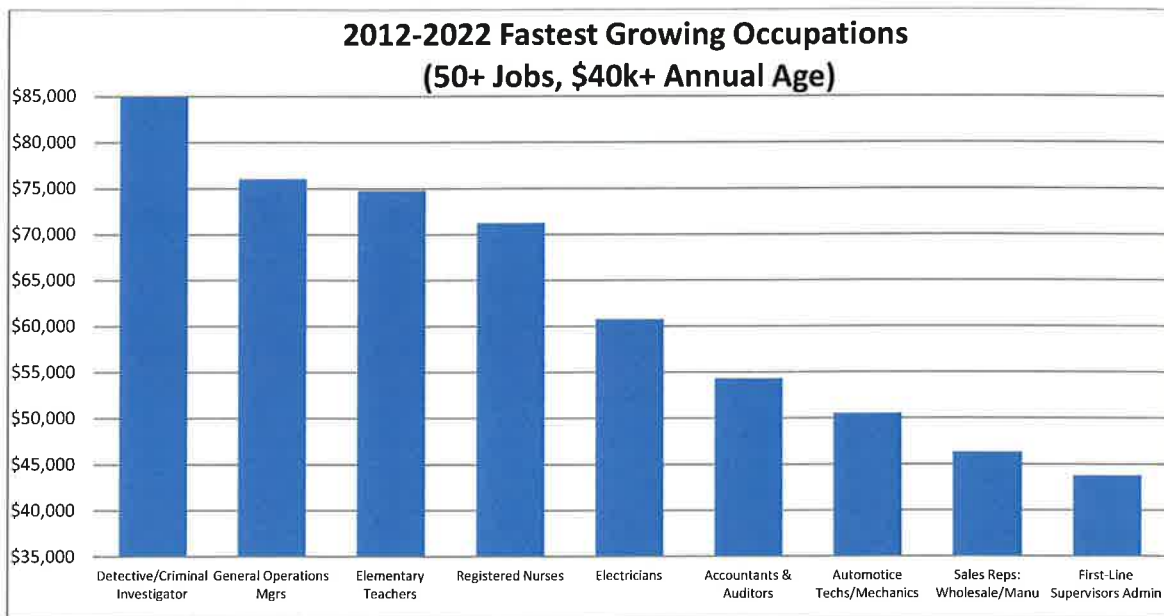
Exhibit H: 2016 Occupational Categories by Median Annual Pay (Job Count in Thousands)



In terms of employment opportunities that are expected to generate at least 50 jobs in the coming years (by 2022) and provide an income of at least \$40,000 annually, there are only nine categories. Shown below (Exhibit H) include detective/criminal investigator, general operations managers, teachers, registered nurses, electricians, accountants/auditors, automotive mechanics, sales representatives (wholesale/manufacturing) and first-line administrative supervisors.

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Exhibit I: Median Pay for Occupations of \$40k+ Annually (High Growth Occupations)



4. Agriculture Production as a Leading Industry

Agriculture is still the largest private sector industry in the Imperial Valley. While the jobs associated with the industry are traditionally low pay, agriculture supports many families in a variety of occupations (direct farming, professional/business (including accountants) and transportation. Since many of the agriculture related companies are family owned, the “private” wealth within the region is often rooted in agriculture. For these reasons and expanded analysis is provided on this specific industry.

To begin, the region actively farmed 534,788 acres in 2015. This was increase of about 5% from 2014 when 509,441 acres were farmed. To put this into perspective, Imperial County actively farmed 836 square miles of land. Orange County, CA is 948 square miles.

Exhibit J provides the total agriculture production for Imperial County. In 2015, agriculture production totaled \$1.926 billion. This represents an increase of \$67 million from 2015 but is still \$232 million off from record high production of \$2.158 billion in 2013.

The Imperial Valley exports a significant amount of crop/seed. International exports are focused on Japan (36.4%), Mexico (36.1%), Peoples Republic of Korea (South Korea) (8.8%), China (6.5%) and the United Arab Emirates (2.5%). The products most often exported include hay/straw, vegetables and seed.

Domestically, Imperial Valley crops are most often exported to Hawaii and Florida (these two states account for over 92% of product export within the United States). The crops most often exported domestically include vegetables and nursery (plant) products.

The industry as a whole is in the midst of headwinds. While crop production (dollar value) is up from 2014, crop prices and overall producer profitability is down. Many farmers are experiencing significant losses. This trend appears to be continuing into 2016 (the current period).

The water crisis impacting most of California does not appear to have impacted production in the Imperial Valley. That said, pending water transfers to San Diego coupled with the potentially devastating impacts of exposed playa at the Salton Sea may generate additional issues.

California regulations also provide for future headwinds. First, California is in the midst of a staged increase of minimum wage from \$10.00 per hour (current) to \$15.00 per hour (2022). The implementation of this law will find minimum wage at \$10.50 per hour in 2017, \$11.00 in 2018 and increasing by \$1.00 per hour each year until it hits \$15.00 in 2022 (note that there are some short-term exceptions for those persons “in-training”). In addition to pending minimum wage increases, there are pending changes to the 40-hour work week that will remove almost all flexibility in how workers hours are calculated for overtime purposes.

The net effect of these two changes will be decreased use of labor and increased automation. Crop producers are indicating that labor intensive crop production will decrease over time as said production is moved out of state (to Yuma, Arizona for example) and to Mexico. Second, there will be increased automation. One example is the current testing and planned use of automated “thinning” machines. At current, when crop crops first germinate, manual labor is used to “thin” the plants to insure proper spacing for the most efficient production. Such technology employs lasers that remove the extraneous plants thus saving farmers from the use of manual labor.



Picture 1: Automated Lettuce Thinning Machine

Exhibit J: Total Agriculture Production (in billions of \$) by Year

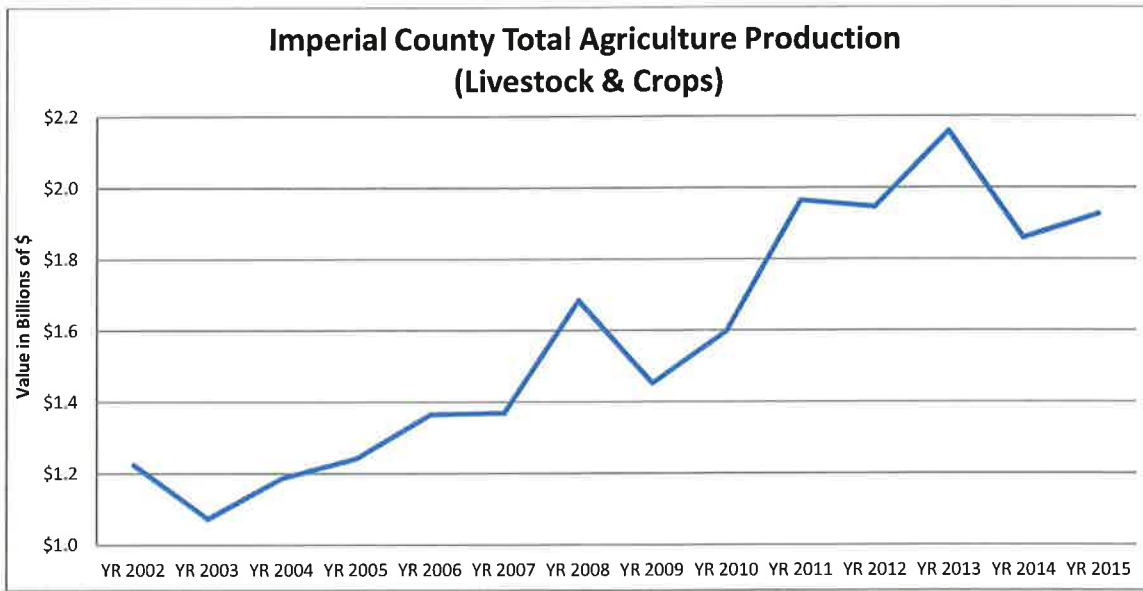


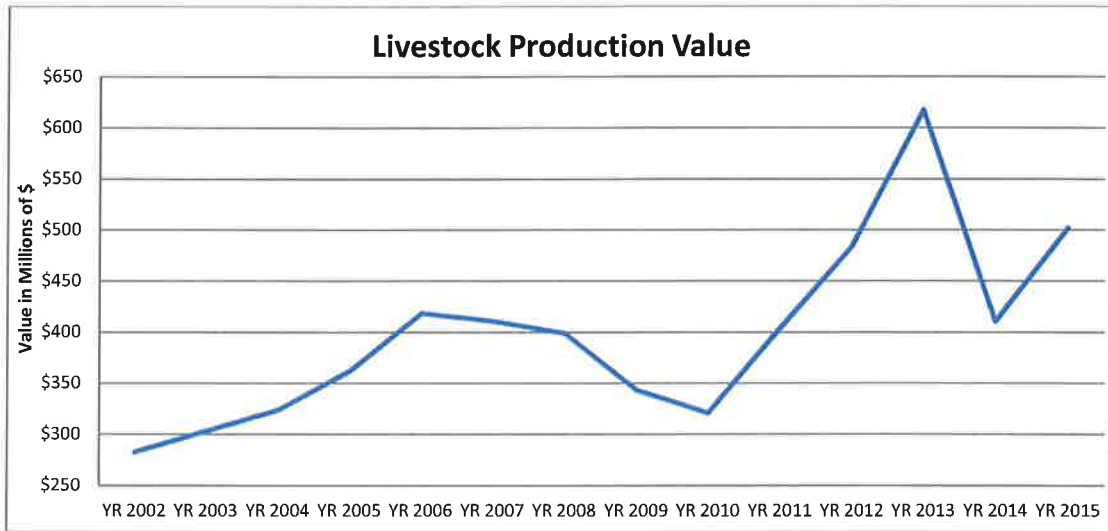
Exhibit K provides historic production numbers for livestock. Much of the livestock production is specific to “feeder beef” which is the raising of calves to prepare them for market. During this time an individual animal may consume approximately 3 tons of feed. The profit (value) in a particular animal is a function of both market price and the cost of food. The production of livestock in the Imperial Valley rose from \$410.5 million in 2014 to \$502.07 million in 2015, an increase of 22%. That said, cattle pricing has literally plummeted from a reported \$1.50 per pound in 2015 to a current price of less than \$1.00 per pound (about 95 cents as of this writing). This means that cattle producers in the Imperial Valley are reporting losses of \$400 per head when they are sold to market.

It has been noted in past reports that National Beef ceased beef processing operations in 2014. There is an effort at current to reopen the facility under private local ownership. It is possible the facility opens as early as 1Q16. If this occurs, it may help to stabilize livestock production in Imperial Valley as it will provide local producers an option to process without paying transportation costs to areas such as Washington, Texas and Kansas.

While accounting for a small amount of livestock under this category, the Imperial Valley does produce some sheep (\$6.7 million), wool (\$450k) and aquatic/fish product (\$10.55 million).

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Exhibit K: Total Livestock Production (in millions of \$) by Year

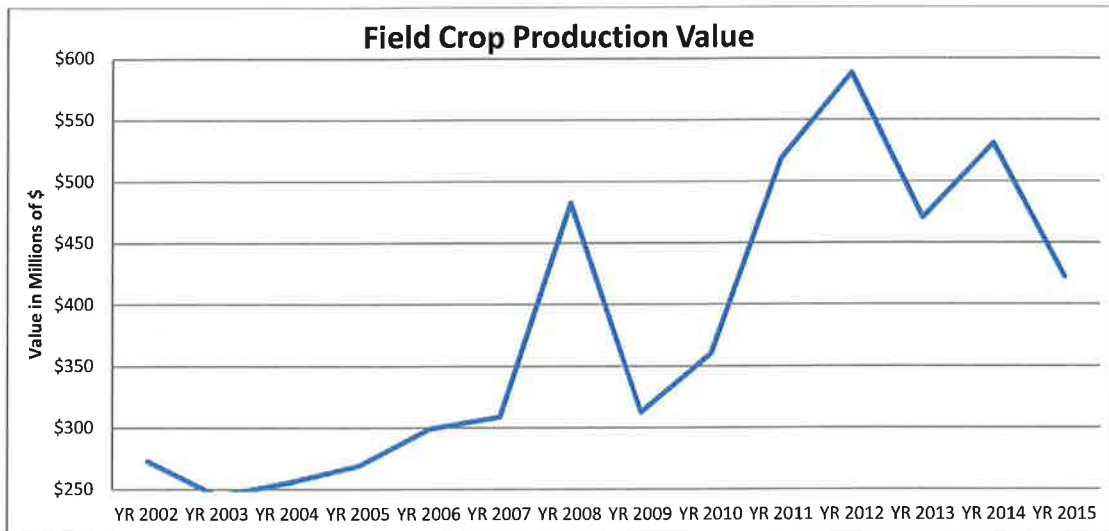


Field crops accounted for \$422.32 million of production in 2015. This was down from \$530.85 million in 2014. The number of acres in production increased from 322,500 to 350,000 (a land mass of 546 square miles, greater than the size of the City of Los Angeles (486 square miles)). Overall field crop prices (blended) fell from \$1,643 to \$1,208 per acre, a decrease of 26%. Farmers reported large losses based on crop prices in 2015. Unfortunately, the soft market has continued into 2016 and farmers are once again expected to sustain significant losses. The greatest factor has been the strength of the US Dollar overseas, making their product more expensive, thus causing foreign buyers to purchase crop elsewhere or adjust their own domestic production.

The top five crops in this category (production value) include alfalfa (\$168.5 million), Bermuda grass (\$65 million), wheat (\$60.88 million), sugar beets (\$44.76 million) and Sudan grass (\$30.23 million). Exhibit L provides a historical chart of field crop production in Imperial County.

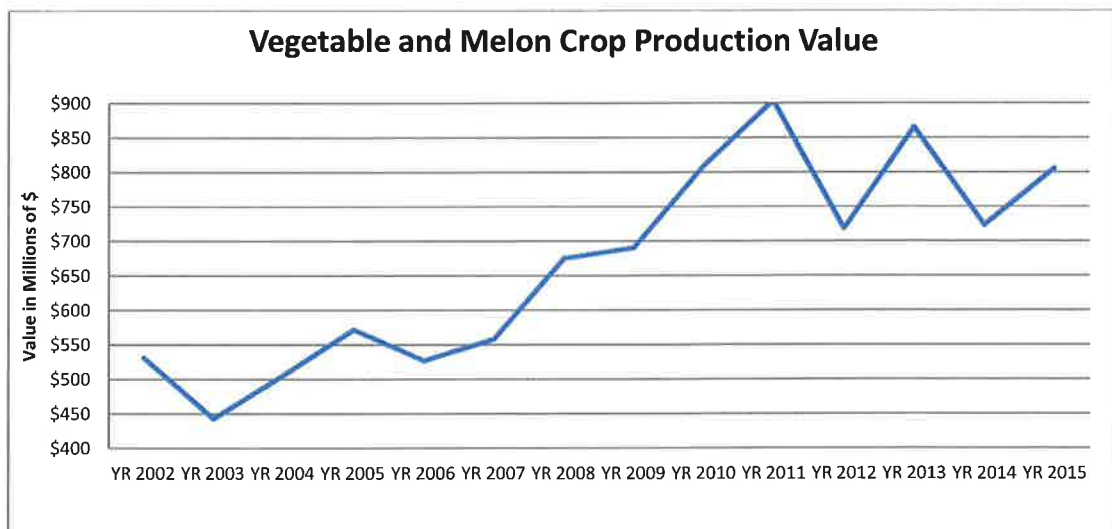
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Exhibit L: Total Field Crop Production (in millions of \$) by Year



Vegetables and melons accounted for \$805.02 million of production value in 2015, up \$81.7 million from 2014. The number of acres in production was virtually the same in both 2014 and 2015. Therefore, crop value per acre (blended) increased from \$5,915 in 2014 to \$6,637 in 2015 (an increase of 12%). The crops with the highest production value for 2015 included onions (\$144.02 million), sweet corn (\$39.2 million), cantaloupes (\$31.7 million) and romaine lettuce (\$31.4 million). This is one of the few crop categories where the producers remained profitable in 2015. Exhibit M reflects the historic production values for Vegetable and Melon crops.

Exhibit M: Total Vegetable and Melon Crop Production (in millions of \$) by Year



Fruit and nut production decreased from \$95.9 million of value in 2014 to \$83.28 million in 2015. The acreage dedicated to fruit and nut crop also decreased from 9,685 to 8,778. This meant that production by acre was only off by about 5% (\$9,902/acre in 2014 versus \$9,487 per acre in 2015). This is one area that DMG, Inc. felt would be a beneficiary of the region’s water supply certainty. We predicted that there would be production shift from the Central Valley of California to the Imperial Valley. This has not yet materialized, though there are additional citrus/date groves and processing facilities planned.

Imperial Valley produce crop (fruit and nut) is led by lemons and dates. Lemons accounted for \$37.81 million of value in 2015 while dates accounted for \$24.36 million of value. Combined, lemons and dates account for over 75% of the produce crop in Imperial Valley. Tangerines and tangelos represented a production value of \$4.91 million and \$3.51 million respectively in 2015. Exhibit N below shows the substantial increase in production in a short period.

Exhibit N: Total Fruit & Nut Production (in millions of \$) by Year

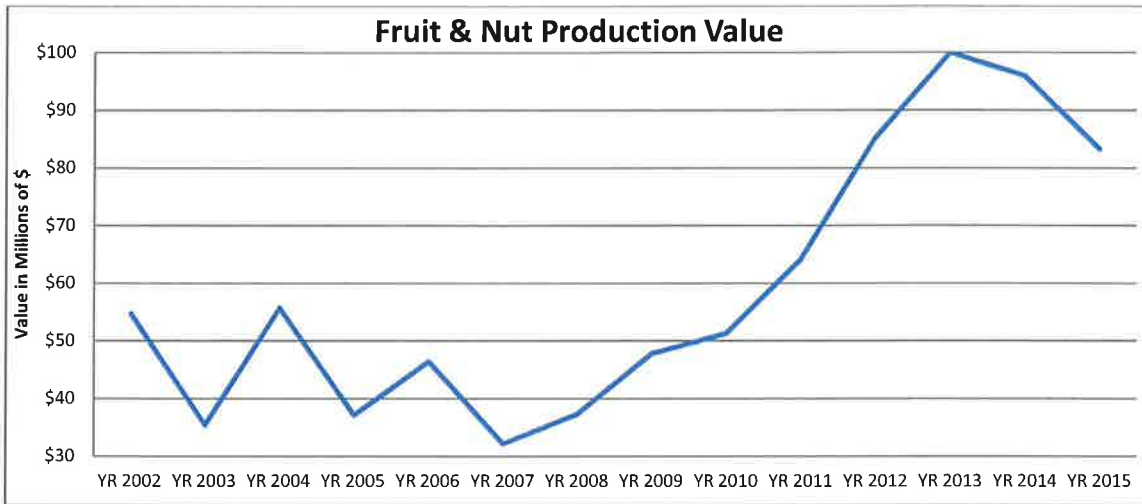
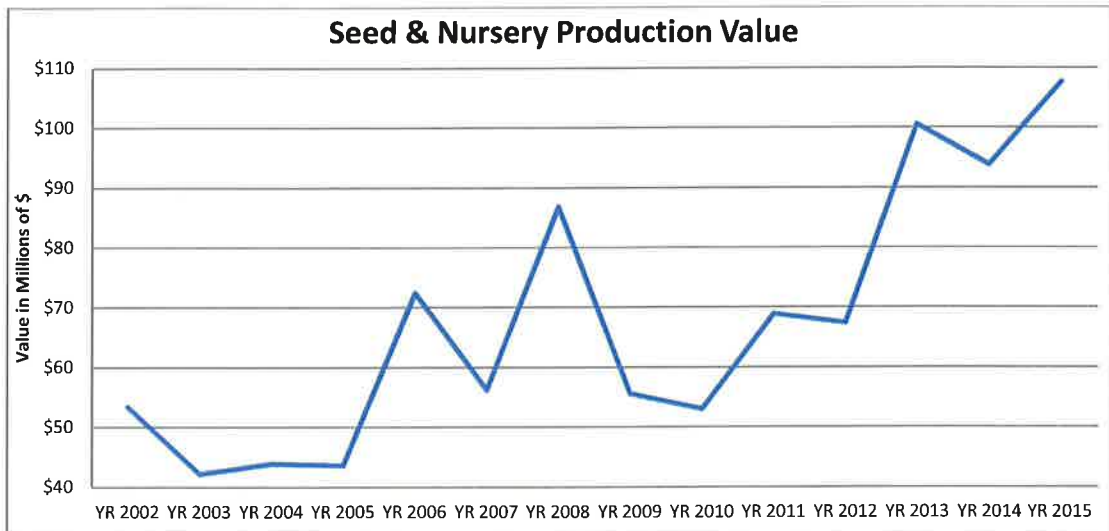


Exhibit O shows the history of seed production in the region. Seed production is a vital component to the agriculture economy. There are farming entities that specialize in the generation of seed that is used locally, domestically and internationally. Further, primary research (interviews) with those in this segment of the industry shows that there is significant technology and testing involved in creating seeds that provide for higher production, greater drought tolerance and overall hardiness. In 2015, \$107.67 million of seeds were produced. This represented an increase in value (per acre used to produce seed) from \$1,709 (2014) to \$1,956 (2015) or 14%. Alfalfa seed (\$66.59 million) and Bermuda seed (\$30.19 million) represented most of the production while about \$1.1 million of onion seed was also produced.

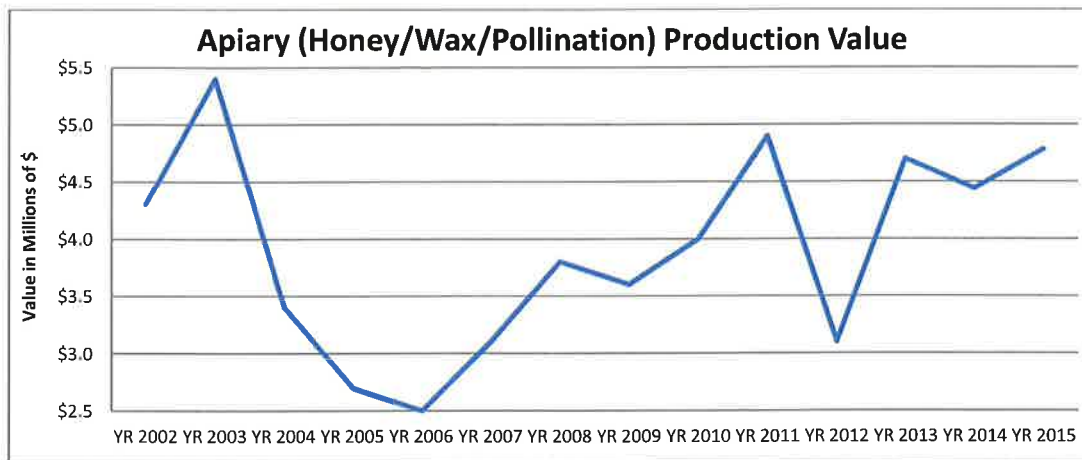
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Exhibit O: Total Seed & Nursery Production (in millions of \$) by Year



The final segment of agriculture production analyzed was that of apiary which includes honey, wax and pollination (bee) production and use. While this industry only accounted for about \$4.78 million of production in 2014 (up slightly from \$4.44million in 2014), it is a slow growing and vital industry to farming in the Imperial County. While prices for honey were down from \$2.91 per pound in 2014 to \$2.09 per pound in 2015, production quantities increased substantially. In fact, the Imperial Valley increased the number of producing hives from 35,199 in 2014 to 42,489 in 2015 (an increase of 21%). Wax producing hives also increased from 16,850 in 2014 to 22,050 in 2015 (an increase of 31%). Finally, pollination hives increased from 57,918 in 2014 to 71,113 in 2015 (an increase of 23%). Overall this category represents a potential for additional grown to support agriculture operations in not only the Imperial Valley but the super-region that includes Yuma County, AZ and Northern Baja California (Mexicali Valley). Exhibit O provides a history of apiary production.

Exhibit P: Total Apiary (Honey/Wax/Pollination) Production (in millions of \$) by Year



5. Income/Poverty Statistics

An important benchmark in economic advancement is whether median household income is growing. Exhibit Q provides information from 2005-2015 regarding total personal income (all sources) in Imperial County. Note that incomes continued to rise during the recession (2008-2010) but did decline slightly in 2011. During 2012-13, median household income began to rise again topping \$40,000 both years 2015 saw an increase in median household income from \$39,290 to \$41,772, which represents the second highest year on record for the region (2013 being the highest). Overall, median household income continues to slowly rise as shown below.

Exhibit Q: Median Household Income



The Imperial Valley has long been a region of the "have's and have-not's". In 2014, 46% of all households existed on an annual income of \$35,000 or less. In 2015, this figure dropped to 40.5%, which is a significant drop. The marked increase in households moving toward the lower middle class can be attributed to an increase in minimum wage.

Additionally, there was an increase in the percentage of families that would be categorized as middle class in Imperial County. In 2014, 24.6% of households had incomes between \$50,000 and \$100,000. In 2015, this grew to 27.5%. That said, some of these families are those that migrated from higher incomes (over \$100,000) in a downward trend. These households are likely farming families that are currently in an economic downturn (as described earlier in this report).

Exhibit R: Household Income Distribution

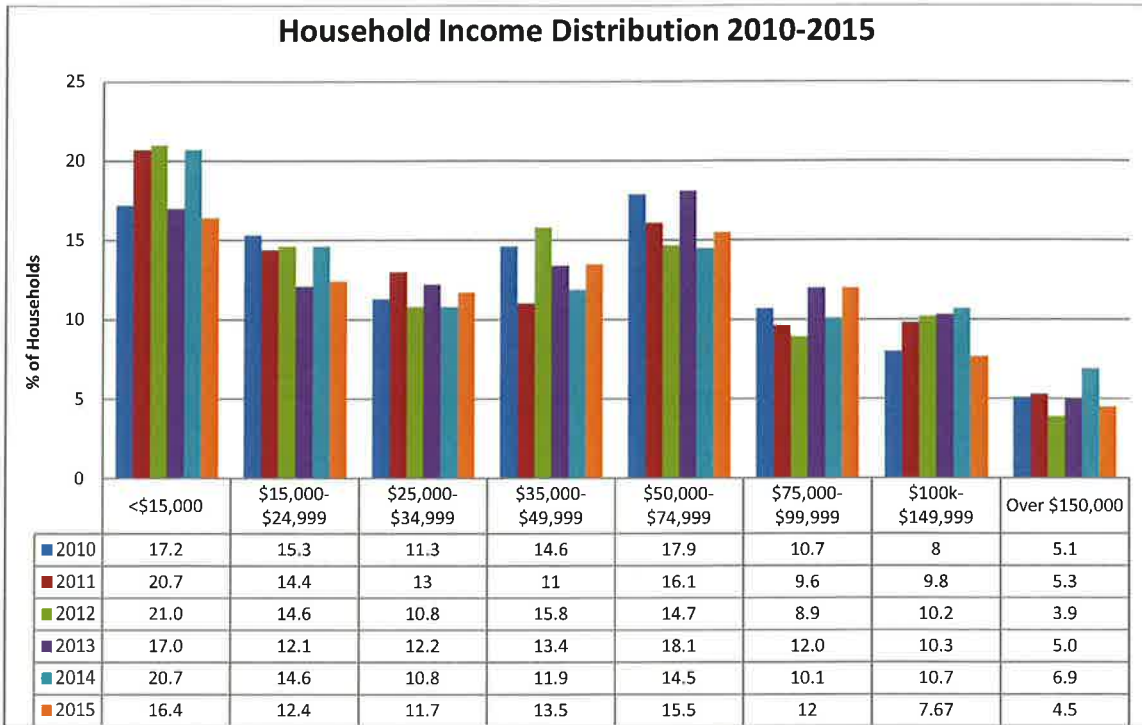
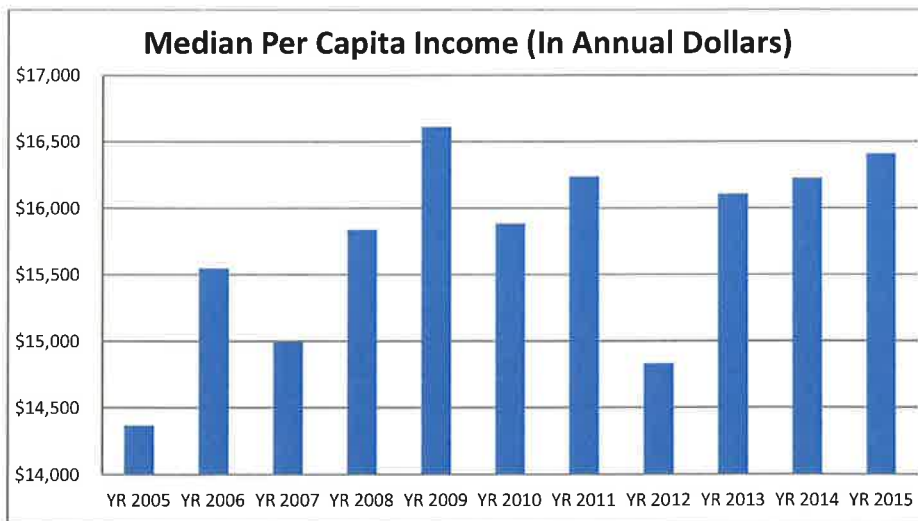


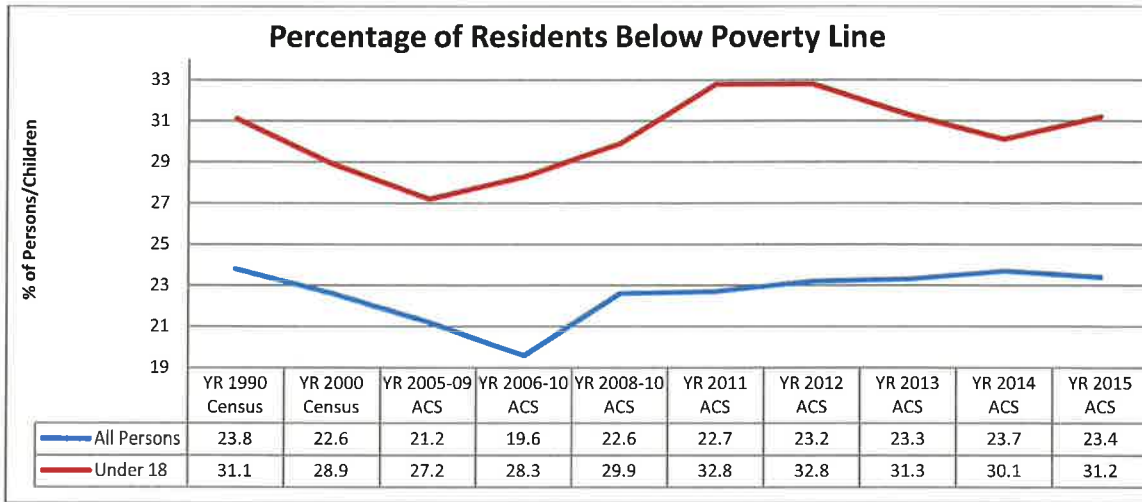
Exhibit S provides recent data on per capita incomes. Previously we have noted that the scale has been erratic based on the economic conditions. This year, we can report that there is a trend (2013-2015) of slight year over year increases including median per capita income in 2013 of \$16,107, 2014 of \$16,226 and \$16,409 in 2015 a 1.9% increase between 2013 and 2015).

Exhibit S: Per Capita Median Income 2005-2014



The greatest social issue in the region is poverty. In the United States the federal definition of poverty is a household income for a family of four that is less than \$24,300 (1/1/16). It is also a matter of pragmatism that families earning just over this amount (adjusted by family size) are still impoverished and struggling financially. Exhibit T shows that almost 1 in 4 persons of all ages and about 3 in 10 children under 18 within the region live in poverty. Poverty among all persons is down slightly from 2014 to 2015 (about 540 persons in real numbers) while the number of children under 18 living in poverty has increased from 30.1% to 31.1% (an increase of 660 children in real numbers).

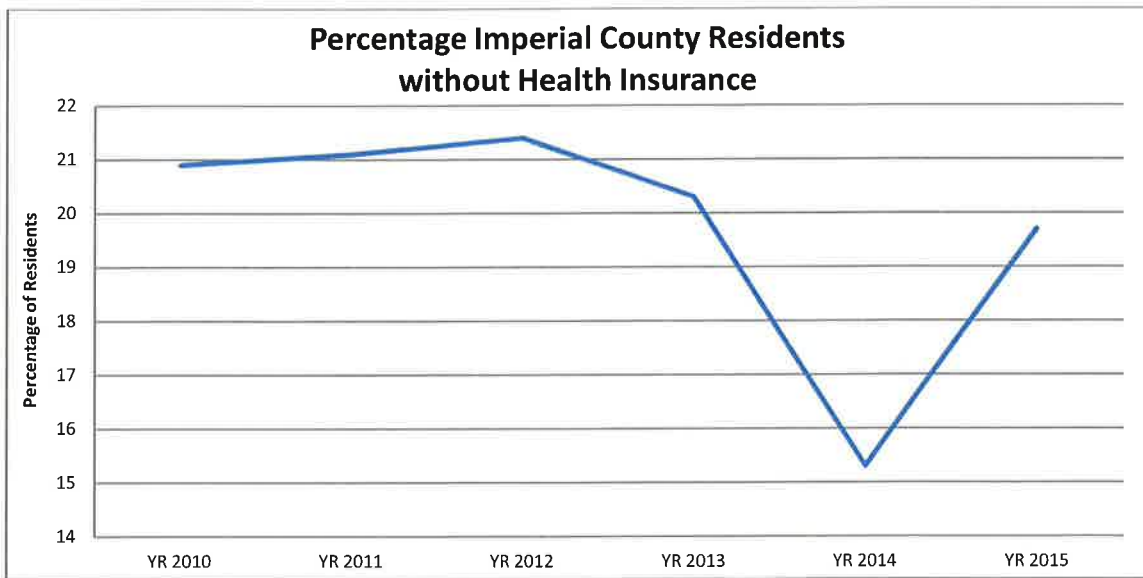
Exhibit T: Percentage of All Residents and Children <18 Living in Poverty



Healthcare and Coverage

The Imperial Valley is seeing an increase in the amount of persons that are now covered in either a private or government sponsored health insurance program. Exhibit U tracks the percentage of residents in Imperial County without health insurance starting in 2010. In 2010 and 2011, about 22% of the population was without coverage. By 2014, this has been reduced to only 15%. As of last year it appeared that the Federal Affordable Care Act and associated mandates were making a dent on the need for health care insurance among Imperial County residents. Unfortunately the downward trend reversed itself in 2015. It is estimated that 19.7% of Imperial County residents are now without health insurance (an increase of over 7,900 persons).

Exhibit U: Percentage of Residents without Health Insurance

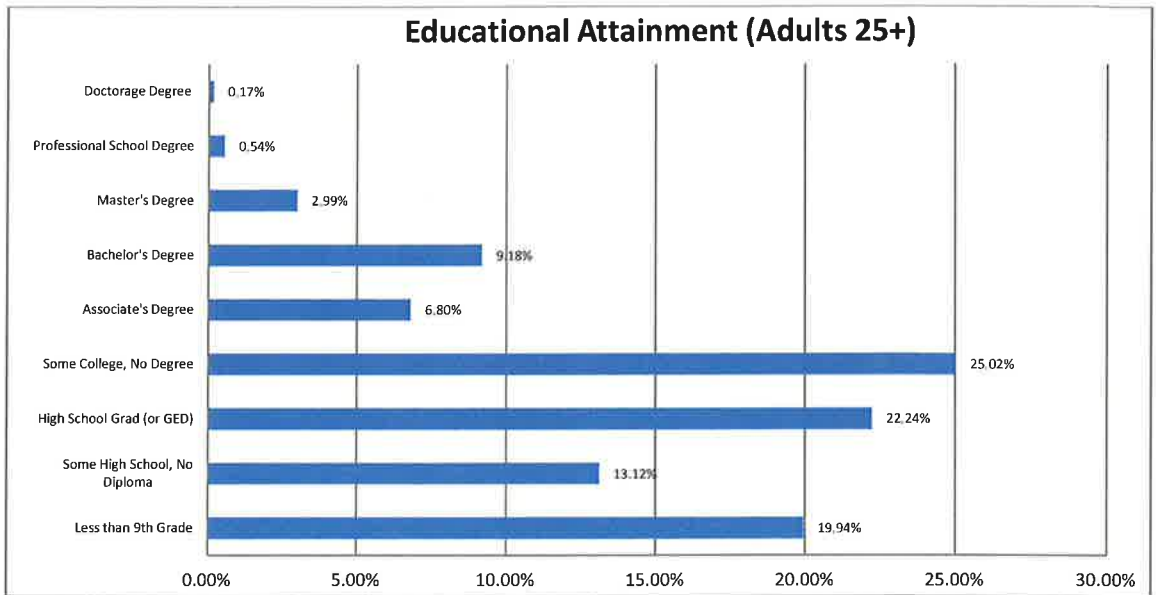


6. Educational Attainment and Earnings

Economic opportunity in the United States has long been tied to education. The Imperial Valley has some of the lowest levels of education attainment by adults 25+ in both California and nationwide. Exhibit V provides an understanding of the highest level of education achieved by adults within the region. Thirty-five percent (33%) of adults lack a high school diploma or equivalent. An additional 22% only have a high school diploma (or equivalent). Only about 13% of adults 25 and over have a bachelor’s degree or better. As the United States works to complete in a more global economy where technology has been introduced and plays a role in almost every industry sector, the lack of education directly impacts the employability of over one-half of adults within the region.

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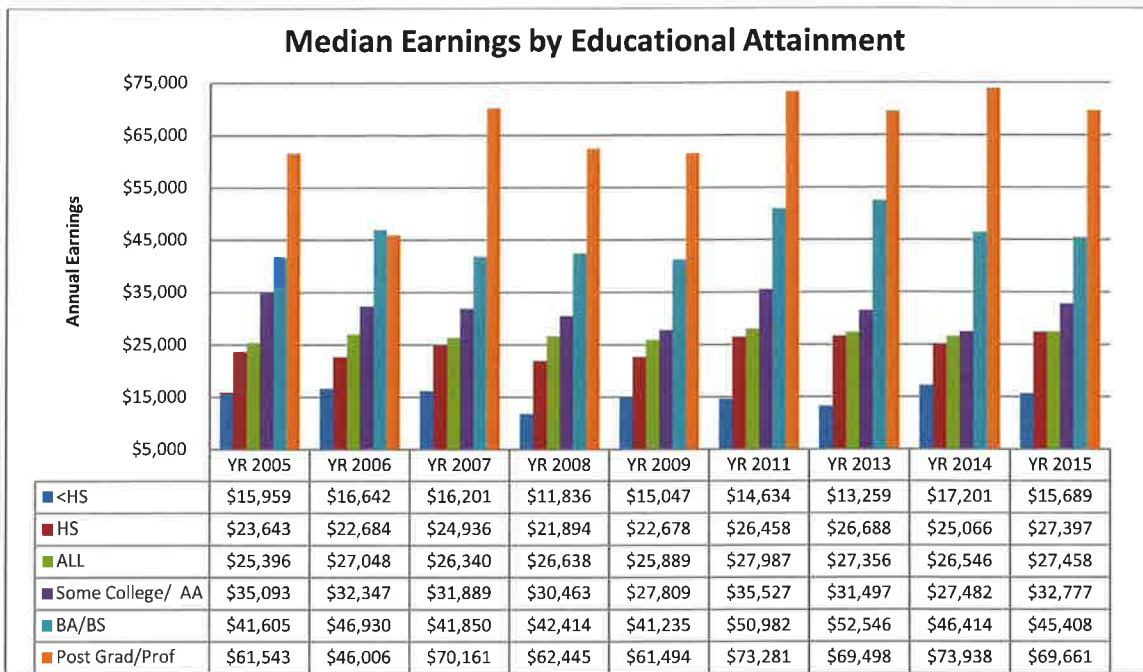
Exhibit V: Educational Attainment (Adults 25+)



Education impacts earnings. Exhibit W shows earnings of various levels of adults based on education for selected years from 2005-2015. While almost all persons saw their income impacted (in average) by the economic downturn, it remains that persons with a high school diploma make about twice as much as a person without. College graduates (on average) make twice that of someone with only a high school diploma and three-times as much as someone that dropped out of high school. This single chart, more than any other, points to the direct impact educational achievement has upon the ability for a person to support themselves and their family.

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Exhibit W: Median Earnings of Adults 25+ by Educational Attainment



7. Residential Real Estate & Assessed Valuation

Total home sales (new and existing) continue to be stable. For the four year period from 2012-2016, the Imperial Valley has averaged between 1,300 and 1,600 total home sales per annum. Exhibit X shows the stabilization after the peak of the housing boom and corresponding sell-off by financial institutions of foreclosed inventory.

Exhibit X: Imperial County, CA Total Home Sales by Year

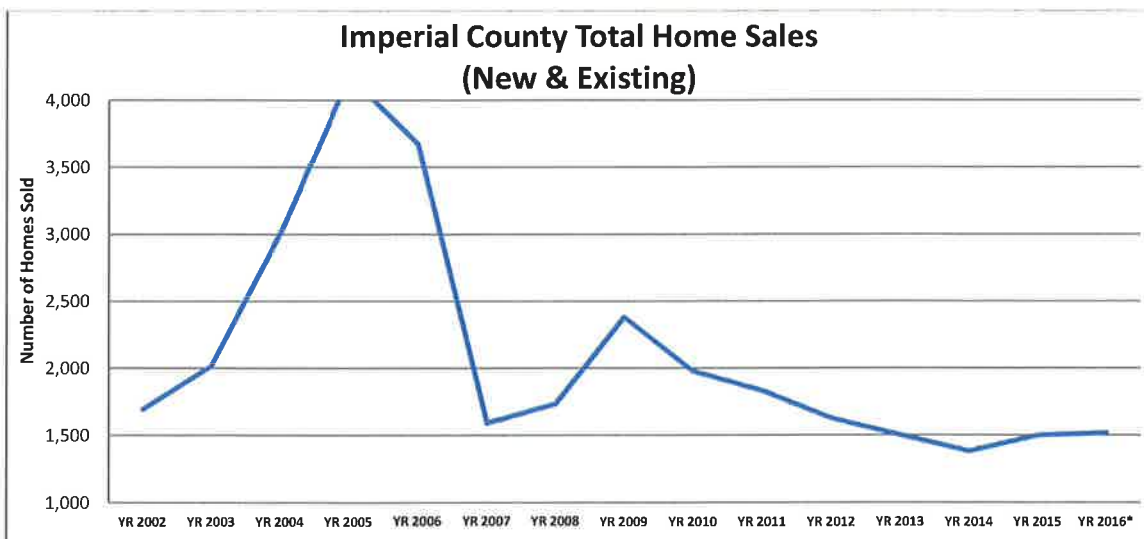


Exhibit Y shows the number of new home sales over a ten year period. Note that the region saw about 1,800 homes sold in 2006. Scaling this figure to that of Los Angeles County for comparison purposes, it is tantamount to 100,000 new homes being built and sold during the same time period. New home sales had stabilized in the 160-200 homes per year range from the period 2010-2015, though it appears that in 2016 the total number of new homes built will be closer to about 110. "Public" builders have largely left the region leaving home construction to local/regional based builders. They report building what is termed as semi-custom or production-custom homes whereas the buyer is often under contract before the home is actually built. This lessens the risk to the builder (and their lender) while providing the buyer additional options for materials and interior customization. Local builders report one reason why home building slowed in 2016 is that they have almost finished building current inventory of "lots" left over from ten years ago and are now beginning the process of entitling new land and constructing the necessary infrastructure to provide new product in 2017 and 2018.

Exhibit Y: Imperial County, CA New Home Sales by Year

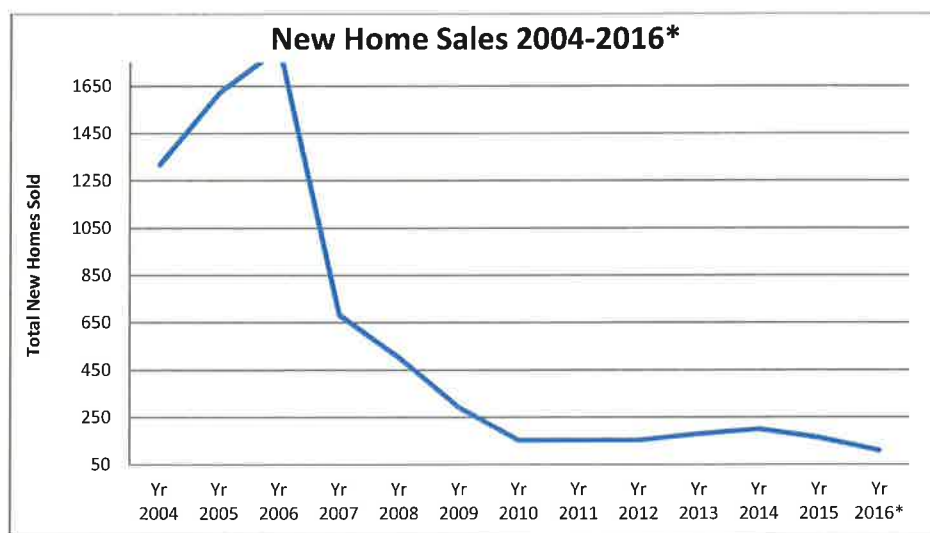


Exhibit Z provides a representation of median home prices. Again, home prices began to stabilize in 2010 and have risen over the last two (2) years. In 2015, the median home price is about \$185,000. In 2016, this has again increased and is above the \$200,00 mark (\$202,000) for the first time since early 2008 (just prior to the "Great Recession". The median price for a home is now about \$130 per square foot, which means that the price side of the equation may allow more builders to enter the marketplace, if there is sufficient additional demand. .

Exhibit Z: Median Home Prices (Residential Real Estate)

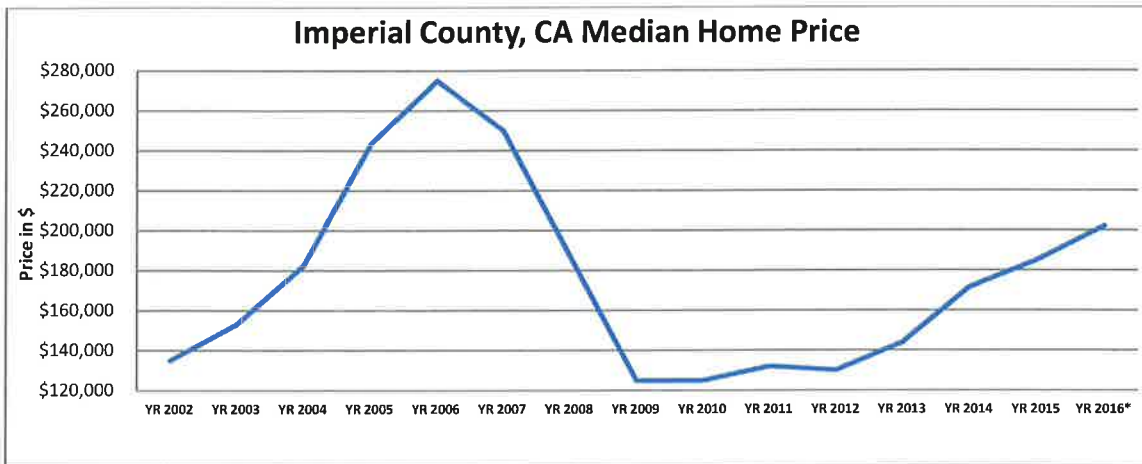


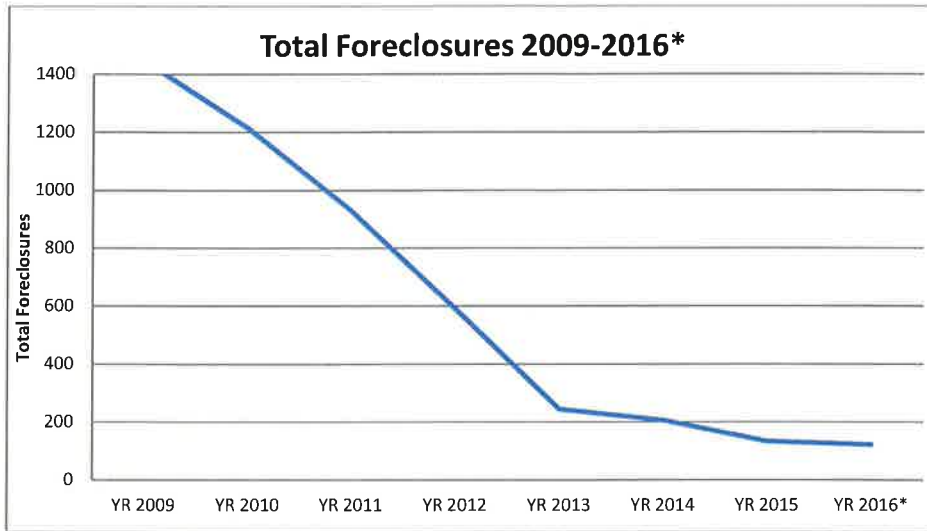
Exhibit AA is a new addition to the 2017 Economic Forecast. In short, it provides a historic look at a "housing affordability scale" simply by providing a calculated ratio of median home price divided by median household income. In the mid-2000's this ratio topped 7 (meaning the median home cost over seven times the median household income). In 2010, this ratio has plummeted to about 3. Today, the number is between 4.5 and 5.

Exhibit AA: Housing Affordability Scale (Median Home Price / Median Household Income)



Exhibit BB further shows the decline in foreclosed homes from 2009 to current (2016). The region went from a high of 1,444 homes foreclosed in 2009 to a projected 122 in 2016 a decrease of over 90%. Defaults, which can be a precursor to foreclosures, are also at a 10-year low of 235 (projected for 2016).

Exhibit BB: Total Foreclosures 2009-2016



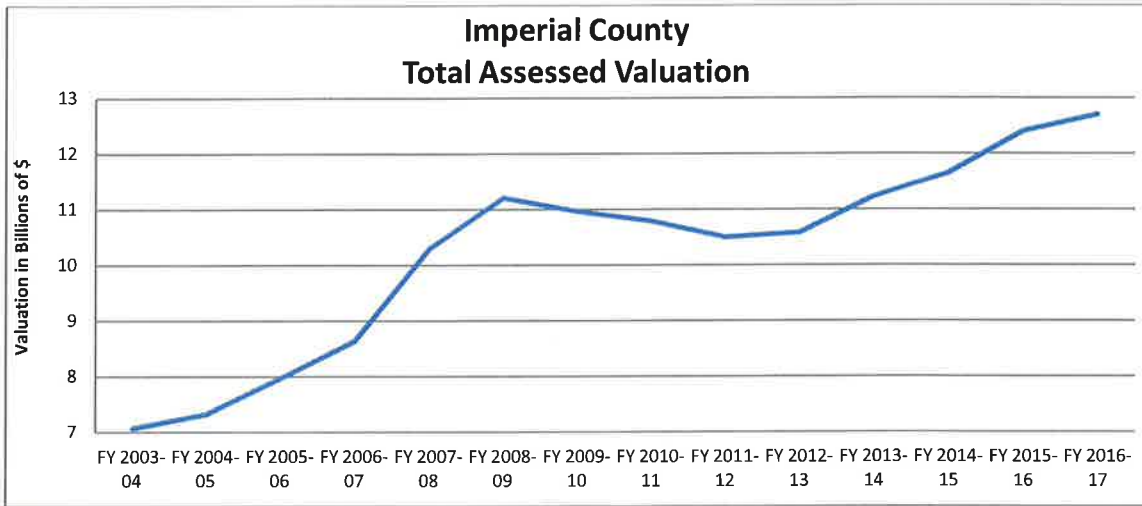
Assessed Valuation

Imperial County experienced a boom in housing and commercial construction in the early-mid 2000's. This was reflected in assessed valuation that grew by over \$5 billion in just 5 years. As the recession took hold, the County did see a correction in assessed value, but the overall change was minimal and represented only a 5% or so decrease.

For the current tax year (2016-17), total assessed valuation in Imperial County has jumped to \$12.7 billion. This represents a 2.33% increase over 2015-16 (\$12.3 billion). The factors behind the increase continue to be two-fold. First, home values in general are increasing so Proposition 8 appeals and assessments are both declining and reversing. Second, there is some new construction (both residential and commercial) that is adding to the tax rolls. Second, renewable energy projects and associated infrastructure are generating increases in overall valuation*. Exhibit BB below shows historic trends regarding assessed valuation in Imperial County.

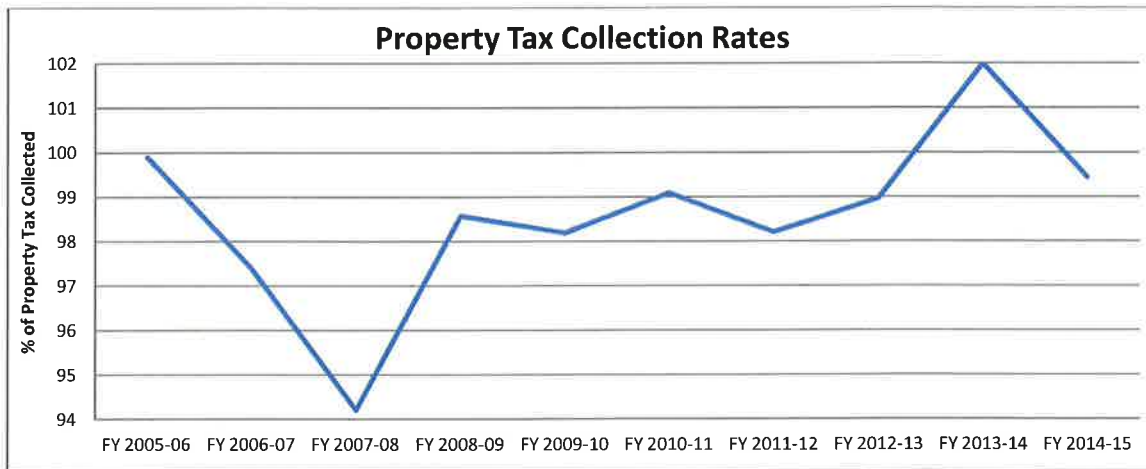
**Economist note: wind and geothermal energy production equipment is subject to property tax in its entirety. Solar does have a State Revenue & Taxation Code Section 73 exemption for the panels and posts, but ancillary improvements are subject to property tax (including transmission lines, substations, fencing, and interior roads).*

Exhibit CC: Total Assessed Property Valuation



As the economy of Imperial County has improved, so have collection rates for property taxes. Exhibit CC provides a dynamic model of property tax collection from 2005-06 thru 2014-15. The dynamic nature of this chart reflects that the County of Imperial receives property tax payments not just for the current year but for previous years as well. As a general rule, at such time as a property is delinquent on taxes for five (5) years, it is subject to seizure and auction. Exhibit CC shows that in the most recent year that property tax collection is more than 100%, this is because they are receiving payments in the most current year for property taxes in arrears. When taxpayments are over 100% of assessed valuation in a year, it is a sign that property owners previously in default are bringing property taxes current, another sign of improving economic conditions.

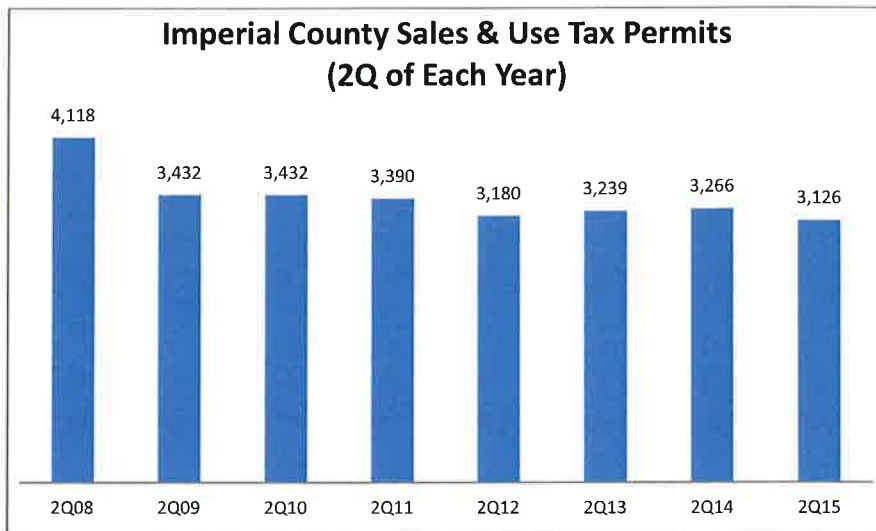
Exhibit DD: Property Tax Collection Rates



8. Consumer Confidence (Retail Sales & Use Tax & Spending)

Economists look to consumer spending as a key factor in understanding confidence in the economy. First, we look at the number of Sales & Use Tax Permits held within a community or region. This shows the number of persons and companies engaged in retail sales. During the economic downturn, the Imperial Valley saw a decrease of over 800 permit holders within a 1 year time period (about a 20% decline since 2009, the number of Sales and Use Tax Permits held locally has been fairly stable ranging between 3,100 and 3,400 though for the latest year (2015) they are down slightly from the prior year. Exhibit EE provides a historic look at the number of permits held locally.

Exhibit EE: Sales & Use Tax Permits Held in Imperial County



Taxable sales in Imperial County were impacted by the “Great Recession”. Tracking overall recovery is made more difficult because about the same time the economy began to recover, the region started to experience construction of renewable energy (wind, solar and geothermal projects). Under State Board of Equalization Publication 28, Exhibit A, the “Point of Sale” for construction materials associated with the construction of wind, solar and geothermal projects is designated in Imperial County. This election provides for significant tax revenue to the County, but will also cause for large swings in taxes collected as they are one-time events. For quarters in which projects are actively under construction, taxable sales within the region almost double. Exhibit FF shows historic taxable sales from 2010 through 2Q2016GG

Exhibit FF: Taxable Sales in Imperial County by Quarter

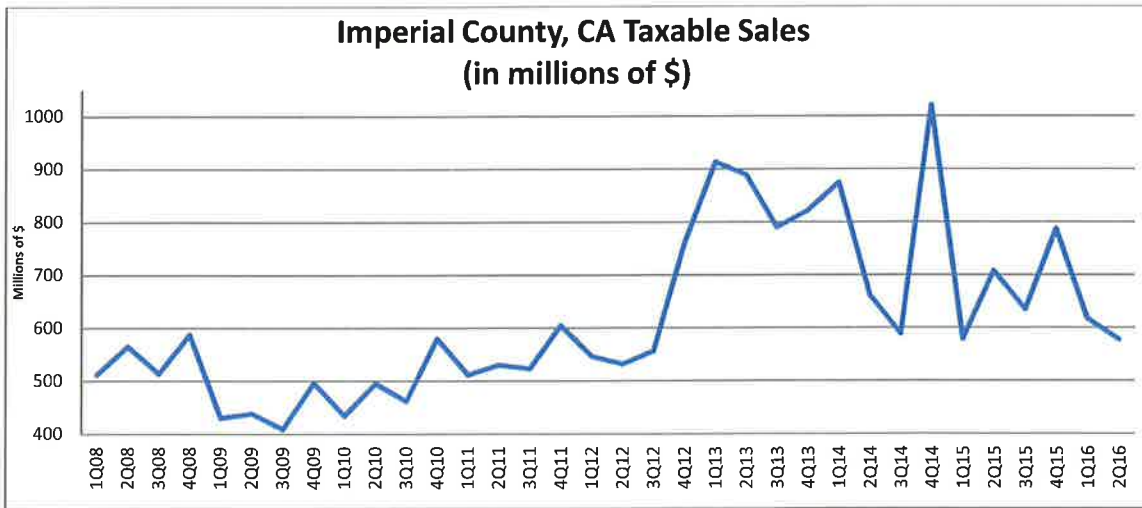
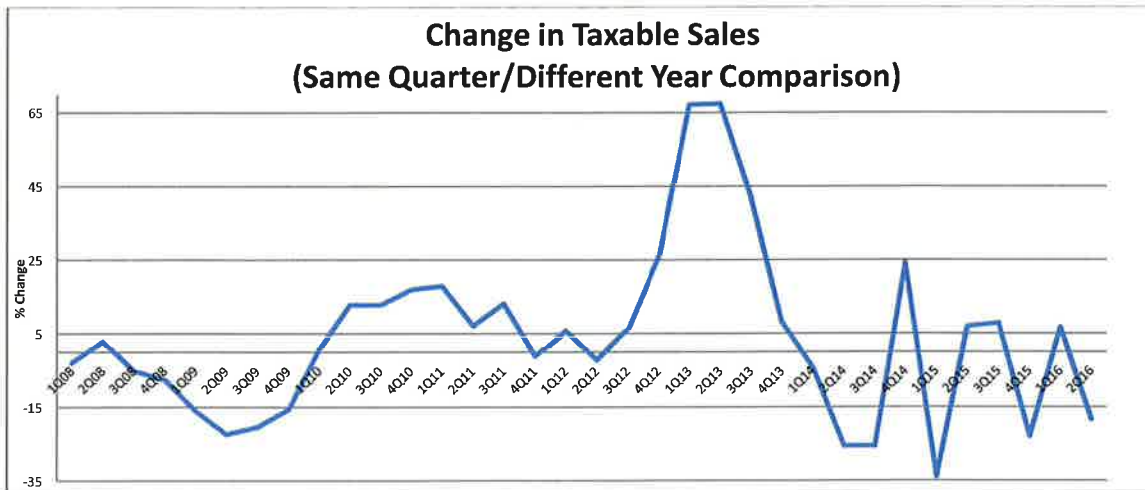


Exhibit GG shows the change in taxable sales from 2009 through the most current period (2Q16). This chart shows the swings in sales tax generation year over year (same quarter/different year) created by whether there are active renewable energy projects under construction. The County of Imperial is aware that local sales and use tax generated under the Publication 28, Exhibit A election should be considered one-time revenue.

Exhibit GG: Change in Taxable Sales (Same Quarter/Different Year Comparison)



9. Education Test Scores

Last year, DMG Economics introduced a new section in the annual economic forecast focused on academic achievement. California Assessment of Student Performance and Progress System (CAASPP) began use in California in 2015, therefore there are only two (2) years of records available. This section presents a cross-section of grades (3rd, 7th and 11th) and their achievement in English and Math. Test achievement is measured in students that “Standard Exceeded”, “Standard Met”, “Standard Nearly Met” and “Standard Not Met”. Overall, Imperial County students improved in their achievement. The greatest gains were made by 3rd graders (in both English and math) and by 11th graders in English. Exhibits HH-LL present the achievement results.

Exhibit HH: CAASPP 3rd Grade Achievement English

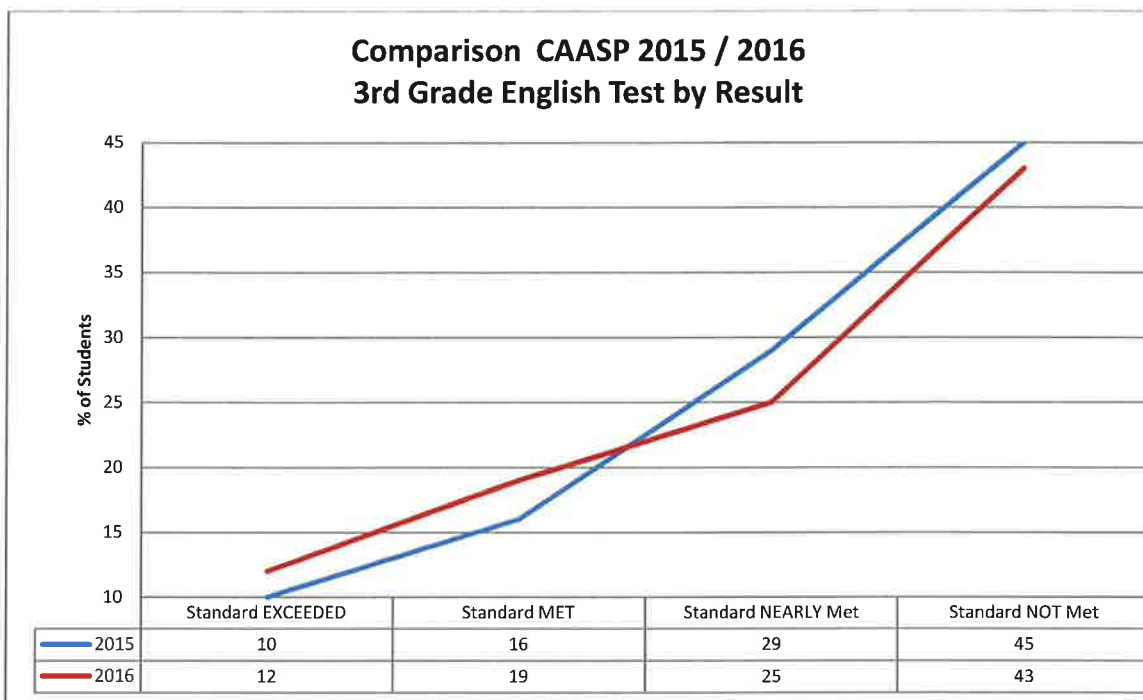


Exhibit II: CAASPP 3rd Grade Achievement Math

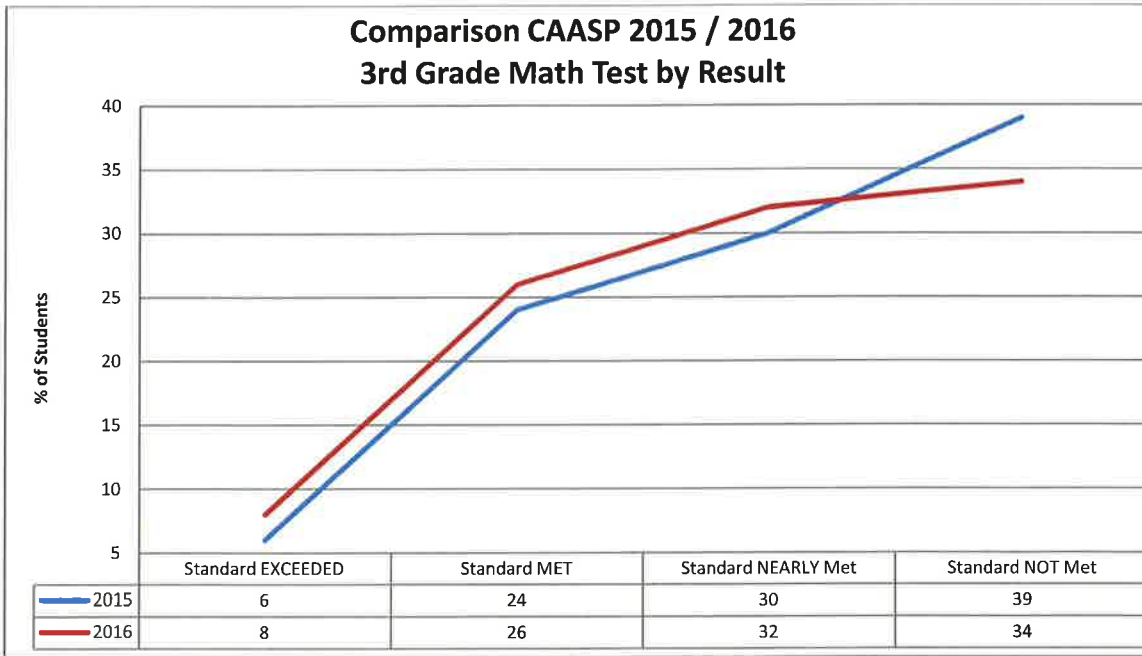


Exhibit JJ: CAASPP 7th Grade Achievement English

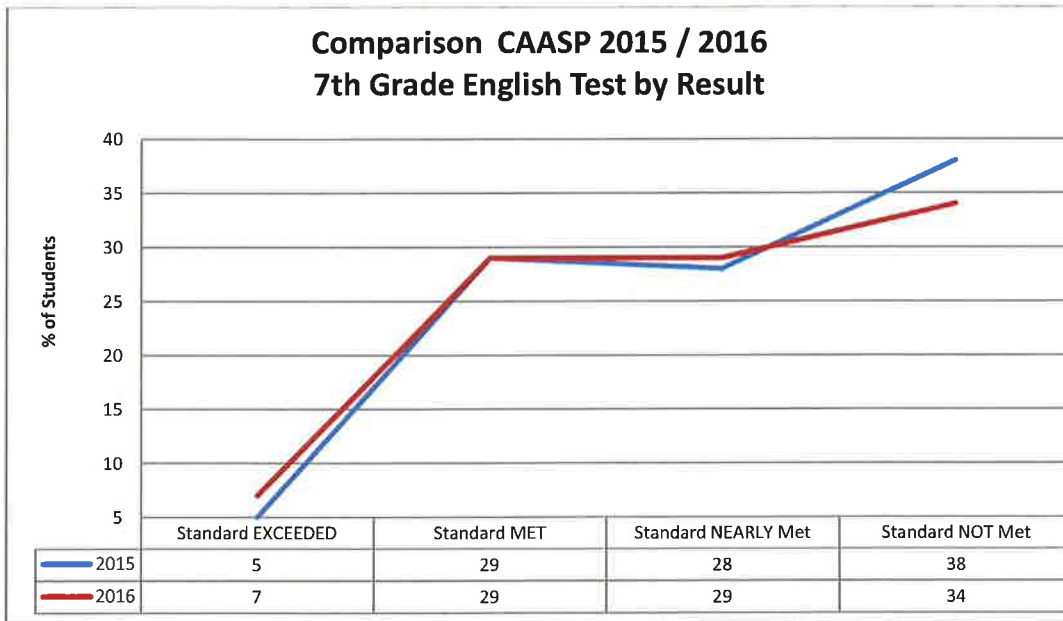


Exhibit KK: CAASPP 7th Grade Achievement Math

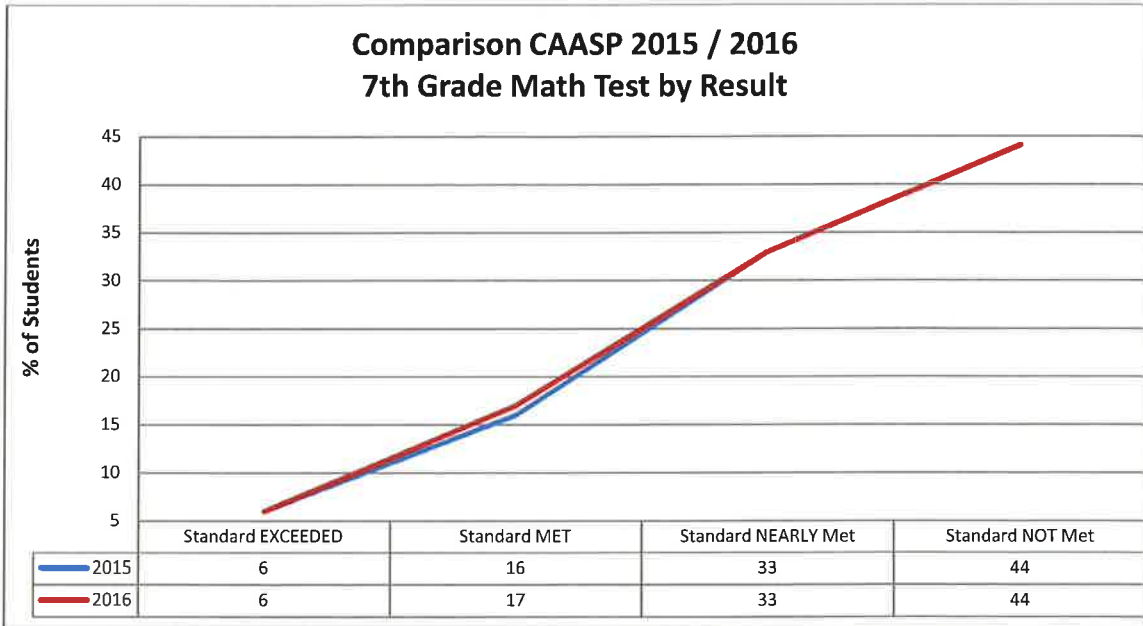


Exhibit LL: CAASPP 11th Grade Achievement English

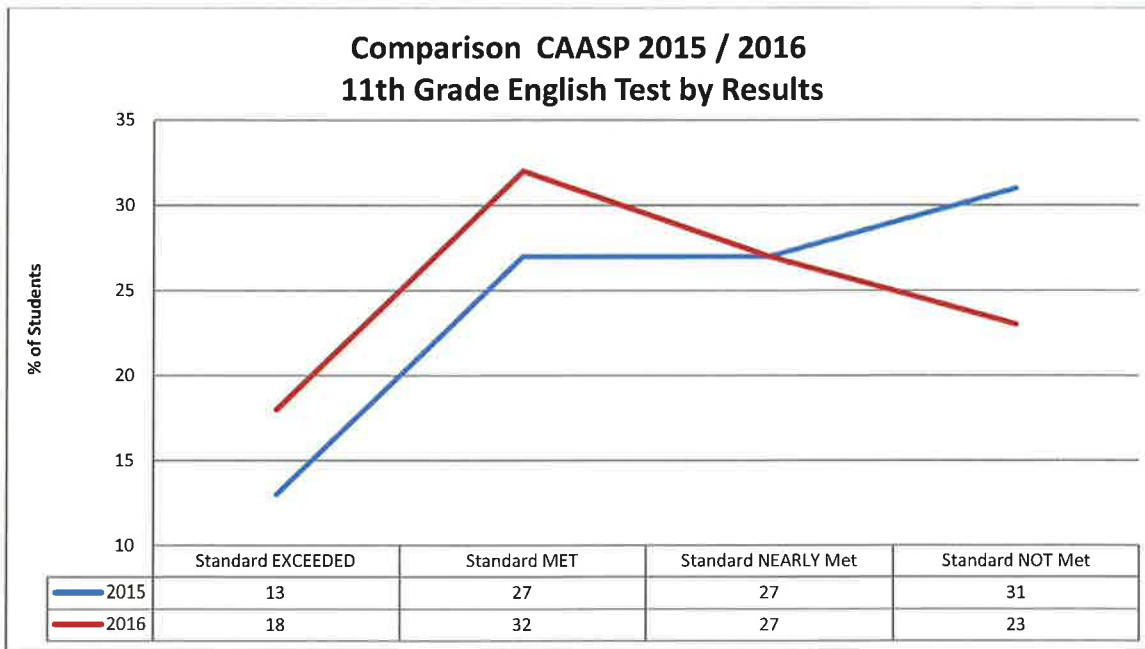
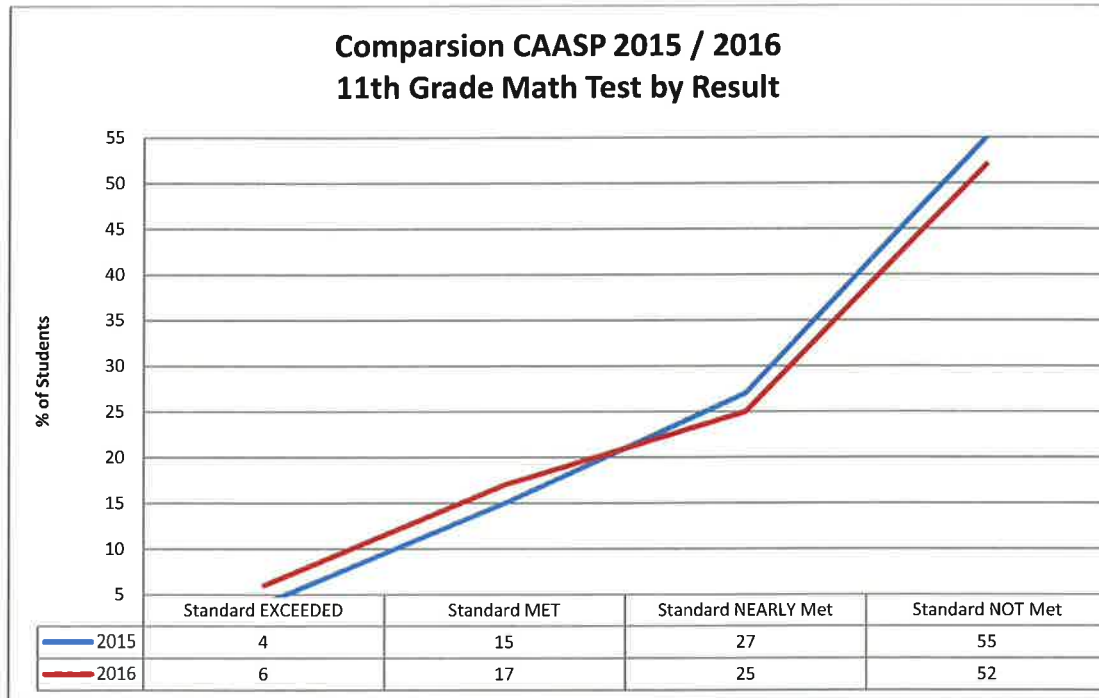


Exhibit LL: CAASPP 11th Grade Achievement Math



10. Economic Outlook for 2017

Overall, the economy of the Imperial Valley is stable. Most economic indicators show return to pre-recession levels with some outperforming the highs of 2004-2005. As we look toward 2017 and beyond consider the following:

Agriculture: will continue to be the largest economic sector. Simply stated, the Imperial Valley literally feeds California and produces crops for export in a number of nations around the world. The region has developed over 3,000 miles of canals that distribute water to over 500,000 acres of active production land. It is anticipated that some higher value crops found in the Central Valley will make their way into the production mix if water supply issues in that region are not solved. That said, there are headwinds in the areas of crop/livestock price, labor costs (increase in minimum wage) and legislation impacting how 40-hour work weeks are implemented for agriculture workers. Couple these with the overall strength of the US Dollar which makes Imperial Valley exports more expensive in foreign countries and there is concern that some crops production may become more automated, cease production or move to Yuma County (Arizona) or Mexico.

Housing: In general, housing in the Imperial Valley is affordable in comparison to the balance of Southern California with the median home selling for about \$202,000. New home construction has been fairly slow in recent years and is expected to continue at a rate of about 150 homes a year for the time being. That said, home builders are reporting that they are currently entitling new land and installing infrastructure to increase their ability to supply/deliver

production homes in the marketplace. Additionally, there are a couple large scale master-planned communities (101 Ranch and Rancho Los Lagos) that have the ability to provide over 2,000 new housing units if market forces create demand. DMG continues to believe that there may be an opportunity to generate overall growth through the development of a value-oriented 55+ master-planned retirement community in the region.

Renewable Energy Development: The region has received over \$7 billion of new economic investment in the past seven years. Much of this has been a result of renewable energy development (solar, wind, geothermal and biofuels). At current, the region has about \$5 billion of projects that are “under development” which is defined as entitled. These projects will propel the regional economy for the next few years. Couple this with the Renewable Portfolio Standard (RPS) in California moving from 33% (2020) to 50% (2030) and the region has the opportunity for another \$6-8 billion of energy production investment over the next ten (10) to fifteen (15) years. Additionally, there are multiple companies working on developments that would result in large-scale geothermal production and rare mineral extraction. It is too early to tell if these projects will come to fruition. The geothermal projects may hinge on Federal investment policies on that form of energy development and the legislated mix of renewable energy in California as the State moved to a 50% Renewable Portfolio Standard (RPS).

Retail Sales: Are projected to remain stable as the region will continue to provide retail goods and service opportunities to both residents and those from a 1.1 million+ market in Mexicali, Mexico that do some shopping in the Imperial Valley. The total sales tax generated within the region will likely continue to fluctuate greatly depending on the status of construction of renewable energy projects (the County of Imperial requires that all energy projects with construction material purchases of \$5 million or more utilize the Publication 28, Exhibit A election under the California State Board of Equalization designating the construction site as the point of sale for tax purposes).

EB-5 Investment: The region has made a concerted effort to attract foreign-direct investment as equity or total financing for qualifying projects. Officials from throughout the region participate regularly in business trips to China and other places to attract investors. This has resulted in capital flowing to a variety of hotel, office, light industrial and energy projects. In short, the United States allows for qualified foreign nationals investing \$500,000 or more (Imperial County standard) and creating 10 or more jobs a permanent path to residence. The EB-5 program overall may be overhauled significantly depending on the outcome of the Fall, 2016. elections.

Innovation: In many ways, the Imperial Valley has provided California with a number of examples of automation. Renewable energy production (solar, wind and geothermal) are all examples of automation. As technology advances to make production more efficient, the region will continue to provide land and opportunity to implement for the good of all Southern Californians. In terms of geothermal, there have been significant advances in efficiency and companies located in Imperial County have been leading the way. Geothermal that includes rare mineral extraction (including lithium used in electric car batteries) may be the greatest innovation opportunity.

In the agriculture community, the words innovation and automation are often used interchangeably. The goal of farmers is to produce increased yields (per acre) at less cost (per unit). In recent years farmers have increased the use of Global Positioning Software (GPS) equipment on farm equipment to increase till/harvest efficiency. Currently, there are farmers testing new equipment that mechanically "thins" row crops after germination as a means of being more economically competitive and advancing grow efficiency.

Threats to the regional economy are as follows:

- A. Agriculture prices (crop and livestock) as a result of general market pricing and strength of the US Dollar
- B. Government regulation specifically such items as mobile and stable source air quality that may impede the growth and sustainability of the agriculture industry.
- C. Availability and stabilization of supply of water supply.
- D. Attracting new investment into the region that can effectively employ a semi-skilled blue collar workforce at a wage \$15 per hour or more (what is typically needed to support families).
- E. Impact of increased minimum wage on the agriculture sector
- F. Changes to the 40-hour work week in California that will severely impact farmers during key (peak) seasons.

11. References

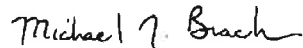
- A. American Community Survey
- B. California Department of Transportation
- C. California Energy Commission (CEC)
- D. California State Board of Equalization
- E. County of Imperial Assessor
- F. County of Imperial Agriculture Commission
- G. County of Imperial Executive Office
- H. Dataquick
- I. Development Management Group, Inc.
- J. Federal Energy Regulatory Commission (FERC)
- K. Imperial Valley Economic Development Corporation
- L. Nielsen/Claritas
- M. State of California Department of Finance
- N. State of California Employment Development Department
- O. United States Census Bureau
- P. Unnamed Agriculture Professionals (Primary Research) (Three)*
- Q. Unnamed Energy Production Professionals (Primary Research) (Two)*
- R. Unnamed Home Building Professional (Primary Research) (Two)*

*Often times business owners/operators will provide information for primary research under agreement that their names are not specifically mentioned. Interview information is available for SCAG audit/verification purposes only.

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12. Certification

I certify that my engagement to prepare this report was not contingent upon developing or reporting predetermined results. The statements of fact contained herein and the substance of this report are based on public records, data provided by the Southern California Association of Governments and other sources as described in the reference section of this report. This report reflects my personal, unbiased professional analyses, opinions and conclusions. If any of the underlying assumptions related to this report change after the date of this report (October 30, 2016), then the undersigned reserves the professional privilege to modify the contents and/or conclusions of this report.



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California HERO Activity Report
Imperial County Transportation Commission
 Launch Date through November 30, 2016

Program Activity through November 30, 2016

Member	Launch Date	Eligible Housing Units *	Total Applications Received	Applications Approved	Approved Amount	Funded Projects	Funded Amount	Jobs Created***	Type of Projects			Solar kW Installed	Annual kWh Saved	Annual CO2 Reduced (Tons)
									Energy	Water	Renewable			
Brawley	5/23/2014	5,588	207	134	\$3,560,532	70	\$929,117	8	76	0	25	60	733,927	190
Calexico	3/24/2015	7,373	406	245	\$7,810,283	136	\$1,720,727	15	117	0	64	167	1,529,655	396
Calipatria	3/24/2015	757	9	4	\$102,074	4	\$49,711	0	4	0	0	0	36,617	9
El Centro	5/23/2014	9,250	337	225	\$6,546,291	105	\$1,435,827	12	98	7	36	103	1,117,898	288
Holtville	3/24/2015	1,248	44	32	\$826,181	16	\$189,239	2	14	0	8	14	157,208	41
Imperial	6/10/2015	4,618	145	111	\$3,549,804	62	\$933,640	8	54	5	31	97	687,019	182
Westmoreland		596							Has not adopted Resolution of Participation					
Imperial County Unincorporated	11/14/2014	9,504	172	105	\$3,204,308	49	\$686,405	6	53	1	12	34	519,395	133
Total		38,934	1320	856	\$ 25,599,473	442	\$ 5,944,664	50	416	13	176	474	4,781,720	1238

** Participation rate based off of funded projects

*** 1 job for every \$117,000 invested.



SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS

818 West 7th Street, 12th Floor, Los Angeles, CA 90017 T: (213) 236-1800 F: (213) 236-1825

Memorandum

Date: Wednesday, December 14, 2016
To: ICTC Commission Meeting
From: David Salgado, Regional Affairs Officer
Re: **Southern California Association of Government's 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 and Management Committee's Meeting December 14, 2016.

1. **2016 Economic Summit:** The 7th Annual Southern California Economic Summit was held on Thursday, December 1, 2016. The summit drew over four hundred stakeholders from throughout the state to discuss the state of the region's economy and learn of key issues which affect the region. This year's focus centered on the innovation economy and the key issues that are affecting the region most. Economist Michael Bracken provided an update on the Imperial County economy highlighting the multibillion dollar investments in clean energy development as a driving force in keeping Imperial County competitive moving forward. Mr. Bracken also highlighted the Salton Sea as a critical item to be addressed moving forward for the economic vitality of Imperial County. The Imperial Irrigation District (IID) Government Affairs Officer Antonio Ortega provided an update on a newly completed utility scale battery storage facility during a lunch panel at the summit. Gavin Newsom was the keynote speaker, while former Governor Grey Davis also gave opening remarks. For more info please see the SCAG website for the event details and event documents.
2. **Enhanced Infrastructure Financing Districts (EIFD) and Community Revitalization Authorities Workshop (CRIA) October 20, 2016:** Assemblyman Eduardo Garcia held a comprehensive workshop in cooperation with the Kosmont Group and USC Sol Price School of Public Policy, Mark Pisano. SCAG is committed to the new programs knowing they will be a great tool to help communities finance sustainable development projects in a post-RDA environment. SCAG is taking steps to provide information and resources to its partners and member jurisdictions. SCAG has selected three pilot projects throughout the SCAG region to illustrate key assumptions, methodology, and other considerations for EIFD/CRIA feasibility analysis and implementation. SCAG is committed to improving capacity to provide screening, technical, and other assistance for member agencies.

Moving forward SCAG will be conducting informational workshops to introduce local



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governments to the requirements of EIFD's and CRIA, provision of technical assistance using a database and screening tool to facilitate the establishment of the EIFDs and CRIA, and also potentially pursuing applications with regional significance that SCAG can initiate and lead. More information will be provided as it comes available. Please feel free to follow up with SCAG RAO David Salgado with any questions.

3. **Regional Transportation Plan- Sustainable Communities Strategy (RTP-SCS) Amendment #1 Public Hearing:** A public hearing will be held at the SCAG Los Angeles Office on Wednesday January 18th, 2016 from 3:00pm to 5:00pm. The hearing will be provided via video conference throughout the SCAG region and in the Imperial County Office located at 1405 N. Imperial Ave., Suite #1, El Centro, CA, 92243. Please feel free to contact SCAG RAO David Salgado with any questions.
4. **California Water and Energy Summit:** The 2016 California Water and Energy Summit was held in the Coachella Valley and brought together many industry stakeholders, both public and private. The event took place on October 26th and 27th. The challenges facing water and energy throughout the desert southwest were highlighted as a part of the program. SCAG was a sponsor of the event and many partners were in attendance.
5. **SCAG Earthquake Resiliency Workshops:** SCAG hosted workshops throughout the region. The City of Coachella hosted a workshop on the 9th of November. Those in attendance were able to hear about some ways to build resilience in their respective communities through policy development. Dr. Lucy Jones facilitated the workshops. SCAG will be having 2 follow up workshops in the SCAG region in order to bring in further stake holders and a broader emergency response contingent. Information will be provided as it is made available. For questions please contact SCAG RAO David Salgado.
6. **City of El Centro Walk to School Day December 2, 2016:** The City of El Centro had a very successful "Walk and Bike to School" event. The event was coordinated by School Resource Officer Michael Seaman. Officer Seaman was encouraged to have an event in El Centro after attending a SCAG Bicycle Safety Workshop held in El Centro as a part of the "GO Human" Campaign. Many stakeholders were in attendance. The event began at the Lotus Water retention basin where students, parents, teachers, and stakeholders congregated and were escorted to Sunflower Elementary School by the many stakeholders who were in attendance. Some of the stakeholders who participated included the El Centro Police Department, U.S. Marshalls Service, Imperial County Sheriffs and Probation, Imperial County Public Health, Customs and Border protection, ICE, Imperial County Fire, El Centro Fire, and El Centro Elementary School District. REACH Air Ambulance also landed their chopper at the school. For questions please contact SCAG RAOP David Salgado.



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7. **Affordable Housing Sustainable Community (AHSC) Capacity Building Workshop Thursday December 8, 2016:** SCAG was able to hold a workshop at the SCAG/ICTC offices in order to build capacity for future potential AHSC grant opportunities in the Imperial County region. SCAG was able to have a consultant team, as well as a representative from the Strategic Growth Council (SGC) and SCAG staff, provide a comprehensive overview and review of potential project concepts for future AHSC opportunities. The workshop was very well attended and participants were able to provide valuable feedback to the SGC rep and SCAG staff regarding potential projects and unique challenges the region faces. Future prospects include more workshops and possible creation of a working group in order to continue dialogue. Please feel free to follow up with SCAG RAO David Salgado with any questions.
8. **SCAG Regional Council and Policy Committees:** SCAG's Regional Council and policy committee meetings will take place Thursday, January 5, 2016 at SCAG's main offices in Los Angeles.
9. **2016 RTP/SCS FINAL APPROVAL:** On April 7, 2016, SCAG's Regional Council adopted the 2016 RTP/SCS, a long range visioning plan that balances future mobility and housing needs with economic, environmental and public health goals. The Plan charts a course for closely integrating land use and transportation – so that the region can grow smartly and sustainably. It outlines more than \$556.5 billion in transportation system investments through 2040. The Plan was prepared through a collaborative, continuous, and comprehensive process with input from local governments, county transportation commissions, tribal governments, non-profit organizations, businesses and local stakeholders within the counties of Imperial, Los Angeles, Orange, Riverside, San Bernardino and Ventura.

The 2016 RTP/SCS is available for download by chapter or as one file. Please note that some files are large and may take longer to download depending on individual connection speeds. We strongly recommend that you first download it onto your computer before opening the file. All files are in Adobe Acrobat PDF format. The executive summary is available upon request. For further information please contact David Salgado.

DARIN CHIDSEY SELECTED AS NEW CHIEF OPERATING OFFICER

After a national competitive recruitment effort, I am pleased to announce the selection of Darin Chidsey to the position of Chief Operating Officer (COO) of SCAG. As COO, Darin will be responsible for driving the vision and strategies of the agency, as well as leading the implementation of new Regional Council initiatives. This includes updating SCAG's Strategic Plan to ensure that the agency continues to support its member cities and work collaboratively towards regional goals. Darin most recently served as the Director of Strategy, Policy and Public Affairs for SCAG and has held a number of positions with increasing responsibility during his 11-year tenure at the agency. Under his leadership, SCAG developed a successful State and Federal Legislative Program and has hosted many successful and highly regarded General Assemblies, Southern California Economic Summits and the War on Poverty Summit. Throughout his time at SCAG, Darin has demonstrated the highest level of commitment to the agency and passion for the work that we do here. His experience and outstanding track record with the agency make him a perfect fit for this job and I look forward to working with him in this new capacity to continue SCAG's mission to improve the quality of life in Southern California.

REGISTRATION NOW OPEN FOR SOUTHERN CALIFORNIA ECONOMIC SUMMIT

On Thursday, Dec. 1, SCAG, in partnership with the Southern California Leadership Council, will be hosting the annual Southern California Economic Summit at the L.A. Hotel Downtown in Los Angeles. Now in its seventh year, the summit brings together local civic and business leaders to assess the state of the region's economy and discuss opportunities for job growth and prosperity. This year's program will also highlight the growing innovation economy in Southern California. Elected officials, public and private sector CEOs, business and labor representatives, non-profit leaders and city managers are invited to attend. Registration for the Economic Summit is complimentary, but capacity is limited. Please visit www.scag.ca.gov/economicsummit to register and for updates on the event.

HOUSING SUMMIT CONVENES OVER 400 TO ADDRESS HOUSING CRISIS, SOLUTIONS

More than 400 local leaders from throughout California gathered in downtown Los Angeles on Oct. 11 for SCAG's California Housing Summit, "The Cost of Not Housing." The event was a huge success, bringing together government, business and community leaders to address the affordability crisis happening across the region and the state. The summit opened with a panel of experts, who provided background on why California is experiencing a housing deficit and the extent of its economic, environmental and social costs. Breakout sessions explored different avenues for mitigating the housing shortage, such as funding strategies, integrating housing into planning at all levels and public engagement to demonstrate community benefits of housing projects. The summit concluded with a call to decision-makers across the state to build stakeholder partnerships to yield additional housing development. This is an important issue that is already impacting the region's economy and will do additional harm to future generations if nothing is done. SCAG has made available a new report, "Mission Impossible? Meeting California's Housing Challenge," on the Housing Summit website: <http://bit.ly/2dZCbrW>. Archived videos from the conference will be available online shortly.

STATEWIDE ACTIVE TRANSPORTATION PROGRAM AWARDS ANNOUNCED

On Oct. 29, the California Transportation Commission released its recommendations for awardees of the statewide Active Transportation Program (ATP). The statewide component awards funding to the highest-scoring projects throughout the state, programming approximately \$131 million for fiscal years 2019-2020 and 2020-2021. The SCAG region was awarded about 46 percent of the available funding receiving approximately \$61 million. I am pleased to share that SCAG was also one of the

grant recipients, earning a \$1.15 million award to fund the Southern California Disadvantaged Communities Planning Initiative. This initiative will develop six active transportation plans in disadvantaged communities and pilot an innovative planning methodology to deliver low-cost, local plans across the region by leveraging regional planning tools and the Go Human campaign's engagement resources. A complete list of awarded projects is available online at <http://www.catc.ca.gov/programs/ATP.htm>. Over the coming months, SCAG will be developing the ATP Regional Program in collaboration with the county transportation commissions. Projects not recommended for funding in the statewide ATP will be considered for funding through the Regional Program. For additional information, contact Stephen Patchan at Patchan@scag.ca.gov.

SGC AWARDS \$75M FOR AFFORDABLE HOUSING IN SCAG REGION

In early October, the California Strategic Growth Council (SGC) announced its funding recommendations for the Affordable Housing and Sustainable Communities (AHSC) program. The SCAG region received \$75 million, out of a total of \$289 million awarded, to support the construction of more than 600 affordable housing units and essential transportation infrastructure. The AHSC grants are funded through the state's cap-and-trade program and invests in projects that achieve greenhouse gas and vehicle miles travelled reductions. It is one of the few state sources that helps implement the 2016-2040 Regional Transportation Plan/Sustainable Communities Strategy (2016 RTP/SCS). A total of seven projects in the SCAG region received funding, out of 16 that were submitted for consideration. SCAG has previously expressed concern to the Strategic Growth Council that AHSC funding is not being equitably distributed to Southern California, considering the region's size, overall air quality and sheer number of disadvantaged communities. SCAG will continue to collaborate with the SGC and provide technical assistance to potential applicants to further increase the region's number and share of successful funding applications. It is expected that updated draft program guidelines for the next round of funding will be made available by the state for review and comment in early 2017.

CALIFORNIA LEAGUE OF CITIES PRIORITIZES TRANSPORTATION SAFETY

At their Oct. 6 meeting, the California League of Cities adopted a resolution which makes transportation safety a top priority, encouraging the adoption and implementation of programs such as Vision Zero, Towards Zero Deaths and other safety initiatives. SCAG has endorsed the resolution and offered to share materials and resources from our Go Human traffic safety and active transportation encouragement campaign to help the League enable local action. Go Human offers a number of resources for local jurisdictions to use, including media kits, toolkits and demonstration projects. These resources are available online at <http://gohumansocal.com/Pages/Home.aspx>. The need for improved transportation safety is clear: nearly 1,400 people were killed and 121,000 people were injured on our region's roadways in 2013. Pedestrians, our most vulnerable roadway users, accounted for 27% of the traffic fatalities in the SCAG region. SCAG's 2016 RTP/SCS includes over 80 recommendations for member jurisdictions to better integrate safety strategies. These recommendations can be found at <http://bit.ly/2ex2fa6>.

UPDATE ON REGIONAL AIR PLANS UNDER DEVELOPMENT

A number of local air districts are working with the California Air Resources Board to prepare air plans for nonattainment areas in the SCAG region. The adoption and ultimate approval of these air plans by the U.S. Environmental Protection Agency will help the region comply with health-based national air quality standards set out by the Clean Air Act and allow SCAG to perform the required transportation conformity analysis. Below is a brief status update of these air plans:

- 2016 South Coast Air Quality Management Plan (AQMP) – As reported to the Regional Council by the South Coast Air Quality Management District (SCAQMD) last month, the Revised Draft 2016 South Coast AQMP was released for a 30-day public review on October 7, 2016. In response to public comments and feedback, significant revisions have been made to strengthen the regulatory approach for many stationary source and facility-based measures in the plan. As part of the public review, four public hearings have been scheduled in mid-November, one per county within the SCAQMD jurisdiction. The 2016 South Coast AQMP is scheduled to be considered by the SCAQMD Governing Board in February 2017. For additional information, visit <http://www.aqmd.gov/home/library/clean-air-plans/air-quality-mgt-plan>.

- 2016 Ventura County AQMP – On October 7, 2016, the Ventura County Air Pollution Control District (VCAPCD) released the Draft 2016 Ventura County AQMP for a 30-day public review and comment through November 9, 2016. The VCAPCD Governing Board will hold a public hearing to consider adoption of the 2016 Ventura County AQMP on December 13, 2016. For additional information, visit <http://www.vcapcd.org/AQMP-2016.htm>.

Additional air plans are also under development by the Antelope Valley AQMD, the Western Mojave Desert AQMD and the Imperial County Air Pollution Control District.

AMERICAN PLANNING ASSOCIATION CONFERENCE HIGHLIGHTS SCAG EXPERTISE

SCAG staff recently participated in numerous panel discussions at the 2016 California American Planning Association (APA) Conference held in Pasadena. On the panel “Visualizing Sustainability Planning in Southern California,” staff presented SCAG’s ‘REVISION’ application, which offers extensive analytical tools for evaluating sustainability performance and emerging demographic and socioeconomic trends at the neighborhood level. SCAG staff also participated in the panels “The Big 4 Sustainable Communities Strategies – Past, Present and Future,” and “Regional Planning through Local Community Outreach,” where they joined representatives from other metropolitan planning organizations to discuss challenges and strategies in the regional planning process.

SCAG PRESENTS AT METRANS RESEARCH SEMINAR

On Sept. 21, SCAG staff was invited to present at the METRANS Transportation Research Seminar at the University of Southern California. These seminars are held weekly and showcase transportation-related research on a variety of topics. Staff presented the report “Agglomerations in Los Angeles” with Peter Gordon, Emeritus Professor of the Sol Price School of Public Policy at USC. The featured research focused on the “agglomeration” effects in cities by utilizing business location data, especially at the levels below the metropolitan scale. Agglomeration and clustering are crucial for cities to further their economic growth, despite an age of advanced communication technologies. The report examines patterns in how large firms across industries decide where to locate their operations.

SCAG SHARES KNOWLEDGE AT 2016 SOUTHERN DEMOGRAPHIC ASSOCIATION CONFERENCE

In October, SCAG staff was invited to participate and present at the 2016 Southern Demographic Association Conference in Athens, Georgia. The conference is a yearly gathering of the nation’s top academic and applied demographic research practitioners. Staff made a presentation on “Scenario-Based Local Demographic Projection: Combining Housing Growth Scenarios, Housing Unit Method and Cohort Component Model.” The presentation demonstrated a new modeling process under development, which has great potential for use in future Regional Transportation Plans and Sustainable Communities Strategies, and stands to become a valuable tool for local planners. The presentation was well-received by its audience of professional demographers.

INTERNATIONAL PARTNERSHIPS TAKE SHAPE

In late October, a SCAG delegation was invited to participate at the International Conference on Urban Design for the Future City hosted by the Incheon National University (INU) College of Urban Sciences in South Korea. INU College of Urban Sciences is one of SCAG’s international partner institutions. At this conference, I gave a presentation on the future of transportation in Southern California. We also signed an MOU with Chung-Ang University’s Department of Urban Planning and Real Estate to promote joint research and exchange of technical information in the area of urban planning, real estate and public policy. My staff and I also visited our partners Korea Transport Institute and Myung-Ji University to discuss future collaboration opportunities, toured Korea’s high speed rail and other transit modes.

Another SCAG delegation made a trip to China in late October to share strategies and experiences on sustainable development and transportation. SCAG was invited by the Chinese Academy of Transportation Sciences' Institute of Policy and Management to participate in a workshop on regional planning and inter-agency collaboration. The delegation consisted of Regional Council members Rex Richardson and Lena Gonzalez of the City of Long Beach, Larry McCallon of the City of Highland, and Greg Pettis of the City of Cathedral City, along with SCAG staff. We signed an MOU with the Chinese Academy of Transportation Sciences to further collaborate on sustainable economic development and greenhouse gas reduction strategies. In addition to meeting with the research institutions, we also visited some of China's urban transit and high speed rail lines, which have seen heavy government investment.

SCAG STAFF AND BOARD PARTICIPATED IN MOBILITY 21 SUMMIT

On Oct. 21, more than 1,200 transportation, business and elected leaders convened for the Mobility 21 Summit in Anaheim, California. The annual one-day transportation conference addressed strategies for developing regionally connected transportation solutions, easing traffic congestion and increasing mobility opportunities for Southern California residents. I spoke on a panel about transportation policy to highlight upcoming transportation ballot measures and First Vice-President Margaret Finlay introduced a conference session on next-generation mobility. Many other SCAG staff and board members also were in attendance. For summit highlights, visit the Mobility 21 website: <http://mobility21.com/>.



Date: December 9, 2016
To: ICTC Commission
From: Laurie Berman, Caltrans District 11, District Director
Re: **District Director's Report**

The following is the California Department of Transportation, District 11 report for the Imperial County Transportation Commission (ICTC) Commissioners' meeting of December 14, 2016:

1. **Project Updates:**

Please see maps at end of report for project level detail.

2. **Maintenance:**

Recently, Maintenance crews resealed the travel way and shoulder on SR-98 from the I-8/SR-98 junction to Drew Road utilizing a new pavement preservative product.



Maintenance (continued):

Also in November, a separate pavement preservation project was completed on SR-7. This involved extensive traffic control and directing of traffic both entering and leaving California.



Currently Maintenance crews are performing drain inspecting and cleaning operations in preparation for the winter storm season.

3. Construction:

Interstate 8 (I-8) Continuously Reinforced Concrete Pavement Project

The first three segments of the *Interstate 8 Continuously Reinforced Concrete Pavement Project (CRCP)* are under construction.

- Segment 1, is near El Centro from 0.6 mile west of Anderholt Road overcrossing to 0.5 mile east of the East Highline Canal Bridge. It was awarded to Coffman Specialties, Inc. on November 18, 2015. Construction began the first week of February 2016. Construction is expected to be completed early 2018. Both westbound and eastbound I-8 traffic are using the newly constructed eastbound side of the freeway.

Construction (continued):

- Segment 2, which is located 26 miles east of El Centro from 0.8 mile west of SR-98/I-8 separation to 0.6 mile east of the All American Canal, was awarded to Coffman Specialties, Inc., on December 15, 2015. Construction began in early March 2016 and is scheduled to be complete in early 2019. Westbound traffic was been detoured on to Evans Hewes Highway from west of SR-98 to east of Gordons Well Road. Eastbound traffic has been diverted to the westbound lanes of I-8.
- Segment 3, near Winterhaven from 0.7 mile west of the SR-186/I-8 separation to 0.3 mile east of Fourth Avenue overcrossing, was awarded to Security Paving Company, Inc., on December 22, 2015. Construction began mid-March 2016 and is scheduled to be completed in early 2018. Traffic is reduced to one lane in each direction from the Agricultural Checkpoint to the Arizona state line.



The remaining two segments were advertised in November 2016 and are scheduled to being construction in April 2017. These two segments are:

- Segment 4, near El Centro from 0.6 mile west of I-8/SR-111 separation to 0.6 mile west of Anderholt Road overcrossing and from 0.5 mile east of the East Highline Canal Bridge to 0.8 mile west of I-8/SR-98 separation.
- Segment 5, near Winterhaven from 0.7 mile west of Ogilby Road overcrossing to 0.7 west of the I-8/SR-186 separation.

Evan Hewes Highway Pavement Rehabilitation & Detour

Construction is complete on the detour for Segment 2 of the I-8 CRCP project.

Construction (continued):

I-8/Dogwood Road

The I-8/Dogwood Road interchange project is completed and all lanes are open to traffic. Decorative fencing will be installed in spring 2017.

I-8/Dogwood Road Landscape Project

The follow-up landscape project contract has been awarded and will be completed in summer of 2017.

Caltrans El Centro Maintenance Station

Phase 1 construction on the Caltrans El Centro Maintenance Station is near completion.

Phase 2 of the El Centro Maintenance Station is scheduled to be complete in spring 2017.

SR-98 / Cesar Chavez Widening Project

Contract bids for the widening project at SR-98 and Cesar Chavez were opened on October 12, 2016, with contract approval anticipated in December 2016. Construction is scheduled to begin in February 2017 and end in fall 2017. Utility relocation work has already begun with good progress being made.

SR-86/Heber Pedestrian Improvements

The first project to be completed is adding sidewalks and a bus shelter. Bids were opened and construction is scheduled to begin in early January 2017. This project is a coordinated effort between Caltrans and ICTC.

SR-111/Main Street in Niland

This project will install a bus stop and shelter in an existing parking lot on the east side of SR-111. Efforts have begun and a Cooperative Agreement has been drafted and is in the process of completion between ICTC and Caltrans.

4. Traffic Operations:

SR-98/C. N. Perry

Caltrans will implement a safety improvement project at this location that includes installation of flashing beacons on the school speed limit signs, ahead of the crosswalks. Crossing pavement marking and crosswalk delineation will also be refreshed. Flashing beacons have been received and full implementation is expected in late Fall 2016.

Traffic Operations (continued)

SR-86/Customs & Border Protection Checkpoint

Coordination continues between Caltrans and CBP, in the design of interim as well as a long-term, full scale checkpoint facility expansion on SR-86.

The design consists of a four inspection lanes, with two lanes for cars and two lanes for trucks, and includes large secondary inspection area downstream. Based on input from ICTC and Caltrans, CBP will develop a design concept for a two lane checkpoint facility to serve the interim need. A follow-up meeting will be scheduled soon.

5. Planning Studies:

Calexico Transit Needs Assessment Study

The Draft Report was received by Caltrans, ICTC and the City of Calexico at the end of November for review and comment. A contract extension will be processed by SCAG and the project is expected to be finalized by February 2017.

A Fresh Look at Impacts of Border Delays at CA/BC POEs

In May 2016, the San Diego Association of Governments received two Caltrans grants for a total of \$670,000 to study the Effects of Border Wait Times on the Economy and Air Quality/Climate Change Emissions. This is a cooperative effort between SANDAG, ICTC and Caltrans under contract with HDR.

- a. The Economic Impacts of Border Delays will update and enhance previous studies to estimate the effects of delays at the San Diego and Imperial Counties Ports of Entry (POEs) on the regional, statewide, and national economies of the United States and Mexico.
- b. The Air Quality and Climate effects of Border Wait Times will develop a methodology to estimate air quality pollution and greenhouse gas emissions due to vehicular delays to cross the San Diego and Imperial Counties POEs.
- c. Currently the consultants are conducting cross border data collection operations that include counts, surveys, and real time wait times for pedestrians, autos, buses and trucks on both sides of the border.
- d. Plans are being developed to hold an Emissions Roundtable event with stakeholder representatives in early 2017.

6. Local Assistance:

FHWA Webinar on Data-Driven Safety Analysis

The FHWA Data-Driven Safety Analysis (DDSA) team is presenting a new session in its free "How-To" webinar series. The Reliability of Safety Management Methods series

Local Assistance (continued)

includes five informational guides that demonstrate ways to make more reliable data-driven decisions throughout the roadway safety management process. This webinar will cover:

- Network screening & diagnosis
- Countermeasure selection
- Safety effectiveness evaluation
- The systemic approach

This webinar is scheduled on December 20, 2016 from 11:00 a.m. to 12:30 p.m. and is open to all transportation professionals. Space is limited, so please register as soon as possible.

<https://collaboration.fhwa.dot.gov/dot/fhwa/WC/Lists/Seminars/DispForm.aspx?ID=1169>

Subsidized Classes for Local Agencies

The California Local Technical Assistance Program (LTAP) is a jointly funded effort between the FHWA and Caltrans to provide local governments with training, information, technology and direct assistance in order to help improve their transportation infrastructure. Upcoming classes are listed by following the link provided below.

<https://registration.techtransfer.berkeley.edu/wconnect/ShowSchedule.awp?&Mode=GROUP&Group=:FULL&Title=Complete+Listing>

Federal Aid Series

January 30 - February 3, 2017	Eureka, CA
March 13 - 17, 2017	San Luis Obispo, CA
June 12 - 16, 2017	Los Angeles, CA

Registration is online at: <http://www.californialtap.org/index.cfm?pid=1077>

Resident Engineers Academy

February 6 - 9, 2017	Redding, CA
April 24 - 27, 2017	San Jose, CA
June 5 - 8, 2017	Los Angeles, CA

If you are interested in participating, please contact alma.sanchez@dot.ca.gov. Upon completion of the registration list, you will receive an email from the registrar on how to register online.

Division of Local Assistance Listserver Subscription

Sign up to Division of Local Assistance "*Listserver*" to receive significant updates to changes or additions to Local Assistance web pages, including changes to the Local Assistance Procedures Manual and Local Assistance Program Guidelines or the issuance of Office Bulletins and Local Programs Procedures or Call for Projects.

<http://lists.dot.ca.gov/mailman/listinfo/dla-website-updates-announce>

Local Assistance (continued)

Division of Local Assistance Blog (LAB)

A Local Assistance Blog (LAB) was created to provide clarity on issues and contribute to the successful delivery of transportation projects using federal resources. Categories covered by the LAB are: Subsidized Classes for Local Agencies, Policy/Procedures, Program Guidelines, Training, Environmental and Right of Way.

<http://www.localassistanceblog.com/>

7. Communications:

The December 2016 edition of “The Mile Marker”, is now available. This publication raises the bar on transparency and accountability, providing in one place a clear way to communicate Caltrans performance. “The Mile Marker” delivers information that policy experts want in plain language and with clear illustrations. The report is written for anyone who wants to know how well the Department of Transportation does its job.

<http://www.dot.ca.gov/milemarker/docs/2016/MM-2016-Q4.pdf>

DEPARTMENT OF TRANSPORTATION

DISTRICT 11

4050 TAYLOR STREET, M.S. 240

SAN DIEGO, CA 92110

PHONE (619) 688-6681

FAX (619) 688-4299

TTY 711

www.dot.ca.gov



*Serious drought.
Help save water!*

December 9, 2016

Imperial County Transportation Commission (ICTC) Commissioners
1405 North Imperial Avenue, Suite 1
El Centro, CA 92243

Dear Commissioners:

This letter, upon the occasion of my December 2016 retirement from Caltrans, and my unavoidable absence from the December 2016 Commission meeting, is to express my sincere appreciation for the opportunity I have had to work with the Commission and staff. I know I speak for us all, at Caltrans District 11, of our pride in the partnership forged between the two agencies, going back to the Imperial Valley Association of Governments (IVAG) days. We all bring different things to the table that contribute to a bountiful meal.

I have been witness to an amazing array of accomplishments from working together. We have seen large-scale projects providing important backbone infrastructure for freight and trade, culminating with the completion of the Brawley Bypass. We have seen the growth of a transit system from its infancy to a critical transportation connection for Imperial County residents, including top of the line transit centers. There has been great progress in Imperial County on border trade and travel, including the development of lasting relationships with regional, State, and federal agencies on both sides of the border.

The list of accomplishments is long and there is still much to do. However, the planning for future needs continues and I am optimistic for the great things to come. I want to thank you all for the opportunity given to me to have worked with the Commission and its staff. I look forward to hearing continued updates from my neighbor Mark Baza and wish you all well.

Sincerely,

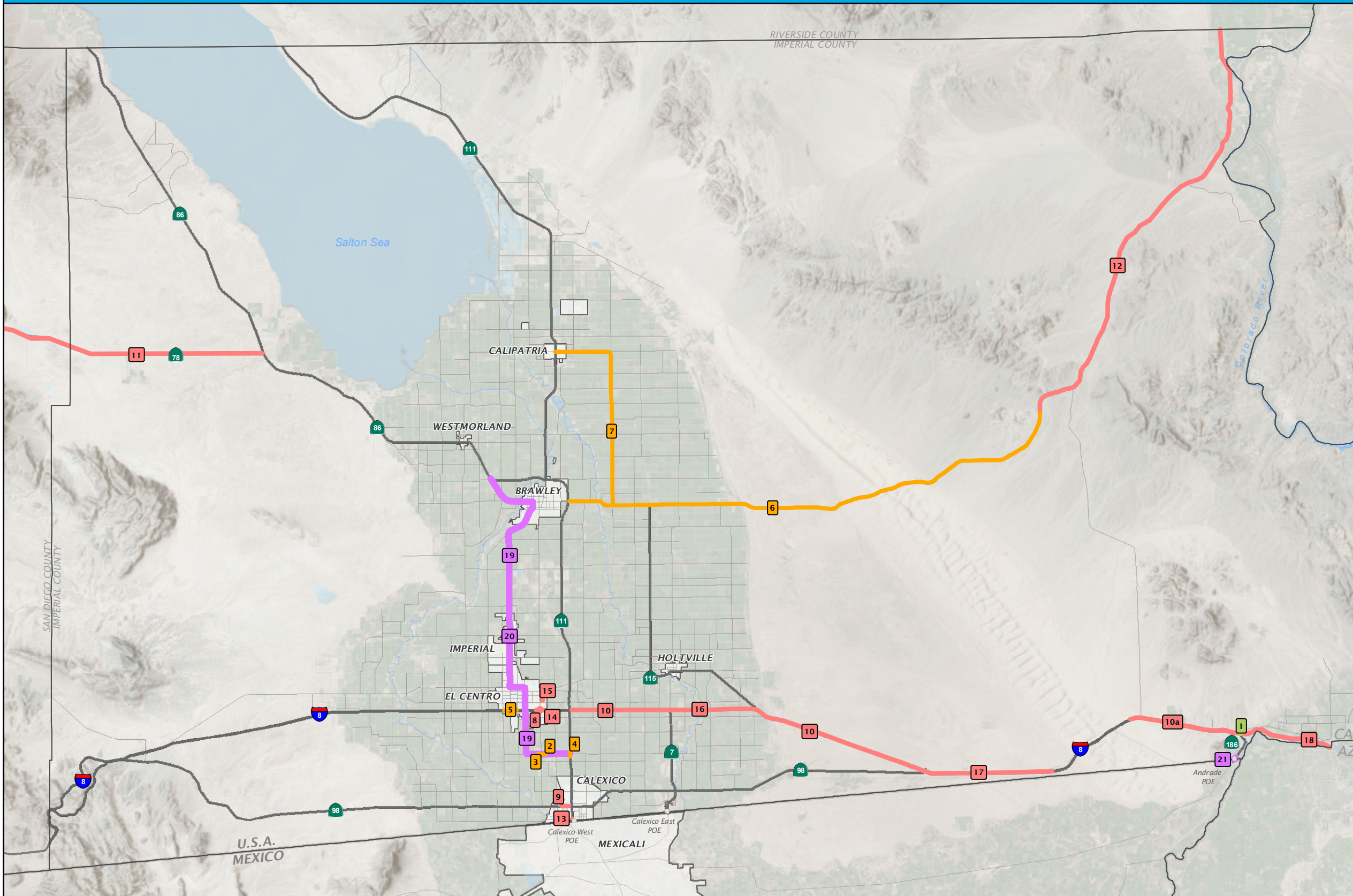
A handwritten signature in blue ink that reads "Bill Figge".

BILL FIGGE

Deputy District Director

Planning and Local Assistance Division

IMPERIAL COUNTY STATUS OF TRANSPORTATION PROJECTS



ENVIRONMENTAL

1. SR-186/I-8 Interchange Improvements

DESIGN

2. SR-86/"Heber Ave" Sidewalk, Transit, & ADA Improvements
Design Complete Fall 2016

3. SR-86/Dogwood Road Intersection Improvements*
Design Complete Fall 2016

4. SR-86/SR-111 Intersection Improvements*
Design Complete Summer 2017

5. I-8/Imperial Ave Interchange Improvements
Design Complete Spring 2019

6. SR-78 Pavement Rehabilitation
Design Complete Spring 2017

7. SR-115 Pavement Rehabilitation
Design Complete Spring 2017

CONSTRUCTION

8. Dogwood Road Landscape
Construction Start Fall 2016

9. SR-98 West Widening Phase 1B
Eady Ave to Ollie Ave
Construction Start Spring 2017

10. I-8 Pavement Rehabilitation at Various Locations
Design Complete Summer 2016

10a. I-8 Pavement Rehabilitation at Ogilby Rd to SR-186
Design Complete Summer 2016

11. SR-78 West of SR-86 Pavement Rehabilitation
Construction Complete Fall 2016

12. SR-78 Pavement Rehabilitation
Construction Complete Spring 2017

13. SR-111 Calexico West -
GSA POE Reconfiguration*
Construction Complete Spring 2018

14. I-8/Dogwood Rd Interchange Improvements
Construction Complete Fall 2016

15. El Centro Maintenance Station
Phase I - Construction Completed Fall 2016
Phase 2 - Construction Completed Spring 2017

16. I-8 Pavement Rehabilitation
Construction Complete Spring 2018

17. I-8 Pavement Rehabilitation
Construction Complete Spring 2019

18. I-8 Pavement Rehabilitation
Construction Complete Spring 2018

RELINQUISHMENT

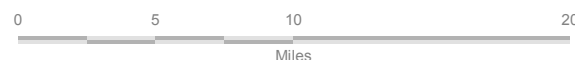
19. SR-86 Relinquishment From SR-78 to SR-111
Senate Bill 788 Approved Fall 2013

20. SR-86 Relinquishment for City of Imperial
Scheduled for CTC Vote in December 2016

21. SR-186 Relinquishment 500 Feet
from Border to GSA*
Relinquishment Complete Summer 2017



- █ Environmental
- █ Design
- █ Construction
- █ Relinquishment



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Date: 11/29/2016

Abbreviations:
GSA: General Services Administration

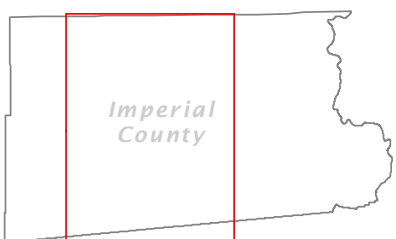
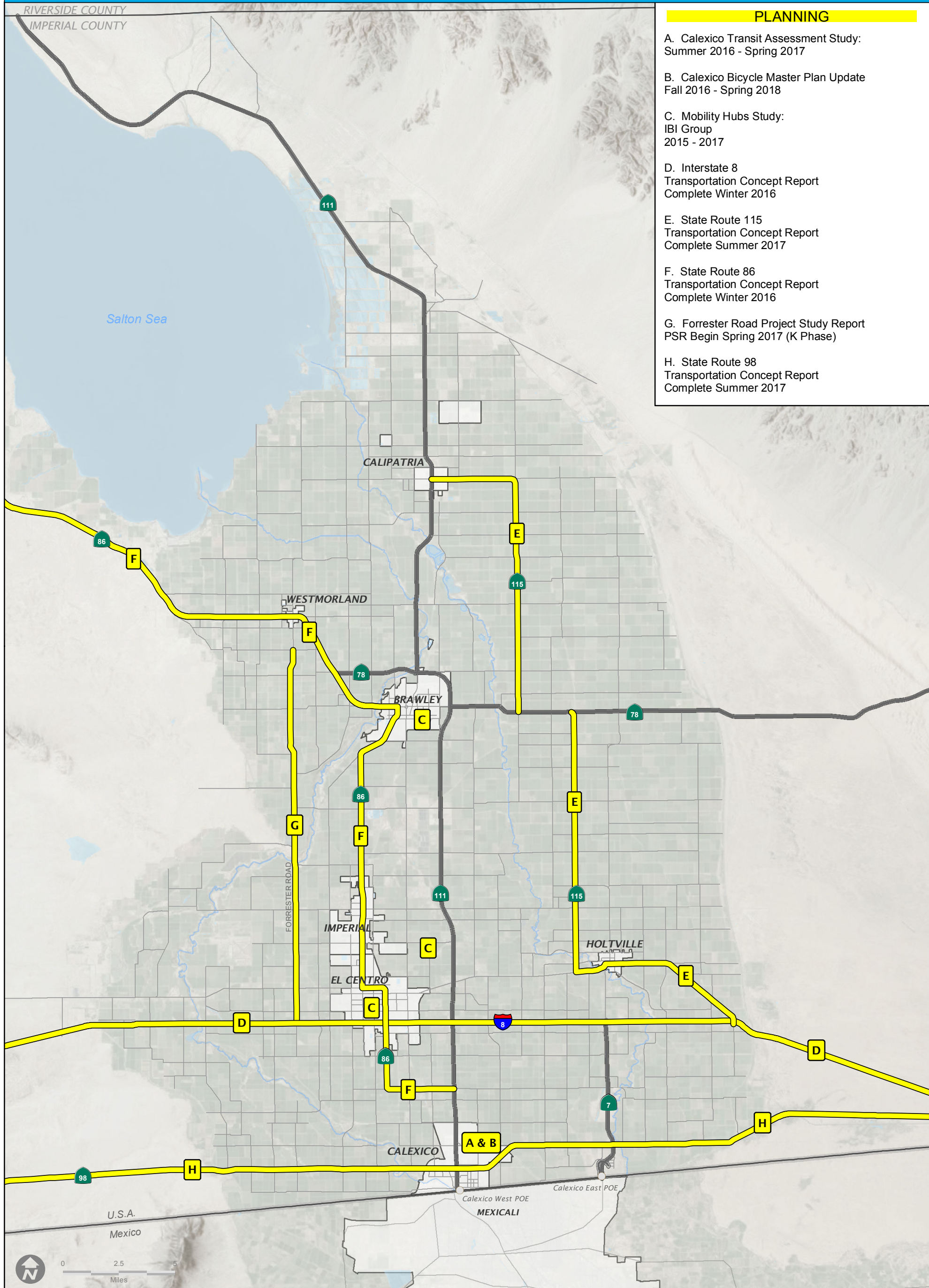
POE: Port of Entry

* The California Department of Transportation (Caltrans) is a partner in this study/projects, although not the lead agency.

IMPERIAL COUNTY STATUS OF TRANSPORTATION STUDIES AND REPORTS

PLANNING

- A. Calexico Transit Assessment Study:
Summer 2016 - Spring 2017
- B. Calexico Bicycle Master Plan Update
Fall 2016 - Spring 2018
- C. Mobility Hubs Study:
IBI Group
2015 - 2017
- D. Interstate 8
Transportation Concept Report
Complete Winter 2016
- E. State Route 115
Transportation Concept Report
Complete Summer 2017
- F. State Route 86
Transportation Concept Report
Complete Winter 2016
- G. Forrester Road Project Study Report
PSR Begin Spring 2017 (K Phase)
- H. State Route 98
Transportation Concept Report
Complete Summer 2017



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Date: 12/07/2016

VII. ACTION CALENDAR

A. FUNDING REQUEST FROM THE CITY OF EL CENTRO TO PROVIDE ADDED SECURITY AT THE EL CENTRO BUS TRANSFER TERMINAL ON 7TH AND STATE STREETS



1405 N. IMPERIAL AVE., SUITE 1
EL CENTRO, CA 92243-2875
PHONE: (760) 592-4494
FAX: (760) 592-4497

December 9, 2016

James Predmore, Chairman
Imperial County Transportation Commission
1405 N. Imperial Ave., Suite 1
El Centro, CA 92243

SUBJECT: Funding Request from the City of El Centro to provide added Security at the El Centro Bus Transfer Terminal on 7th and State Streets

Dear Commission Members:

As a follow-up to the City of El Centro's request for funding assistance from ICTC to address safety concerns at the transfer terminal on 7th and State streets. The request was presented to the Commission in October, for \$90,000.00 for a one-year period and would be used to hire for security staffing. Attached to this staff report is the formal request from the City of El Centro.

ICTC Staff recognizes the need to address the ongoing issues the City has had with the overall security at the transfer terminal. Many of our Imperial Valley Transit (IVT) bus passengers have expressed that they are not comfortable using the transfer terminal and its restrooms due to excessive loitering, vandalism, the appearance of drug use/transactions and other violent crimes that have occurred.

The Commission met on October 26th and took the following actions:

1. Direct ICTC Staff to research funding sources in the amount of \$90,000.00 to assist the City of El Centro in providing added security at the Bus Transfer Terminal on 7th and State Streets.
2. If funding is found available, direct staff to begin coordination with the City of El Centro to develop a fund transfer agreement and parameters of proposed armed security services for consideration to be approved by the Commission and the City.

ICTC staff have researched funding sources and are presenting the following for further direction/action.

Option A: Funding is available through the Local Transportation Authority 2% for Regional Transit. The LTA Board would need to take action on the funding request and a Memorandum of Understanding (MOU) would need to be created to address liability for the use of funds. In addition, the MOU would need to state that the funds would be treated as reimbursement to the City, after the submittal of documentation.

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

Option B: Funding is also available from the State Transportation Development Act (TDA) through Article 8c, if there is a contract between the City and a security company, or reimbursement is needed for police department expenses. A Memorandum of Understanding (MOU) would also need to be created to address liability for the use of funds. In addition, the MOU would need to state that the funds would be treated as reimbursement to the City, after the submittal of documentation.

Additionally, ICTC staff attempted to consult with peer transit agencies in the San Diego area:

- San Diego Metropolitan Transit System (MTS) provides security through a security firm (after a competitive bid process). There are 194 contracted uniformed security personnel and 50% are required to be armed. The security is mobile and able to be stationed as needed on a daily basis. Enforcement is based on an ordinance.
- North County Transit District (NCTD) contracts with the San Diego Sheriff's office for a sergeant and 5 deputy sheriffs (per MTS staff).

ICTC staff recommends the use of LTA funds as described in Option A. The LTA 2% Regional Transit funds are available and eligible as it is to proposed to provide needed security support for our IVT regional transit terminal and operations in the City of El Centro. In addition, the LTA funds are locally controlled and not subject to as many administrative burdens as the TDA funds in Option B.

The Management Committee will meet on December 14th and it is anticipated that they will recommend that the Commission take the following actions, after of public comment, if any:

1. Direct Staff to forward the request from the City of El Centro in an amount up to \$90,000.00 to assist the City of El Centro in providing daily security at the Bus Transfer Terminal on 7th and State Streets, to the Board of the Local Transportation Authority (LTA) as a one-year demonstration.

Sincerely,



MARK BAZA
Executive Director

MB/ksw/cl



October 20, 2016

Chairman and Members
Imperial County Transportation Commission
1405 N. Imperial Ave., Ste.1
El Centro, CA 92243

RE: REQUEST FOR FUNDING

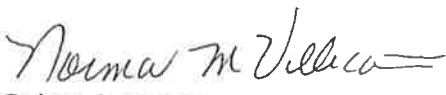
Honorable Chairman and Members of the Commission,

The City of El Centro is respectfully requesting funding through the Imperial County Transportation Commission or any other available funding source that may be available in the amount of \$90,000. This funding would assist with providing additional security at the El Centro Bus Transfer Terminal located at State Street and 7th Street in El Centro. Over the last couple of months, the City particularly the transfer terminal and surrounding areas have been greatly affected by an increase in criminal activity and homelessness. Based on research, an armed security guard salary for 12 hour shift 7 days a week would cost approximately \$88,400 for one year.

Various City departments have taken measures to address these concerns. Some of those measures include an increase in police presence in the downtown area, design plans to install additional lighting in downtown alleys, clean up, and code enforcement efforts. The El Centro Police Department will work closely with additional security if approved, to monitor the transfer terminal and surrounding areas. These efforts will improve the security but will not be enough and therefore, a need for armed security personnel is requested. An armed security guard would provide a sense of security to all the transfer terminal riders coming from different parts of the County.

The City of El Centro is requesting funding in the amount of \$90,000 for a one-year period to assist with addressing the existing security concerns. We believe that once the armed security is in place the major concerns affecting the area should dissipate. With this request, the City is respectfully requesting that you place this item on the agenda for the October 26, 2016 ICTC Commission for consideration.

Sincerely,


for Ruben A. Duran
City Manager

Office of the City Manager

1275 Main Street, El Centro, CA 92243 (760) 337-4540 Fax (760) 352-6177

VII. ACTION CALENDAR

B. UNMET TRANSIT NEEDS PUBLIC HEARING FOR FY 2017-18



1405 N. IMPERIAL AVE., SUITE 1
EL CENTRO, CA 92243-2875
PHONE: (760) 592-4494
FAX: (760) 592-4497

December 5, 2016

James Predmore, Chairman
Imperial County Transportation Commission
1405 N. Imperial Ave. Suite 1
El Centro, Ca. 92243

SUBJECT: Unmet Transit Needs Public Hearing - for Fiscal Year 2017-18

Dear Commission Members:

Section 99401.5 of the Public Utilities Code states that:

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

Unmet Transit Needs that are determined to be "Reasonable to Meet" by ICTC may be established by providing transit services directly, by contracting for new transit services, or the expansion of existing services. In addition, consultant studies are also conducted when practical to evaluate options or complete evaluations.

In the recent past, these Public Hearings have been held in the January - March time frame at the IID Board Chambers in El Centro, at approximately 3:00PM. ICTC is required to select the Hearing Panel from the elected official members of the Commission. It has been customary to appoint five members with two alternates. Typically, two members from the County are selected, with three City representatives. The alternates are also from the Cities.

The Panel meets twice, once for the actual hearing and then reconvenes approximately one month later to review testimony and adopt the "Findings" or actions to be implemented in the subsequent fiscal year. The date of the second meeting is determined by the panel members during the preliminary meeting. ICTC staff issue the public notices and coordinates administrative arrangements, which includes bilingual translation.

Last year the panel members were:

George Nava	Councilmember, City of Brawley
Doug Cox	Councilmember, City of Imperial
Jack Terrazas	Supervisor, County of Imperial #2

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

A Thursday afternoon or evening hearing is recommended, as there are typically no regularly scheduled City Council Board meetings; and the public is generally able to attend.

The ICTC Management Committee will meet on December 14, 2016 and it is anticipated that they will forward this item to the Commission for review and approval after the receipt of public comment, if any:

1. Appoint the Unmet Transit Needs Hearing Panel: two members from the County, three City representatives with two City alternates.
2. Select a Public Hearing date of February 9th or February 16th 2017.
3. Select the time of the meeting.
4. Direct staff to conduct the administrative arrangements.

Sincerely,

MARK BAZA
Executive Director

BY: 

Kathi Williams
Senior Transit Planner

MB/ksw/cl

VII. ACTION CALENDAR

C. TDA TRI-ENNIAL PERFORMANCE AUDIT OF THE ADMINISTRATION/MANAGEMENT OF ICTC: FY 2013-14, 2014-15, 2015-16



1405 N. IMPERIAL AVE. SUITE 1
EL CENTRO, CA 92243-2875
PHONE: (760) 592-4494
FAX: (760) 592-4497

December 5, 2016

James Predmore, Chairman
Imperial County Transportation Commission
1405 N. Imperial Ave. Suite 1
El Centro, Ca. 92243

SUBJECT: Transportation Development Act (TDA) Tri-ennial Performance Audit of the Administration/Management of the Imperial County Transportation Commission: FY 2013-14, 2014-15, 2015-16

Dear Commission Members:

The State of California requires that Transportation Planning Agencies undergo a performance audit every three years. As a result, the Imperial County Transportation Commission must undergo a tri-ennial performance audit of its activities. The consultant conducted audit focuses primarily on administration of the Transportation Development Act (TDA) over a three year period of time. This is the seventh audit of this type to be conducted since the requirement was created in the TDA, and the third audit of the Commission. During the process, public and social service agencies, as well as, the transit operators will be contacted for input and transit operations will be evaluated. A final report will be presented to the Commission at a future date.

This audit is a limited review of financial practices, but more specifically a review of compliance with transit service related Public Utilities Codes and prudent management practices. This audit involves reviewing the processes and policies including, but not limited to; the ICTC Budget and Transit Financing Plan, the TDA Allocation Schedule, the Article 8 financial claim processing, administration of the Social Services Transportation Advisory Council(SSTAC), conduct of the annual Unmet Transit Needs Public Hearing process, and transit planning and operations management of the public transit services by the public agencies.

A Request for Proposal was circulated in October for the audit consultant team. Three proposals were received. A Evaluation Committee team consisting of staff from Caltrans, SCAG and ICTC scored and ranked the proposals, and then conducted oral interviews. The ranking of the consultant firms was based on technical qualifications, prior or related experience, audit methodology, staff qualifications and cost/best value.

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

The consultant ranking is listed as follows:

Name/Ranking	Total Hours	Total Cost	Avg Cost/Per hour
1. Michael Baker International	550	\$72,076	\$131.05
2. Nelson Nygaard	378	\$72,927	\$192.93
3. Hutchinson and Bloodgood	900	\$72,030	\$80.04

In 2013, the previous TDA Performance Audit was conducted by Pacific Municipal Consultants (PMC) for a fee of \$71,601.

The Evaluation Committee recommended that a contract be awarded to the firm of Michael Baker International (MBI). A summary of the more responsive proposal from MBI indicates that:

1. The members of the project team are well known in the State of California in the transit community, have completed many TDA Performance audits, and are very familiar with the technical aspects of transit regulations and transit administrative practices.
2. The project team offered value added benefits through their knowledge and association with Caltrans and other transit agencies; including periodic review sessions with ICTC staff on financial reporting, validating and reporting PUC required transit performance statistics and best management practices.

The cost for this project was identified and approved in the ICTC 2016-17 Overall Work Program and transit budget.

ICTC Management Committee will meet on December 14th and it is anticipated that they will forward this item to the Commission for review and approval after public comment, if any:

1. Authorize the Chairman to sign the Agreement for the FY 2013-14, 2014-15, 2015-16 Transportation Development Act Triennial Performance Audit of the Imperial County Transportation Commission, with Michael Baker International for the fee of \$72,076.
2. Authorize the Chairperson to sign the Consultant Agreement.

Sincerely,

MARK BAZA
Executive Director

BY: 

Kathi Williams
Senior Transit Planner

MB/ksw/cl

1 **AGREEMENT FOR SERVICES**

2
3 THIS AGREEMENT FOR SERVICES (“Agreement”), made and entered into this _____ day
4 of _____, 2016, by and between the **IMPERIAL COUNTY TRANSPORTATION**
5 **COMMISSION** (“ICTC”) and **MICHAEL BAKER INTERNATIONAL, INC.**, a Pennsylvania
6 corporation qualified to do business in California (“**CONSULTANT**”) (individually, “Party;” collectively,
7 “Parties”).

8 **WITNESSETH**

9 **WHEREAS** ICTC desires to retain a qualified individual, firm or business entity to provide
10 professional services for the Transportation Development Act (“TDA”) Triennial Performance Audit (“the
11 Project”); and

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

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

16 1. **DEFINITIONS.**

17 1.1. “RFP” shall mean ICTC’s request for proposals entitled “Request for Proposal,
18 Transportation Development Act (“TDA”) Tri-ennial Performance Audit FY 2013-14, FY 2014-15 and FY
19 2015-16.” The RFP is attached as **Exhibit “A”** and incorporated herein by this reference.

20 1.2. “Proposal” shall mean CONSULTANT’s proposal entitled “Imperial County Transportation
21 Commission Triennial Performance Audit” dated September 30, 2016. The Proposal is attached as **Exhibit**
22 **“B”** and incorporated herein by this reference.

23 2. **CONTRACT COORDINATION.**

24 2.1. CONSULTANT shall assign a single Contract Manager to have overall responsibility for
25 the progress and execution of this Agreement. Derek Wong, AICP, is hereby designated as the Contract
26 Manager for CONSULTANT. Should circumstances or conditions subsequent to the execution of this
27 Agreement require a substitute Contract Manager for any reason, the Contract Manager’s designee shall be
28 subject to the prior written acceptance and approval of ICTC.

fw

1 3. DESCRIPTION OF WORK.

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

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

7 4. WORK TO BE PERFORMED BY CONSULTANT.

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

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

12 4.3. CONSULTANT shall:

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

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

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

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

26 4.4. Any videotape, reports, information, data or other material given to, or prepared or
27 assembled by, CONSULTANT pursuant to this Agreement shall be the property of ICTC and shall not be
28 made available to any individual or organization by CONSULTANT without the prior written approval of

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

8 5. REPRESENTATIONS BY CONSULTANT.

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

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

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

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

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

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

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

mu

1 6. COMPENSATION.

2 The total compensation payable under this Agreement shall not exceed seventy two thousand
3 seventy six dollars (\$72,076.00), unless otherwise previously agreed to by ICTC.

4 7. PAYMENT.

5 CONSULTANT will bill ICTC on a time and material basis upon completion of the project or as set
6 forth in Exhibit "B". ICTC shall pay CONSULTANT for completed and approved services upon
7 presentation of its itemized billing. Notwithstanding the foregoing, ICTC shall retain 10% of the total
8 compensation until the work to be performed has been completed in accordance with this Agreement, as
9 determined by ICTC, and payment in full of all subcontractors of CONSULTANT.

10 8. METHOD OF PAYMENT.

11 8.1. CONSULTANT shall at any time prior to the 15th day of any month, submit to ICTC a
12 written claim for compensation for services performed. The claim shall be in a format approved by ICTC.
13 CONSULTANT may expect to receive payment within a reasonable time thereafter and in any event in the
14 normal course of business within thirty (30) days after the claim is submitted.

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

16 9.1. This Agreement shall commence on the date first written above and shall remain in effect
17 until the services provided as outlined in paragraph 3, ("DESCRIPTION OF WORK"), have been
18 completed, 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.

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1 11. SUSPENSION AND/OR TERMINATION.

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

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

14 12. INSPECTION.

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

20 13. OWNERSHIP OF MATERIALS.

21 All original drawings, videotapes and other materials prepared by or in possession of
22 CONSULTANT pursuant to this Agreement shall become the permanent property of ICTC and shall be
23 delivered to ICTC upon demand. Any substantive modification of the materials by ICTC, or at ICTC's
24 direction, or any use of the completed materials for other projects, or any use of uncompleted materials,
25 without the written consent of CONSULTANT, shall be at ICTC's sole risk and without liability or legal
26 exposure to CONSULTANT. ICTC agrees to hold CONSULTANT harmless from all damages, claims,
27 expenses and losses arising out of any reuse of the materials for purposes other than those described in this
28 Agreement, unless CONSULTANT consents in writing to such reuse.

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1 14. INTEREST OF CONSULTANT.

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

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

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

9 15. INDEMNIFICATION.

10 15.1. CONSULTANT agrees to the fullest extent permitted by law to indemnify, defend,
11 protect and hold ICTC and its representatives, officers, directors, designees, employees, successors and
12 assigns harmless from any and all claims, expenses, liabilities, losses, causes of actions, demands,
13 losses, penalties, attorneys' fees and costs, in law or equity, of every kind and nature whatsoever arising
14 out of or in connection with CONSULTANT's negligent acts and omissions or willful misconduct under
15 this Agreement ("Claims"), whether or not arising from the passive negligence of ICTC, but does not
16 include Claims that are the result of the negligence or willful misconduct of ICTC.

17 15.2. CONSULTANT agrees to defend with counsel acceptable to ICTC, indemnify and hold
18 ICTC harmless from all Claims, including but not limited to:

19 15.2.1. Personal injury, including but not limited to bodily injury, emotional injury, sickness or
20 disease or death to persons including but not limited to ICTC's its members, board members, officers,
21 officials, employees, agents and volunteers and assigns, subcontractors and other third parties and/or
22 damage to property of anyone (including loss of use thereof) arising out of CONSULTANT's negligent
23 performance of, or willful misconduct surrounding, any of the terms contained in this Agreement, or
24 anyone directly or indirectly employed by CONSULTANT or anyone for whose acts CONSULTANT
25 may be liable;

26 15.2.2. Liability arising from injuries to CONSULTANT and/or any of CONSULTANT's
27 employees or agents arising out of CONSULTANT's negligent performance of, or willful misconduct
28

1 surrounding, any of the terms contained in this Agreement, or anyone directly or indirectly employed by
2 CONSULTANT or anyone for whose acts CONSULTANT may be liable;

3 15.2.3. Penalties imposed upon account of the violation of any law, order, citation, rule,
4 regulation, standard, ordinance or statute caused by the negligent action or inaction, or willful
5 misconduct of CONSULTANT or anyone directly or indirectly employed by CONSULTANT or anyone
6 for whose acts CONSULTANT may be liable;

7 15.2.4. Infringement of any patent rights which may be brought against ICTC arising out of
8 CONSULTANT's work;

9 15.2.5. Any violation or infraction by CONSULTANT of any law, order, citation, rule,
10 regulation, standard, ordinance or statute in any way relating to the occupational health or safety of
11 employees; and

12 15.2.6. Any breach by CONSULTANT of the terms, requirements or covenants of this
13 Agreement.

14 15.3. These indemnification provisions shall extend to Claims occurring after this Agreement
15 is terminated, as well as while it is in force.

16 15.4. Notwithstanding the indemnity provisions above, CONSULTANT shall not be required
17 to defend ICTC for claims arising out of CONSULTANT's professional work that are deemed
18 uninsurable under CONSULTANT's professional liability coverage, EXCEPT THAT:

19 15.4.1. CONSULTANT shall be required to pay ICTC's reasonable attorney's fees associated
20 with ICTC's defense of any such claim; and

21 15.4.2. If any such claim is covered under any of CONSULTANT's other insurance policies,
22 CONSULTANT shall be required to defend ICTC as specified in Paragraphs 15.1 through 15.3.

23 15.5 If CONSULTANT should subcontract all or any portion of the services to be performed
24 under this Agreement, CONSULTANT shall require each subcontractor to indemnify, hold harmless and
25 defend ICTC and its members, board members, officers, officials, employees, agents and volunteers in
26 accordance with the terms of the preceding paragraph.

27 15.6 This section shall survive termination or expiration of this Agreement.

28 16. INDEPENDENT CONTRACTOR.

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

4 16.1. CONSULTANT is not an employee or agent of ICTC and is only responsible for the
5 requirements and results specified by this Agreement or any other agreement.

6 16.2. CONSULTANT shall be responsible to ICTC only for the requirements and results
7 specified by this Agreement and except as specifically provided in this Agreement, shall not be subject
8 to ICTC's control with respect to the physical actions or activities of CONSULTANT in fulfillment of
9 the requirements of this Agreement.

10 16.3. CONSULTANT is not, and shall not be, entitled to receive from, or through, ICTC, and
11 ICTC shall not provide, or be obligated to provide, CONSULTANT with Worker's Compensation
12 coverage or any other type of employment or worker insurance or benefit coverage required or provided
13 by any Federal, State or local law or regulation for, or normally afforded to, an employee of ICTC.

14 16.4. CONSULTANT shall not be entitled to have ICTC withhold or pay, and ICTC shall not
15 withhold or pay, on behalf of CONSULTANT, any tax or money relating to the Social Security Old Age
16 Pension Program, Social Security Disability Program, or any other type of pension, annuity, or disability
17 program required or provided by any Federal, State or local law or regulation.

18 16.5. CONSULTANT shall not be entitled to participate in, or receive any benefit from, or
19 make any claim against any ICTC fringe program, including, but not limited to, ICTC's pension plan,
20 medical and health care plan, dental plan, life insurance plan, or any other type of benefit program, plan,
21 or coverage designated for, provided to, or offered to ICTC's employee.

22 16.6. ICTC shall not withhold or pay, on behalf of CONSULTANT, any Federal, State, or local
23 tax, including, but not limited to, any personal income tax, owed by CONSULTANT.

24 16.7. CONSULTANT is, and at all times during the term of this Agreement, shall represent
25 and conduct itself as an independent contractor, not as an employee of ICTC.

26 16.8. CONSULTANT shall not have the authority, express or implied, to act on behalf of, bind
27 or obligate ICTC in any way without the written consent of ICTC.

28 17. INSURANCE.

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1 Throughout the life of this Agreement, CONSULTANT shall pay for and maintain in full force
2 and effect all policies of insurance required hereunder with an insurance company(ies) either (i)
3 admitted by the California Insurance Commissioner to do business in the State of California and rated
4 not less than "A- VII" in Best's Insurance Rating Guide, or (ii) authorized by ICTC's Executive Director
5 or his/her designee at any time and in his/her sole discretion. The following policies of insurance are
6 required:

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

14 \$1,000,000 per occurrence for bodily injury and property damage

15 \$1,000,000 per occurrence for personal and advertising injury

16 \$1,000,000 aggregate for products and completed operations

17 \$2,000,000 general aggregate

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

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

25 (iv) EMPLOYERS' LIABILITY insurance with limits of liability of not less than,
26 \$1,000,000 each accident, \$1,000,000 disease policy limit and \$1,000,000 disease each
27 employee.
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1 (v) PROFESSIONAL LIABILITY (ERRORS AND OMISSIONS) insurance appropriate
2 to CONSULTANT'S profession, with limits of liability of not less than \$1,000,000 per
3 claim/occurrence and \$2,000,000 policy aggregate.

4 In the event CONSULTANT maintains higher limits than the minimum limits shown above,
5 ICTC requires and shall be entitled to coverage for the higher limits maintained by CONSULTANT.
6 Any available insurance proceeds in excess of the specified minimum limits of insurance and coverage
7 shall be available to ICTC.

8 CONSULTANT shall be responsible for payment of any deductibles contained in any insurance
9 policies required hereunder and CONSULTANT shall also be responsible for payment of any self-
10 insured retentions. Any deductibles or self-insured retentions must be declared to the ICTC's Executive
11 Director or his/her designee. At no time shall ICTC be responsible for the payment of any deductibles
12 or self-insured retentions.

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

20 The General Liability and Automobile Liability insurance policies shall be written on an
21 occurrence form and shall name ICTC, its board members, officers, employees and agents as an
22 additional insured. Such policy(ies) of insurance shall be endorsed so CONSULTANT's insurance shall
23 be primary and no contribution shall be required of ICTC. The coverage shall contain no special
24 limitations on the scope of protection afforded to ICTC, its board members, officers, employees, agents
25 and volunteers. The Workers' Compensation insurance policy shall contain a waiver of subrogation as
26 to ICTC, its board members, officers, employees, agents and volunteers.

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

1 this Agreement. The duty to indemnify ICTC shall apply to all claims and liability regardless of whether
2 any insurance policies are applicable. The policy limits do not act as a limitation upon the amount of
3 indemnification to be provided by CONSULTANT. Approval or purchase of any insurance contracts or
4 policies shall in no way relieve from liability nor limit the liability of CONSULTANT, its principals,
5 officers, employees, agents, persons under the supervision of CONSULTANT, vendors, suppliers,
6 invitees, consultants, sub-consultants, subcontractors, or anyone employed directly or indirectly by any
7 of them.

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

13 18. ASSIGNMENT.

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

17 19. NON-DISCRIMINATION.

18 During the performance of this Agreement, CONSULTANT shall not unlawfully discriminate
19 against any employee or applicant for employment or employee of ICTC or member of the public
20 because of race, religion, color, national status, age, or sex. CONSULTANT shall ensure that the
21 evaluation and treatment of its employees and applicants for employment and employees and members
22 of the public are free of such discrimination. CONSULTANT shall comply with all provisions of the
23 Fair Employment and Housing Act (Government Code §12900, *et seq.*). The applicable regulations of
24 the Fair Employment Housing Commission implementing Government Code §12900 set forth in
25 Chapter 5 of Division 4 of Title 2 of the California Administrative Code are incorporated into this
26 Agreement by reference and made a part hereof as if set forth in full. CONSULTANT shall abide by the
27 Federal Civil Rights Act of 1964 and all amendments thereto, and all administrative rules and
28 regulations issued pursuant to said Act. CONSULTANT shall also abide by the American Disabilities

1 1. The retroactive date must be shown, and must be before the effective date of the Agreement or
2 the commencement of work by CONSULTANT.

3 2. Insurance must be maintained and evidence of insurance must be provided for at least 3 years
4 after any expiration or termination of the Agreement or, in the alternative, the policy shall be
5 endorsed to provide not less than a 3-year discovery period.

6 3. If coverage is canceled or non-renewed, and not replaced with another claims-made policy
7 form with a retroactive date prior to the effective date of the Agreement or the commencement of
8 work by CONSULTANT, CONSULTANT must purchase extended reporting coverage for a
9 minimum of 3 years following the expiration or termination of the Agreement.

10 4. A copy of the claims reporting requirements must be submitted to ICTC for review.

11 5. These requirements shall survive expiration or termination of the Agreement.

12 CONSULTANT shall furnish ICTC with all certificate(s) and applicable endorsements effecting
13 coverage required hereunder. All certificates and applicable endorsements are to be received by ICTC
14 and approved by ICTC's Executive Director or his/her designee prior to ICTC's execution of the
15 Agreement and before work commences. Upon request of ICTC, CONSULTANT shall immediately
16 furnish ICTC with a complete copy of any insurance policy required under this Agreement, including all
17 endorsements, with said copy certified by the underwriter to be a true and correct copy of the original
18 policy. This requirement shall survive expiration or termination of this Agreement.

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

27 The fact that insurance is obtained by CONSULTANT shall not be deemed to release or diminish
28 the liability of CONSULTANT, including, without limitation, liability under the indemnity provisions of

1 Act and all amendments thereto, and all administrative rules and regulations issued pursuant to said Act.
2 CONSULTANT shall give written notice of its obligations under this clause to labor organizations with
3 which it has a collective bargain or other agreement. CONSULTANT shall include the non-
4 discrimination and compliance provision of this paragraph in all subcontracts to perform work pursuant
5 to this Agreement.

6 20. NOTICES AND REPORTS.

7 20.1. All notices and reports pursuant to this Agreement shall be in writing and may be given
8 by personal delivery or by mailing by certified mail, addressed as follows:

9 **ICTC**

10 Attn: Executive Director
11 Imperial County Transportation Commission
12 1405 N. Imperial Ave., Ste 1
13 El Centro, CA 92243

CONSULTANT

14 Attn: Philip O. Carter
15 Michael Baker International
16 2729 Prospect Park Drive, Suite 220
17 Rancho Cordova, CA 95670

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

21 20.3. Any notice given by mail shall be considered given when deposited in the United States
22 Mail, postage prepaid, addressed as provided herein.

23 21. ENTIRE AGREEMENT.

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

27 22. MODIFICATION.

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

29 23. PARTIAL INVALIDITY.

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

1 24. GENDER AND INTERPRETATION OF TERMS AND PROVISIONS.

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

9 25. WAIVER.

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

13 26. CHOICE OF LAW.

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

17 27. ATTORNEY'S FEES.

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

20 28. AUTHORITY.

21 Each individual executing this Agreement on behalf of CONSULTANT represents and warrants
22 that:

23 28.1. He/She is duly authorized to execute and deliver this Agreement on behalf of
24 CONSULTANT;

25 28.2. Such execution and delivery is in accordance with the terms of the Articles of
26 Incorporation or Partnership, any by-laws or Resolutions of CONSULTANT and;

27 28.3. This Agreement is binding upon CONSULTANT accordance with its terms.

28 29. COUNTERPARTS.

1 This Agreement may be executed in counterparts.

2 30. REVIEW OF AGREEMENT TERMS.

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

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

9 **IMPERIAL COUNTY TRANSPORTATION COMMISSION:**

10
11 _____
Chairperson

12 ATTEST:

13
14
15 _____
16 CRISTI LERMA
Secretary to the Commission

17 **CONSULTANT:**

18
19
20 
21 By: _____
22 PHILIP O. CARTER, Vice President

23 APPROVED AS TO FORM:

24 KATHERINE TURNER
25 COUNTY COUNSEL

26 By: 
27 Eric Havens
28 Deputy County Counsel

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September 2016



The Imperial County Transportation Commission (ICTC)

Request For Proposal

**TRANSPORTATION DEVELOPMENT ACT (TDA)
Tri-ennial Performance Audit
FY 2013-14, FY 2014-15 and FY 2015-16**

Brawley, Calexico, Calipatria, El Centro, Holtville, Imperial, Westmorland, County of Imperial and Imperial Irrigation District

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THE IMPERIAL COUNTY TRANSPORTATION COMMISSION

Request for Proposals for TRANSPORTATION DEVELOPMENT ACT (TDA) TRIENNIAL PERFORMANCE AUDIT PROGRAM

I. INTRODUCTION

The Imperial County Transportation Commission (ICTC) is seeking proposals from qualified firms for professional services to conduct performance audits of ICTC and its public transit operators, as required by the Transportation Development Act (TDA) of 1971. This Request for Proposal (RFP) describes the project, the required scope of services, the consultant selection process, and the minimum information that must be included in the proposal.

Failure to submit information in accordance with the RFP requirements and procedures may be cause for disqualification.

II. BACKGROUND

ICTC is the sub-regional transportation planning and programming agency for the area's seven incorporated cities and the county government. The ICTC builds consensus, makes strategic plans, obtains and allocates resources, and provides information on a broad range of topics pertinent to the Imperial Valley region's transportation services and infrastructure.

The ICTC is an independent agency governed by a Commission composed of council members, county supervisors and elected officials from each of the region's eight (8) local governments and the Imperial Irrigation District (IID). Membership includes the cities of Brawley, Calipatria, Calexico, El Centro, Holtville, Imperial, Westmorland, the County of Imperial and the IID.

III. PROJECT SUMMARY

A. Project Background/Project Description

ICTC is responsible for the completion of performance audits of itself and transit operators as required by the Transportation Development Act of 1971. However, there are no Article 4 operators in operation. All transit operations are under Article 8. ICTC chooses to also have performance audits conducted on the various Article 8 transit operations. The legislative requirements relating to performance auditing may be found in Section 99246 of the California Public Utilities Code and Sections 6662.5 and 6664.5 of Title 21 of the California Code of Regulations. Within the Code, references to 'Director' refer to the California Director of Transportation.

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The minimum requirements for performance audits are as follows:

1. PERFORMANCE AUDITS OF PLANNING ENTITIES AND OPERATORS

“PUC 99246. (a) The transportation planning agency shall designate entities other than itself, a county transportation commission, a transit development board, or an operator to make the performance audit of its activities, and those of county transportation commissions and transit development boards located in the area under its jurisdiction, with respect to this chapter, and of each operator to whom it allocates funds. The transportation planning agency shall consult with the entity to be audited prior to designating the entity to make the performance audit.

Where a transit development board created pursuant to Division 11 (commencing with Section 120000) or a county transportation commission exists, the board or commission, as the case may be, shall designate entities other than itself, a transportation planning agency, or an operator to make a performance audit of its activities and those of operators located in the area under its jurisdiction to whom it directs the allocation of funds. The board or commission shall consult with the entity to be audited prior to designating the entity to make the performance audit.

(b) The performance audit shall evaluate the efficiency, effectiveness, and economy of the operation of the entity being audited and shall be conducted in accordance with the efficiency, economy, and program results portions of the Comptroller General’s “Standards for Audit of Governmental Organizations, Programs, Activities, and Functions.” Performance audits shall be submitted triennially pursuant to a schedule established by the transportation planning agency, transit development board, or county transportation commission having jurisdiction over the operator.

(c) The performance audit of the transportation planning agency, county transportation commission, or transit development board shall be submitted to the Director. The transportation planning agency, county transportation commission, or transit development board, as the case may be, shall certify in writing to the Director that the performance audit of operators located in the area under its jurisdiction has been completed.

(d) With respect to an operator providing public transportation services, the performance audit shall include, but not be limited to, a verification of the operator’s operating cost per passenger, operating cost per vehicle service hour, passengers per vehicle service hour, passengers per vehicle service mile, and vehicle service hours per employee, as defined in Section 99247. The performance audit shall include, but not be limited to, consideration of the needs and types of the passengers being served and the employment of part-time drivers and the contracting with common carriers of persons operating under a franchise or license to provide services during peak hours, as defined in subdivision (a) of Section 99260.2.

The performance audit may include performance evaluations both for the entire system

and for the system excluding special, new, or expanded services instituted to test public transportation service growth potential.”

2. PERFORMANCE AUDITS OF TRANSPORTATION PLANNING AND PROGRAMMING ENTITIES

“PUC 6662.5. (a) Each transportation planning agency, county transportation commission, and metropolitan transit development board shall designate an independent entity to make a performance audit of its activities with respect to the Act pursuant to Public Utilities Code Section 99246. The performance audit shall be submitted to the Director triennially, in accordance with a schedule established by the transportation planning agency, county transportation commission and metropolitan transit development board.

(b) If the transportation planning agency, county transportation commission, or metropolitan transit development board fails to transmit a performance audit within one year after the date on which the report was due, the agency, commission, or board shall not be eligible to receive funds allocated for administration or planning until the audit report is transmitted or unless prior approval is granted by the Director.”

3. PERFORMANCE AUDITS OF OPERATORS

“PUC 6664.5. (a) A performance audit shall be conducted triennially pursuant to Public Utilities Code Section 99246 on a schedule determined by the transportation planning agency, county transportation commission, or metropolitan transit development board having jurisdiction over the operator, for each operator that has operated its public transportation commission, or metropolitan transit development board, as appropriate, shall provide the Director and the Controller, prior to September 1 of each fiscal year:

(1) A schedule of performance audit reports to be submitted during that fiscal year.

(2) A list of all entities which are subject to performance audits pursuant to Public Utilities Code Section 99246.

(b) Each transportation planning agency, county transportation commission, or metropolitan transit development board, as appropriate, shall provide a written certification to the Director that scheduled performance audit of operators located in the area under jurisdiction has been completed.

The individual audits to be included as part of this audit program are listed in Table 1, with summary information presented for each operator in order to provide an indication of the scope of the operations involved.”

Table 1
FY 2015-16 Data

Transit Properties to be Audited	Operating Budget	Total Passengers	Revenue Miles
Imperial Valley Transit	\$3,390,816	801,466	773,407
IVT – Blue/Green/Gold Lines	\$897,687	41,370	113,700
IVT Access	\$1,500,562	32,291	290,287
Medexpress	\$143,164	3,483	37,144
West Shores Dial-A-Ride	0	0	0
Brawley Dial-A-Ride [#]	0 ^{##}	0	0
Calexico Dial-A-Ride [#]	0 ^{##}	0	0
El Centro Dial-A-Ride	\$202,362	16,716	33,580
Imperial Dial-A-Ride [#]	0 ^{##}	0	0
IVT RIDE	\$832,858	42,745	112,869
YCAT Turquoise and Blue Lines ^{###}	\$172,270	17,500	111,784
Planning Agency: ICTC	\$1,657,544	N/A	N/A

#For FY 2013-14 and part of FY 2014-15, the team will need to consult with City staff as several service consolidations took place under the ICTC branded IVT RIDE service concept in FY 2014-15.

##FY 2015-16, data will be available after the time of the audit contract execution.

###ICTC is participating in an MOU with the Yuma County Intergovernmental Public Transit Authority (YCIPTA) and the Quechan Indian Tribe. The MOU is in regards to ICTC's participation in the service delivery of the Yuma County Area Transit (YCAT) Turquoise Routes 5 and 10, between Yuma AZ, and El Centro CA. This participation involves a contribution of TDA funding and assistance with service planning and reviewing performance measurements. The consultant is required to review the performance of the YCAT route 5 and 10 as a part of the scope of work for this triennial audit cycle.

4. ICTC's Approach to Performance Auditing

The ICTC approach to performance auditing is to utilize the Transit Performance Audit Guidebook which is located at the Caltrans Website:

<http://www.dot.ca.gov/hq/MassTrans/tdao.htm>

5. Objectives of the Performance Audit Program

The primary objective to be achieved by conducting these performance audits is to obtain a set of recommendations for each operator for compliance with the regulations. A secondary objective is to provide improvements in efficiency and productivity that, where possible, lead to specific, identifiable cost savings. The audit should be constructive and useful to the operator as an internal management tool, and should also identify significant achievements in addition to areas needing improvement. The proposal should specify the firm's experience and capabilities in performing the analysis work necessary to develop such recommendations.

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B. Fee Estimate Range

The estimate of the fee range for the completion of the project is \$65,000 to \$75,000. The budget is established in the FY 2016-17 ICTC Overall Work Plan and Budget.

C. Payment

The selected consultant will be paid by the fixed fee method, with monthly invoices based on deliverables or portions of work completed. ICTC will retain 10% from each invoice until the final delivery of the product.

IV. SCOPE OF REQUIRED SERVICES

A. Project Description

The following specific products will be required from the performance audit consultant:

1. Review of Base Statistics and Performance Indicators

Review the base statistics and performance indicators submitted by each operator to ICTC and identify trends in individual operator performance. These data should be reported within a context that will enable management and policy board members to evaluate the results.

ICTC has a transit operator performance indicator monitoring system as a means of measuring trends in individual operator efficiency, effectiveness, and productivity. Operators have been submitting this information on a semi-annual basis since July 1, 2000, through June 30, 2016.

The performance indicator monitoring system was to provide trend information for key system-wide and functional area indicators for use in performance auditing. The availability of the trend information is intended to provide a performance auditor with an indication of potential problem areas for further investigation, as well as areas in which an operator's performance is acceptable or particularly outstanding. The base statistics available through the quarterly monitoring system for fixed-route and demand responsive systems are shown in attachment C.

Section 99246 of the Public Utilities Code requires that a performance audit include a verification of five performance indicators (operating cost per passenger, operating cost per vehicle service hour, passengers per vehicle service hour, passengers per vehicle service mile, and vehicle service hours per employee). If during the course of conducting the performance audit the auditor discovers any shortcomings in the operator's data collection techniques, compilation methods, or reporting procedures, such findings should be noted in the report with recommendations for appropriate improvements.

2. Review of Previous Performance Audit Recommendations

Review previous performance audit recommendations and the progress made by each operator on implementation.

Operators have been previously subject to the formal performance audit process. However, the auditor should review the findings and recommendations of the previous performance audit for ICTC and examine efforts to implement appropriate recommendations. Recommendations that have not been implemented but still appear to have merit should be reconsidered for inclusion in the recommendations for this performance audit cycle.

3. Consideration of Other Factors

Consider the needs and types of passengers being served, the employment of part-time drivers and the contracting with common carriers of persons operating under a franchise or license to provide services during peak hours.

The performance audit requirements specify that the performance audit should also include a consideration of the needs and types of the passengers being served, the employment of part-time drivers, and the contracting with common carriers to provide peak-hour services. Through the document reviews, interviews with key personnel, and analysis of operator practices, the auditor should consider the degree to which the services being provided are meeting the needs of the passengers, and the potential of employing part-time drivers and contracting for peak-hour services to increase the efficiency and effectiveness of the system's operations.

4. The Performance Audit Report

Prior to issuing and presenting a final performance audit report, the auditor shall provide up to 30 calendar days as an opportunity for the operators and ICTC to respond to any draft findings. The auditor should ensure that each operator has a clear understanding of the draft audit findings and recommendations.

As the final product of each performance audit, a report will be presented by the audit firm to the ICTC Management Committee and the Commission. This report should include the review of the base statistics and indicators, the review of prior performance audit recommendations, the consideration of other factors, and a summary of major findings and recommendations. Since the performance audit is intended as a management tool, the report should be positive in nature, noting areas where performance is acceptable or outstanding, as well as pointing out areas where improvement is needed. Recommendations should emphasize the improvements that can be made and the benefits that can be achieved. There will not necessarily be recommendations for each functional area. The recommendations for improvement should be assigned a priority to indicate the relative importance of implementation, and the potential cost savings or other benefits to be achieved should be identified. In no case should the cost of implementation exceed the benefits to be gained.

5. Performance Audit of ICTC

A performance audit report of ICTC will be completed with a focus on its activities related to the administration of the Transportation Development Act.

The Imperial Valley Association of Government (IVAG), as the predecessor to the ICTC, developed the Transportation Development Act Claim Guidebook. The successful proposer is expected to review these guidelines when considering the effectiveness of ICTC administrative roles. The Guidelines are located at the ICTC web page: www.imperialctc.org

B. Project Schedule

ICTC anticipates the process for nominating and selecting a consultant, and awarding the contract will be according to the following tentative schedule:

A.	Advertise and Issue RFP	August 31, 2016
B.	Last Day to Submit Questions Regarding RFP	September 23, 2016
C.	Proposal Due Date	September 30, 2016
D.	Proposal Ranking and Staff Recommendation (non-public opening)	Week of October 2nd 2016
E.	Oral Interviews (if utilized)	Week of October 10th 2016
F.	Selection and Notification Award	October (estimate)
G.	Contract Negotiations Complete	October 2016 (estimate)
H.	Approval of Contract	October 2016 (estimate)
I.	Notice of Award/Notice to Proceed	October 2016 (estimate)
J.	Completed Initial Draft Report for Staff review	April 24, 2017
K.	Revised draft for Member Agency Review	May 1, 2017
L.	Presentation of Final DRAFT Report to ICTC Management Committees	June 14th, 2017
M.	Presentation of Final DRAFT Report to ICTC Commission	June 28th 2017
N.	Revisions to Final DRAFT as Necessary Delivery of Final Report	July 2017

V. PROPOSAL REQUIREMENTS

A. GENERAL

1. The proposal should be concise, well organized and demonstrate the proposer's qualifications and experience applicable to the project. The proposal shall be limited to 100 pages (8.5 inches x 11 inches), inclusive of resumes, graphics, forms, pictures, photographs, dividers, front and back covers, cover letter, etc., but not of letters of commitment from subcontractors or DBE documentation. Type size and margins for text pages should be in keeping with accepted standard formats for desktop publishing and processing and should result in no more than five hundred (500) words per page.
2. The written proposal must include a discussion of the proposer's approach to the project, a breakdown and explanation of project tasks, a proposed project schedule, an estimate of costs and documentation of the firm and consultant's qualifications for the scope of work. The cost estimate should be submitted in a separate sealed envelope.
3. The proposer will be evaluated based upon the information submitted in accordance with Section V. B, the evaluation criteria in Section IX, and compliance with all requirements of this RFP.

B. Contents

Proposals submitted in response to this RFP shall be in the following order and shall include:

1. *Executive Summary*

Include a 1-2 page overview of the entire proposal describing the most important elements of the proposal.

2. *Identification of the Proposer and Establishment of Proposer's Fiscal Responsibility*

Please provide the following information:

- a. Legal name and address of proposer's company.
- b. Number of years proposer's company has been in business.
- c. Legal form of company (partnership, corporation, joint venture, etc.). If joint venture, identify the members of the joint venture and provide all information required within the section for each

member. If a corporation, certify that the corporation is in good standing with the Secretary of State.

- d. If a company is wholly-owned subsidiary of a “parent company,” provide the legal name and form of the parent company.
- e. Address(es) of office(s) that will work on this project.
- f. If Disadvantaged Business Enterprise (DBE) certified, identify certifying agency, as well as gender and ethnicity.
- g. Name, title, address, email address and telephone number of the person to contact concerning the proposal.
- h. State whether the proposer has filed bankruptcy in the last ten (10) years and provide any other relevant information concerning whether the proposer is financially capable of completing this project.
- i. Provide all applicable license numbers for licenses relevant to or required for this project, the names of the holders of those licenses, and the names of the agencies issuing those licenses.

3. *Experience and Technical Competence*

Describe the proposer’s experience in completing similar consulting efforts. List three (3) successfully completed projects of a similar nature. For each completed project, provide the name of the company and project manager the proposer performed worked for, telephone numbers, type of work performed, and dollar value of the contracts. A project currently being performed may be submitted for consideration as one of the references.

4. *Proposed Method to Accomplish the Work*

Describe the proposer’s technical and management approach to the project and how the proposer will plan for and accommodate each into the project effort. Provide a proposed project schedule. Discuss how and what lines of communication will be implemented to maintain the project schedule.

5. *Knowledge and Understanding of Local Environment and Relevant Laws*

Describe the proposer’s experience working in the local environment and proposed local presence for interfacing with ICTC’s Project Coordinator. The environment includes, but is not limited to: cities, county and other

local agencies' regulations and policies. Describe proposer's experience with and knowledge of relevant State and Federal laws.

6. *Project Organization and Key Personnel*

a. Describe proposed project organization, including identification and responsibilities of key personnel. Indicate role and responsibility of all staff, prime consultant and subconsultants. If applicable, indicate how local firms are being utilized to ensure a strong understanding of State and local laws, ordinances, regulations, policies, requirements and permitting. Indicate the extent of the commitment of key personnel for the duration of the project and furnish resumes of key personnel. Provide a summary of the hours by staffing level and a grand total of hours for the project. ICTC's evaluation of the proposal will consider the proposer's entire team; therefore, no changes in the team composition will be allowed without prior written approval of ICTC. Subconsultant letters of commitment are required.

b. Describe the experience of the proposer's project team in detail, including the team's project manager, and other key staff members, on projects of similar size, capacity, and dollar value. For each similar project, include the client's name and telephone number. It is ICTC's policy to interview proposer's references.

7. *ICTC's Disadvantaged Business Enterprise (DBE) Program and Discrimination Policy*

a. Proposers are urged to obtain disadvantaged business enterprise (DBE) participation on this project, although there is no specific project goal for DBE participation. It is ICTC policy to provide disadvantaged, minority, and women-owned business enterprises, as defined in Part 26, Title 49 CFR, an equitable opportunity to participate in all contracting opportunities. ICTC's DBE Program, which includes minority and women-owned business enterprises, is designed so that contract administration, consultant selection, and all related procurement activities are conducted without regard to race, color, religion, disability, political beliefs, age, national origin, gender, or cultural background. Accordingly, no firm or individual shall be denied the opportunity to compete for ICTC contracts by reasons so stated or implied.

b. ICTC requires all potential ICTC consultants and subconsultants to comply with Title VI and Title VII of the Civil Rights Act of 1964, the Americans with Disabilities Act, the Age Discrimination in Employment Act, and the California Fair Employment and Housing Act, as amended, and all other applicable discrimination

laws. ICTC has zero tolerance for discrimination or harassment by its consultants.

- c. Describe the proposer's overall plan to make contracting opportunities available to all interested and qualified firms. This includes a strategy to identify the available subcontracting resources and a willingness to make subcontracting opportunities available to such firms.
- d. Submit a subconsultant list, if applicable, which lists any subconsultants for this project, DBE status (if applicable), scope of work, and approximate percentage of the work performed by subconsultants (as a percentage of the total award to the prime consultant). In accordance with current federal regulations, DBEs and joint ventures involving DBEs must be certified for eligibility by Caltrans, by other qualified Department of Transportation recipients or by other certifying public agencies. Documentation verifying DBE status must be submitted in the proposal for all firms (prime consultant or subconsultant) claiming such status.

8. *Previous Contracts with ICTC*

The proposer shall submit a list which indicates all prime contracts and/or amendments awarded to the proposer by ICTC for the last three (3) years. The list shall include a short description of the project, the project scope of work, award date, completion date, name of ICTC's assigned project manager, and contract value.

9. *Exceptions to this Request for Proposals*

The proposer shall certify whether it takes no exception(s) to this RFP, including but not limited to a sample Standard Agreement for Services (Attachment A). If the proposer does take exception(s) to any portion(s) of the RFP or contract, the specific portion(s) to which exception(s) is taken must be identified and explained. Failure to make exceptions to the RFP or contract will be deemed a waiver of any objection. Exceptions may be considered during the proposal evaluation process.

10. *Addenda to this Request for Proposals*

The proposer shall confirm in its proposal the receipt of all addenda issued to this RFP.

11. *Statement of Impartiality*

The nature of this project requires an impartial unbiased approach on the

part of the consultant team. This proposal shall include a statement declaring that the consultants and subconsultants are not currently, and will not, during the performance of these services, participate in any other similar work involving a third party with interests currently in conflict or likely to be in conflict with ICTC's interests.

12. *Detailed Cost Estimate*

In a separate sealed envelope, provide an estimate of the total direct and indirect costs to complete all tasks identified in the scope of work with a detailed cost breakdown. The format or appearance of the price proposal is left to the discretion of the Proposer, but must identify:

- a. the number of staff hours and hourly rates for each professional and administrative staff person who will be committed to this project, including fringe and overhead costs
- b. an estimate of all other direct and indirect costs, such as material and reproduction costs
- c. an estimate of subconsultant services, if needed.

VI. RESPONSIBILITIES OF THE ICTC

- A. The ICTC will direct the development of the project, provide management oversight, coordinate communications and introductions, and conduct administrative arrangements.
- B. The ICTC will pay an agreed upon amount within 30 days after submittal of an invoice(s). County will retain 10% of each invoice until the completion of the project.
- C. The ICTC will not be able to provide dedicated workspace facilities i.e. office space. However, arrangements can be made to utilize conference room space.

VII. SUBMITTAL REQUIREMENTS

- A. Proposals shall be submitted in two (2) sealed packages. Each package shall be clearly marked and indicating which Request for Proposal the response pertains to. The proposal shall be held in confidence until the award of the contract. At that time it becomes a matter of public record. The individual price proposal sheet shall be retained as "proprietary" and "confidential", if so marked.
 1. Provider shall submit package No. 1 with one (1) original and four (4) copies each marked "ICTC TDA Performance Audit Technical Proposal." The package shall bear the Provider's name and address.
 2. Provider shall submit package No. 2 with one (1) original and four (4) copies in a sealed envelope marked "ICTC TDA Performance Audit

Cost/Price Proposal.” The envelope shall bear the Provider’s name and address.

- B. The proposal and any required certifications shall be signed by an individual or individuals authorized to execute legal documents on behalf of the proposer.
- C. The proposal must be addressed to and received no later than 3 P.M., local time, on September 30, 2016 at the office of:

Mark Baza, Executive Director
Imperial County Transportation Commission
1405 N. Imperial Ave. Suite 1
El Centro, CA. 92243

Postmarks will not be accepted in lieu of this requirement.

- D. Proposals are to be submitted in sealed packages with the following information clearly marked on the outside of each package.
 - 1. Name of proposer
 - 2. Project title
 - 3. Package Number (e.g., 1 of 2)
- E. Failure to comply with requirements of the RFP may result in disqualification. ICTC is not responsible for finding, correcting, or seeking clarification regarding ambiguities or errors in proposals. If a proposal is found to contain ambiguities or errors, it may receive a lower score during the evaluation process. ICTC reserves the right to disqualify a proposed detailed cost estimate with mathematical or clerical errors, inconsistencies or missing information which prevent ICTC from fully evaluating the proposal. ICTC may, but is not required to, seek clarification from a proposer regarding information in a proposal. Errors and ambiguities in proposals will be interpreted in favor of ICTC.
- F. Proposals and/or modifications received subsequent to the hour and date specified above will not be considered.

VIII. PRE-SUBMITTAL ACTIVITIES

A. Questions Concerning Request for Proposals

No pre-bid meeting is scheduled. Questions will be addressed in an addendum format. All addendums will be posted on the ICTC website at www.imperialctc.org. Therefore, all questions relating to the RFP must be received in writing via mail, facsimile, E-mail or hand delivery no later than 3

P.M. local time, on September 23, 2016 addressed to:

Kathi Williams, Project Coordinator
Imperial County Transportation Commission
1405 N. Imperial Ave. Suite 1
El Centro, CA 92243
760-592-4494
e-mail: kathiwilliams@imperialctc.org

B. Revision to the Request for Proposals

ICTC reserves the right to revise the RFP prior to the date that proposals are due. Revisions to the RFP shall be posted on the Web page devoted to this RFP at least one full business day prior to the deadline for proposals. It is the responsibility of the proposer to contact the project coordinator and check the Web site for any revisions related to this RFP.

IX. CONSULTANT EVALUATION AND SELECTION PROCESS

- A. ICTC will establish a consultant evaluation committee (“Committee”) for this project that will include representatives from ICTC and its member agencies with experience and expertise in the related discipline(s).
- B. Based upon the proposals submitted, the Committee may select a short-list of qualified firms for this project. ICTC reserves the right to make final consultant selection based solely upon evaluation of the written proposals, without short-listing firms or conducting oral interviews, should it find it to be in its best interest to do so. The Committee may interview the short-listed firms. Based upon the written proposal, interview, and reference scores, and other appropriate evaluation factors, the Committee will rank the qualified finalists.
- B. The Committee will recommend the top-ranked proposer to ICTC’s Executive Director who will request authority from the Commission to enter into final negotiations with the selected firm. The Commission has final authority for selection.
- E. Upon receipt of the Commission’s approval the Project Coordinator will enter into negotiations with the selected firm. The negotiations may cover: scope of work, contract schedule, contract terms and conditions, technical specifications, level of effort and price. If it is not possible to reach an acceptable agreement with the selected firm, the Project Coordinator will recommend to the Executive Director that negotiations be terminated and that negotiations with the second ranked firm be initiated. The Executive Director has final authority to terminate negotiations and begin negotiations with another proposer.

- F. After negotiation of an agreement that is fair and reasonable, the Project Coordinator will recommend to the Executive Director that ICTC enter into the proposed agreement. Final authority to approve the agreement rests with the Executive Director.

X. EVALUATION CRITERIA

Proposers will be evaluated on the following criteria according to the weights assigned below. If oral interviews are conducted, they will be worth 25 points. ICTC reserves the right to add the proposers' interview scores into the evaluation criteria or to select proposers based solely upon their written proposal or oral interview.

Proposers will be evaluated on the following criteria according to the weights assigned below.

A. Project Technical and Related Experience [20 Points]

Qualified consultants should have a variety of experience in performing similar audits or performance type reviews/studies with public, government, private, not-for-profit, and other agencies.

B. Proposed Methodology and Approach to Work [30 Points]

Proposers must demonstrate the ability to carry out the project by meeting the proposal requirements identified in Sections IV, V, and VI of the RFP. High quality, clear, and complete proposals showing proposer's understanding of the Project and willingness to comply with standard contract requirements will receive higher scores in this category. While proposers are required to meet the goals and deadlines for the project as described in this RFP, proposers may receive higher scores in this category if they demonstrate innovative, advanced and/or well-thought-out methodologies that ICTC may not have specifically identified in this RFP.

C. Project Team / Staff Qualifications [25 Points]

Project staff qualifications include a combination of experience, education and background in transit operations, performance measurements, similar work etc.

D. Cost or Best Value [15 Points]

Proposals will be evaluated for providing the best methodology and services at the lowest cost and with the least amount of risk.

E. Completeness of Response and References [10 Points]

References in the proposals will be evaluated

XI. SPECIAL CONDITIONS

A. Reservations

This RFP does not commit ICTC to award a contract, to defray any costs incurred in the preparation of a proposal pursuant to this RFP, or to procure or contract for work. ICTC may reject bids without providing the reason(s) underlying the declination. A failure to award a contract to the lowest bidder will not result in a cause of action against ICTC.

B. Public Records

All proposals submitted in response to this RFP become the property of ICTC and public records and, as such, may be subject to public review.

C. Right to Cancel

ICTC reserves the right to cancel or revise, for any reason, in part or in its entirety, this RFP. If ICTC cancels the RFP prior to the deadline for proposals or revises the RFP, notification will be placed on ICTC's Web site. www.imperialctc.org

D. Additional Information

ICTC reserves the right to request additional information and/or clarification from any or all proposers to this RFP, but is under no obligation to do so.

E. Conflict of Interest

ICTC has established a policy concerning potential conflict of interest in program management, design and construction. This policy applies to all proposers and their proposed consultants/subconsultants. See Standard Sample Agreement for Services (Attachment A).

F. Public Information

Consultants who wish to release information to the public regarding consultant selection, contract award or data provided by ICTC must receive prior written approval from ICTC before disclosing such information to the public.

G. Contract for Services

The selected consultants will be required to sign a final version of the attached

“Standard Sample Agreement for Services” (Attachment C) and to provide the insurance certificates and all other required documentation within fifteen (15) calendar days of execution of the Agreement.

XII. PROTESTS

Pursuant to the requirements set forth in FTA Circular 4220.1F, “Third Party Contracting Requirements,” the following procedures shall be used by ICTC to fairly and promptly respond to any protests received regarding third party contracts or the contracting process.

ICTC will consider all protests regarding the contracting process or the award of a contract within 30 days of the execution of the Agreement. ICTC will only review protests submitted by a prospective proposer or other party whose direct economic interest would be affected by the award of a contract or failure to receive a contract award. A protest by any adversely affected person must be made in writing and must be mailed or hand delivered to ICTC. A protest which does not strictly comply with ICTC’s protest procedures will be rejected.

Protests relating to the content of the RFP package must be filed within ten (10) business days after the date the RFP is made available to the public by ICTC. Protests relating to the intent to make an award solicited by an RFP must be filed within ten (10) business days of the decision to award. The date of filing shall be the date of receipt of protests by ICTC. Untimely protests will be rejected.

If deemed necessary, ICTC shall notify all proposers of record that a protest has been filed and that the award has been postponed until further notice. If necessary, proposers will be asked to extend the time for acceptance of their proposal in order to avoid the need for re-advertisement of the solicitation.

A. Protest Contents

A letter of protest must set forth detailed grounds for the protest and be fully supported with technical data, documentary evidence, names of witnesses and other pertinent information related to the subject being protested. The protest must also state the law, rule, regulation or practice on which the protest is based. The protestor must demonstrate or establish a clear violation of a specific law or regulation, e.g., a violation of the Buy America requirements.

If the protestor considers that the protest contains proprietary material which should be withheld, a statement advising of this fact must be affixed to the front page of the protest document, and alleged proprietary information shall be so identified wherever it appears.

Protests shall be addressed to:

Kathi Williams, Project Coordinator
Imperial County Transportation Commission
1405 N. Imperial Ave. Suite 1
El Centro, CA 92243

B. Reply to Protest

An ICTC Protest Committee appointed by the Executive Director will review all protests in a timely manner and reply to the protest, in writing, within ten (10) business days. All material submitted by the protestor will be considered. Such material will not be withheld from any interested party outside of ICTC or any agency which may be involved with the contract except to the extent that the withholding of information is permitted or required by law or regulation.

C. Request for Protest Reconsideration

Upon receipt of an adverse decision by ICTC, the protestor may file a request for protest reconsideration. A request for protest reconsideration must be directed to the Executive Director in writing and received within ten (10) full business days from the postmark date of the reply from ICTC. The Executive Director will respond to the request for protest reconsideration within ten (10) full business days. The decision of the Executive Director will be in writing and final. No further protests will be heard by ICTC.

D. State Appeal Process

Under certain limited circumstances, and after the protestor has exhausted all administrative protest remedies made available at the local level, an interested party may protest to the California Department of Transportation (Department) the award of a contract pursuant to a Federal Transit Administration (FTA) grant.

Department review of any protest will be limited to:

1. Local agency's failure to have or follow its own protest procedures or its failure to review a complaint or protest.
2. Violations of the Federal or State law or regulations.

The protest filed with Department shall include:

1. The name and address of the protestor.
2. Clear identification of the local agency responsible for the RFP process.

3. A statement of the grounds for protest and any supporting documentation (the grounds for protest filed with Department must be fully supported to the extent feasible. Additional materials in support of an initial protest will only be considered if authorized by the FTA regulations).
4. A copy of the protest filed with the local agency, and a copy of local agency's decision, if any.
5. Indication of the desired ruling or relief from Department.

Such support should be sent to:

The California Department of Transportation
Division of Mass Transportation
P.O. Box 942874 - MS 39
Sacramento, CA 942874-0001

Attachments:

- A. Sample Proposal Evaluation Form
- B. Transit Services Description
- C. Sample Agreement

ATTACHMENT A

SAMPLE PROPOSAL EVALUATION FORM

DATE: _____

EVALUATOR: _____

RESPONDENT: _____

PROJECT: _____

CRITERIA	MAXIMUM POINTS	SCORE
A. Project Technical and Related Experience	20	
B. Proposed Methodology And Approach to Work	30	
C. Project Team / Staff Qualifications	25	
D. Cost or Best Value	15	
F. Completeness of Response and References	10	
<hr/>		

TOTAL SCORE: _____

EVALUATOR'S COMMENTS:

mu

ATTACHMENT C - PUBLIC TRANSIT

Imperial Valley Transit - Fixed Route Transportation

Imperial Valley Transit (IVT) is an inter-city fixed route bus system, subsidized and administered by the Imperial County Transportation Commission (ICTC), and operated and managed by First Transit, Inc. The service has approximately ten (10), wheelchair accessible 40ft. transit buses and eight (8) wheelchair accessible minibuses.

Service is provided from 6:00 AM until approximately 11:30 PM weekdays, and 6:00 AM to 5:00 PM on Saturdays, within the areas classified as the Primary Zone; a North-South axis throughout Brawley, Imperial, El Centro, Heber and Calexico, and from approximately 6:00 AM until 7:00 PM in the Secondary Zones; outlying cities and communities of Niland, Calipatria, Westmorland, Seeley and Holtville. The outlying Remote Zone communities East and West of the Salton Sea: Desert Shores, Salton City, Salton Sea Beach, Bombay Beach and the far Eastern portion of the County: Winterhaven are served once a week, on a lifeline. For additional information please call 760-482-2900.

Imperial Valley Transit – Blue/Green/Gold Lines

Imperial Valley Transit also operates extension lines called the Blue and Green Lines in the City of El Centro and the Gold line in the City of Brawley. The Blue, Green and Gold Lines provide service in coordination with the regular fixed route system. This service utilizes smaller buses with wheelchair accessible buses and connects to the public facilities and services which are not currently served by the larger bus system. The service is subsidized and administered by the Imperial County Transportation Commission (ICTC) and operated and managed by First Transit, Inc. and operates between 6:00 AM and approximately 6:30 PM Monday through Friday.

IVT ACCESS (ADA Paratransit)

The Americans With Disabilities Act (ADA) Comparable Complementary Paratransit Service is a federally mandated service requiring equal access to the public fixed route bus system for individuals with disabilities. The service operates eight (8) wheelchair accessible, mini-buses as a demand response service in tandem with the fixed route bus system for certified eligible disabled passengers. The service area and hours are the same as the fixed route bus system discussed above. The service is available to certified as eligible disabled passengers. The service is subsidized and administered by the Imperial County Transportation Commission (ICTC) and operated and managed by First Transit, Inc. For trip information call 760-482-2908. For eligibility information please call 760-592-4494.

Med-Express

The Med-Express is a non-emergency medical transportation service between communities in Imperial County and the large hospitals and medical facilities within San Diego County. The service is available to transit dependent and disabled passengers. The service is subsidized and administered by the Imperial County Transportation Commission (ICTC), operated and managed by a local nonprofit agency. Demand response service is provided four days a week, with three pick up spots in Brawley, El Centro and Calexico. Pick up service is available on a limited basis from the home for an additional fare. The service is designed to provide persons with disabilities, low income and transit dependent persons access to medical facilities and services not available within Imperial County, e.g. Children's Hospital in San Diego. For information please call 760-337-8002.

IVT RIDE

The IVT RIDE service began as a consolidation of four City Dial-A-Rides (Brawley, Calexico, Imperial and the West Shores Communities) in FY 2014-15. The service operates eight (8) wheelchair accessible, mini-buses as a demand response service for seniors and persons with disabilities on an intra-city basis. The service area and hours are unique to each community. The service is subsidized and administered by the Imperial County Transportation Commission (ICTC) and operated and managed by First Transit, Inc. For trip information call 760-337-1760. For eligibility information please call 760-592-4494.

Individual Agency Public Transit Services

FY 2013-14, FY 2014-15

Brawley Dial-A-Ride: This service was a demand response transit service within the City of Brawley. The service was subsidized by the Imperial County Transportation Commission (ICTC), administered by the City of Brawley and operated by a private for-profit transportation carrier. Demand response was available to the general public and provided six (6) days a week. For information, please call 760-344-9111.

Calexico Dial-A-Ride: This service was a demand response transit service within the City of Calexico. The service was subsidized by the Imperial County Transportation Commission (ICTC), administered by the City of Calexico and operated by First Transit, Inc. Demand response was available to seniors and disabled persons and provided seven (7) days week. For information, please call 760-768-2110.

Imperial Dial-A-Ride: This service was a demand response transit service within the City of Imperial. The service also operates between the City of Imperial and El Centro. The service was subsidized by the Imperial County Transportation Commission (ICTC), administered by the City of Imperial and operated by a private non-profit transportation carrier. Demand response was available to seniors and disabled persons and provided six (6) days a week. For information, please call 760-337-8002.

West Shores Dial-A-Ride: The West Shores Roadrunner Dial-A-Ride was a demand response transit service within the County of Imperial. The service operated in the communities on the west side of the Salton Sea. The service was subsidized by the Imperial County Transportation Commission (ICTC), and operated by a private non-profit transportation carrier. Demand response service was available to the general public and provided two (2) days a week. For information please call 760-337-8002.

FY 2013-14, FY 2014-15, FY 2015-16

El Centro Dial-A-Ride: This service is a demand response transit service within the City of El Centro. The service is subsidized by the Imperial County Transportation Commission (ICTC), administered by the City of El Centro and is operated by a private non-profit transportation carrier. Demand response is available to seniors and disabled persons and provided six (6) days a week. For information, please call 760-337-8002.

1 **AGREEMENT FOR SERVICES**

2
3 THIS AGREEMENT FOR SERVICES ("Agreement"), made and entered into this _____ day
4 of _____, 2016, by and between the **IMPERIAL COUNTY TRANSPORTATION**
5 **COMMISSION** ("ICTC") and _____
6 ("CONSULTANT") (individually, "Party;" collectively, "Parties").

7 **WITNESSETH**

8 **WHEREAS** ICTC desires to retain a qualified individual, firm or business entity to provide
9 professional services for the Transportation Development Act ("TDA") Triennial Performance Audit ("the
10 Project"); and

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

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

15 1. **DEFINITIONS.**

16 1.1. "RFP" shall mean ICTC's request for proposals entitled "Transportation Development Act
17 ("TDA") Triennial Performance Audit Project Request for Proposal FY 2016-__." The RFP is attached as
18 **Exhibit "A"** and incorporated herein by this reference.

19 1.2. "Proposal" shall mean CONSULTANT's proposal for "Imperial County Transportation
20 Commission Request for Proposal Project: Transportation Development Act ("TDA") Triennial
21 Performance Audit Project." The Proposal is attached as **Exhibit "B"** and incorporated herein by this
22 reference.

23 2. **CONTRACT COORDINATION.**

24 2.1. CONSULTANT shall assign a single Contract Manager to have overall responsibility for
25 the progress and execution of this Agreement. _____ is hereby designated as the Contract
26 Manager for CONSULTANT. Should circumstances or conditions subsequent to the execution of this
27 Agreement require a substitute Contract Manager for any reason, the Contract Manager's designee shall be
28 subject to the prior written acceptance and approval of ICTC.

1 3. DESCRIPTION OF WORK.

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

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

7 4. WORK TO BE PERFORMED BY CONSULTANT.

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

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

12 4.3. CONSULTANT shall:

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

16 4.3.2. Keep itself fully informed of all existing and proposed federal, state and local laws,
17 ordinances, regulations, orders and decrees which may affect those engaged or employed under this
18 Agreement, any materials used in CONSULTANT's performance under this Agreement or the
19 conduct of the 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.

1 5. REPRESENTATIONS BY CONSULTANT.

2 5.1. CONSULTANT understands and agrees that ICTC has limited knowledge in the multiple
3 areas specified in the Proposal. CONSULTANT has represented itself to be expert in these fields and
4 understands that ICTC is relying upon such representation.

5 5.2. Subject to 5.2.1, CONSULTANT represents and warrants that it is a lawful entity
6 possessing all required licenses and authorities to do business in the State of California and perform all
7 aspects of this Agreement.

8 5.2.1. CONSULTANT shall not commence any work pursuant to this Agreement or
9 provide any other services, or materials, in connection therewith until CONSULTANT has received
10 written authorization from ICTC to do so.

11 5.3. CONSULTANT represents and warrants that the people executing this Agreement on behalf
12 of CONSULTANT have the authority of CONSULTANT to sign this Agreement and bind
13 CONSULTANT to the performance of all duties and obligations assumed by CONSULTANT herein.

14 5.4. CONSULTANT represents and warrants that any employee, contractor and/or agent who
15 will be performing any of the duties and obligations of CONSULTANT herein possess all required licenses
16 and authorities, as well as the experience and training, to perform such tasks.

17 5.5. CONSULTANT represents and warrants that the allegations contained in the Proposal are
18 true and correct.

19 5.6. CONSULTANT understands that ICTC considers the representations made herein to be
20 material and would not enter into this Agreement with CONSULTANT if such representations were not
21 made.

22 6. COMPENSATION.

23 The total compensation payable under this Agreement for the entire ____ () year FY 2016-
24 term shall not exceed _____ dollars (\$_____).
25 unless otherwise previously agreed to by ICTC.

26 7. PAYMENT.

27 CONSULTANT will bill ICTC on a time and material basis upon completion of the project or as set
28 forth in Exhibit "B". ICTC shall pay CONSULTANT for completed and approved services upon

1 presentation of its itemized billing. Notwithstanding the foregoing, ICTC shall retain 10% of the total
2 compensation until the work to be performed has been completed in accordance with this Agreement, as
3 determined by ICTC, and payment in full of all subcontractors of CONSULTANT.

4 8. METHOD OF PAYMENT.

5 8.1. CONSULTANT shall at any time prior to the 15th day of any month, submit to ICTC a
6 written claim for compensation for services performed. The claim shall be in a format approved by ICTC.
7 CONSULTANT may expect to receive payment within a reasonable time thereafter and in any event in the
8 normal course of business within thirty (30) days after the claim is submitted.

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

10 9.1. This Agreement shall commence on _____, 2016 and shall continue until _____
11 unless otherwise terminated as provided herein.

12 9.2. Program scheduling shall be as described in Exhibit "A" unless revisions to Exhibit "A" are
13 approved by both ICTC and CONSULTANT's Contract Manager. Time extensions may be allowed for
14 delays caused by ICTC, other governmental agencies, or factors not directly brought about by the
15 negligence or lack of due care on the part of CONSULTANT.

16 10. SUSPENSION OF AGREEMENT.

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

21 11. SUSPENSION AND/OR TERMINATION.

22 11.1. ICTC retains the right to terminate this Agreement for any reason by notifying
23 CONSULTANT in writing seven (7) days prior to termination and by paying the compensation due and
24 payable to the date of termination; provided, however, if this Agreement is terminated for fault of
25 CONSULTANT, ICTC shall be obligated to compensate CONSULTANT only for that portion of
26 CONSULTANT's services which are of benefit to ICTC. Said compensation is to be arrived at by mutual
27 agreement between ICTC and CONSULTANT; should the Parties fail to agree on said compensation, an
28 independent arbitrator shall be appointed and the decision of the arbitrator shall be binding upon the Parties.

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1 11.2. Upon such termination, CONSULTANT shall immediately turn over to ICTC any and all
2 copies of videotapes, studies, sketches, drawings, computations and other data, whether or not completed,
3 prepared by CONSULTANT in connection with this Agreement. Such materials shall become the
4 permanent property of ICTC.

5 12. INSPECTION.

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

11 13. OWNERSHIP OF MATERIALS.

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

15 14. INTEREST OF CONSULTANT.

16 14.1. CONSULTANT covenants that it presently has no interest, and shall not acquire any
17 interest, direct or indirect, financial or otherwise, which would conflict in any manner or degree with the
18 performance of the services hereunder.

19 14.2. CONSULTANT covenants that, in the performance of this Agreement, no sub-contractor or
20 person having such an interest shall be employed.

21 14.3. CONSULTANT certifies that no one who has or will have any financial interest pursuant to
22 this Agreement is an officer or employee of ICTC.

23 15. INDEMNIFICATION.

24 To the furthest extent allowed by law, CONSULTANT shall indemnify, hold harmless and
25 defend ICTC and each of its board members, officers, employees, agents and volunteers from any and
26 all loss, liability, fines, penalties, forfeitures, costs and damages (whether in contract, tort or strict
27 liability, including but not limited to personal injury, death at any time and property damage) incurred
28 by ICTC, CONSULTANT or any other person, and from any and all claims, demands and actions in law

1 or equity (including attorney's fees and litigation expenses), arising or alleged to have arisen directly or
2 indirectly out of performance of this Agreement. CONSULTANT'S obligations under the preceding
3 sentence shall apply regardless of whether ICTC or any of its and each of its board members, officers,
4 employees, agents and volunteers are negligent, but shall not apply to any loss, liability, fines, penalties,
5 forfeitures, costs or damages caused solely by the gross negligence, or caused by the willful misconduct,
6 of ICTC and each of its board members, officers, employees, agents and volunteers.

7 If CONSULTANT should subcontract all or any portion of the work to be performed under this
8 Agreement, CONSULTANT shall require each subcontractor to indemnify, hold harmless and defend
9 ICTC and each of its board members, officers, employees, agents and volunteers in accordance with the
10 terms of the preceding paragraph.

11 This section shall survive termination or expiration of this Agreement.

12 16. INDEPENDENT CONTRACTOR.

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

16 16.1. CONSULTANT is not an employee or agent of ICTC and is only responsible for the
17 requirements and results specified by this Agreement or any other agreement.

18 16.2. CONSULTANT shall be responsible to ICTC only for the requirements and results
19 specified by this Agreement and except as specifically provided in this Agreement, shall not be subject
20 to ICTC's control with respect to the physical actions or activities of CONSULTANT in fulfillment of
21 the requirements of this Agreement.

22 16.3. CONSULTANT is not, and shall not be, entitled to receive from, or through, ICTC, and
23 ICTC shall not provide, or be obligated to provide, CONSULTANT with Worker's Compensation
24 coverage or any other type of employment or worker insurance or benefit coverage required or provided
25 by any Federal, State or local law or regulation for, or normally afforded to, an employee of ICTC.

26 16.4. CONSULTANT shall not be entitled to have ICTC withhold or pay, and ICTC shall not
27 withhold or pay, on behalf of CONSULTANT, any tax or money relating to the Social Security Old Age
28

1 Pension Program, Social Security Disability Program, or any other type of pension, annuity, or disability
2 program required or provided by any Federal, State or local law or regulation.

3 16.5. CONSULTANT shall not be entitled to participate in, or receive any benefit from, or
4 make any claim against any ICTC fringe program, including, but not limited to, ICTC's pension plan,
5 medical and health care plan, dental plan, life insurance plan, or any other type of benefit program, plan,
6 or coverage designated for, provided to, or offered to ICTC's employee.

7 16.6. ICTC shall not withhold or pay, on behalf of CONSULTANT, any Federal, State, or local
8 tax, including, but not limited to, any personal income tax, owed by CONSULTANT.

9 16.7. CONSULTANT is, and at all times during the term of this Agreement, shall represent
10 and conduct itself as an independent contractor, not as an employee of ICTC.

11 16.8. CONSULTANT shall not have the authority, express or implied, to act on behalf of, bind
12 or obligate ICTC in any way without the written consent of ICTC.

13 17. INSURANCE.

14 Throughout the life of this Agreement, CONSULTANT shall pay for and maintain in full force
15 and effect all policies of insurance required hereunder with an insurance company(ies) either (i)
16 admitted by the California Insurance Commissioner to do business in the State of California and rated
17 not less than "A- VII" in Best's Insurance Rating Guide, or (ii) authorized by ICTC's Executive Director
18 or his/her designee at any time and in his/her sole discretion. The following policies of insurance are
19 required:

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

27 \$1,000,000 per occurrence for bodily injury and property damage

28 \$1,000,000 per occurrence for personal and advertising injury

Handwritten mark

1 \$1,000,000 aggregate for products and completed operations

2 \$2,000,000 general aggregate

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

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

10 (iv) EMPLOYERS' LIABILITY insurance with limits of liability of not less than
11 \$1,000,000 each accident, \$1,000,000 disease policy limit and \$1,000,000 disease each
12 employee.

13 (v) PROFESSIONAL LIABILITY (ERRORS AND OMISSIONS) insurance appropriate
14 to CONSULTANT'S profession, with limits of liability of not less than \$1,000,000 per
15 claim/occurrence and \$2,000,000 policy aggregate.

16 In the event CONSULTANT maintains higher limits than the minimum limits shown above, ICTC
17 requires and shall be entitled to coverage for the higher limits maintained by CONSULTANT. Any
18 available insurance proceeds in excess of the specified minimum limits of insurance and coverage shall
19 be available to ICTC.

20 CONSULTANT shall be responsible for payment of any deductibles contained in any insurance policies
21 required hereunder and CONSULTANT shall also be responsible for payment of any self-insured
22 retentions. Any deductibles or self-insured retentions must be declared to, and approved by, the ICTC's
23 Executive Director or his/her designee. At the option of the ICTC's Executive Director or his/her
24 designee, either: (i) the insurer shall reduce or eliminate such deductibles or self-insured retentions as
25 respects to ICTC, its board members, officers, employees and agents; or (ii) CONSULTANT shall
26 provide a financial guarantee, satisfactory to ICTC's Executive Director or his/her designee,
27 guaranteeing payment of losses and related investigations, claim administration and defense expenses.

28 At no time shall ICTC be responsible for the payment of any deductibles or self-insured retentions.

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

9 The General Liability and Automobile Liability insurance policies shall be written on an
10 occurrence form and shall name ICTC, its board members, officers, employees and agents as an
11 additional insured. Such policy(ies) of insurance shall be endorsed so CONSULTANT's insurance shall
12 be primary and no contribution shall be required of ICTC. The coverage shall contain no special
13 limitations on the scope of protection afforded to ICTC, its board members, officers, employees, agents
14 and volunteers. The Fidelity Bond/Crime insurance policy shall name the ICTC as a loss payee. The
15 Workers' Compensation insurance policy shall contain a waiver of subrogation as to ICTC, its board
16 members, officers, employees, agents and volunteers.

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

- 19 1. The retroactive date must be shown, and must be before the effective date of the Agreement or
20 the commencement of work by CONSULTANT.
- 21 2. Insurance must be maintained and evidence of insurance must be provided for at least 3 years
22 after any expiration or termination of the Agreement or, in the alternative, the policy shall be
23 endorsed to provide not less than a 3-year discovery period.
- 24 3. If coverage is canceled or non-renewed, and not replaced with another claims-made policy
25 form with a retroactive date prior to the effective date of the Agreement or the commencement of
26 work by CONSULTANT, CONSULTANT must purchase extended reporting coverage for a
27 minimum of 3 years following the expiration or termination of the Agreement.
- 28 4. A copy of the claims reporting requirements must be submitted to ICTC for review.
5. These requirements shall survive expiration or termination of the Agreement.

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1 CONSULTANT shall furnish ICTC with all certificate(s) and applicable endorsements effecting
2 coverage required hereunder. All certificates and applicable endorsements are to be received by ICTC
3 and approved by ICTC's Executive Director or his/her designee prior to ICTC's execution of the
4 Agreement and before work commences. Upon request of ICTC, CONSULTANT shall immediately
5 furnish ICTC with a complete copy of any insurance policy required under this Agreement, including all
6 endorsements, with said copy certified by the underwriter to be a true and correct copy of the original
7 policy. This requirement shall survive expiration or termination of this Agreement.

8 If at any time during the life of this Agreement or any extension, CONSULTANT or any of its
9 subcontractors fail to maintain any required insurance in full force and effect, all work under this
10 Agreement shall be discontinued immediately, and all payments due or that become due to
11 CONSULTANT shall be withheld until notice is received by ICTC that the required insurance has been
12 restored to full force and effect and that the premiums therefore have been paid for a period satisfactory
13 to ICTC. Any failure to maintain the required insurance shall be sufficient cause for ICTC to terminate
14 this Agreement. No action taken by ICTC hereunder shall in any way relieve CONSULTANT of its
15 responsibilities under this Agreement.

16 The fact that insurance is obtained by CONSULTANT shall not be deemed to release or diminish
17 the liability of CONSULTANT, including, without limitation, liability under the indemnity provisions of
18 this Agreement. The duty to indemnify ICTC shall apply to all claims and liability regardless of whether
19 any insurance policies are applicable. The policy limits do not act as a limitation upon the amount of
20 indemnification to be provided by CONSULTANT. Approval or purchase of any insurance contracts or
21 policies shall in no way relieve from liability nor limit the liability of CONSULTANT, its principals,
22 officers, employees, agents, persons under the supervision of CONSULTANT, vendors, suppliers,
23 invitees, consultants, sub-consultants, subcontractors, or anyone employed directly or indirectly by any
24 of them.

25 If CONSULTANT should subcontract all or any portion of the services to be performed under this
26 Agreement, CONSULTANT shall require each subcontractor to provide insurance protection in favor of
27 ICTC, its board members, officers, employees, agents and volunteers in accordance with the terms of
28

1 each of the preceding paragraphs, except that the subcontractors' certificates and endorsements shall be
2 on file with CONSULTANT and ICTC prior to the commencement of any work by the subcontractor.

3 18. ASSIGNMENT.

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

7 19. NON-DISCRIMINATION.

8 During the performance of this Agreement, CONSULTANT shall not unlawfully discriminate
9 against any employee or applicant for employment or employee of ICTC or member of the public
10 because of race, religion, color, national status, age, or sex. CONSULTANT shall ensure that the
11 evaluation and treatment of its employees and applicants for employment and employees and members
12 of the public are free of such discrimination. CONSULTANT shall comply with all provisions of the
13 Fair Employment and Housing Act (Government Code §12900, *et seq.*). The applicable regulations of
14 the Fair Employment Housing Commission implementing Government Code §12900 set forth in
15 Chapter 5 of Division 4 of Title 2 of the California Administrative Code are incorporated into this
16 Agreement by reference and made a part hereof as if set forth in full. CONSULTANT shall abide by the
17 Federal Civil Rights Act of 1964 and all amendments thereto, and all administrative rules and
18 regulations issued pursuant to said Act. CONSULTANT shall also abide by the American Disabilities
19 Act and all amendments thereto, and all administrative rules and regulations issued pursuant to said Act.
20 CONSULTANT shall give written notice of its obligations under this clause to labor organizations with
21 which it has a collective bargain or other agreement. CONSULTANT shall include the non-
22 discrimination and compliance provision of this paragraph in all subcontracts to perform work pursuant
23 to this Agreement.

24 20. NOTICES AND REPORTS.

25 20.1. All notices and reports pursuant to this Agreement shall be in writing and may be given
26 by personal delivery or by mailing by certified mail, addressed as follows:

27 ///

28 ///

1 ICTC

CONSULTANT

2 Attn: Executive Director
3 Imperial County Transportation Commission
4 1405 N. Imperial Ave., Ste 1
5 El Centro, CA 92243

6 20.2. All notices and reports pursuant to this Agreement may be given by personal delivery or
7 by mailing by certified mail at such other address as either Party may designate in a notice to the other
8 Party given in such manner.

9 20.3. Any notice given by mail shall be considered given when deposited in the United States
10 Mail, postage prepaid, addressed as provided herein.

11 21. ENTIRE AGREEMENT.

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

15 22. MODIFICATION.

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

18 23. PARTIAL INVALIDITY.

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

22 24. GENDER AND INTERPRETATION OF TERMS AND PROVISIONS.

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

1 25. WAIVER.

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

5 26. CHOICE OF LAW.

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

9 27. ATTORNEY'S FEES.

10 If either Party herein brings an action to enforce the terms thereof or declare rights hereunder, the
11 prevailing Party in any such action, on trial or appeal, shall be entitled to its reasonable attorney's fees
12 and actual costs to be paid by the losing Party as fixed by the court.

13 28. AUTHORITY.

14 Each individual executing this Agreement on behalf of CONSULTANT represents and warrants
15 that:

16 28.1. He/She is duly authorized to execute and deliver this Agreement on behalf of
17 CONSULTANT;

18 28.2. Such execution and delivery is in accordance with the terms of the Articles of
19 Incorporation or Partnership, any by-laws or Resolutions of CONSULTANT and;

20 28.3. This Agreement is binding upon CONSULTANT accordance with its terms.

21 29. COUNTERPARTS.

22 This Agreement may be executed in counterparts.

23 30. REVIEW OF AGREEMENT TERMS.

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

28 ///

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1 **IN WITNESS WHEREOF**, the Parties have executed this Agreement on the day and year first
2 above written.

3 **IMPERIAL COUNTY TRANSPORTATION COMMISSION:**

4
5
6 _____
7 Chair

8 **ATTEST:**

9
10 _____
11 Secretary to the Commission

12 **CONSULTANT:**

13
14
15
16 By: _____

17
18 **APPROVED AS TO FORM:**

19 **KATHERINE TURNER**
20 **COUNTY COUNSEL**

21 By: _____
22 Eric Havens
23 Deputy County Counsel

rw

Michael Baker
INTERNATIONAL

IMPERIAL COUNTY TRANSPORTATION COMMISSION

TRIENNIAL PERFORMANCE AUDIT



SEPTEMBER 30, 2016



MBAKERINTL.COM
Toll Free: (866) 828-6762

Submitted by:
Michael Baker International
2729 Prospect Park Drive
Suite 220
Rancho Cordova, CA 95670
Phone: (530) 601-2508

no

IMPERIAL COUNTY TRANSPORTATION COMMISSION

TRIENNIAL PERFORMANCE AUDIT

SEPTEMBER 30, 2016

Submitted to:

Mark Baza
Executive Director

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

Submitted by:

Michael Baker

INTERNATIONAL

Contact: Derek Wong, AICP
2729 Prospect Park Drive
Suite 220
Rancho Cordova, CA 95670
Phone: (530) 601-2508

MBAKERINTL.COM
Toll Free: (866) 828-6762

rw

September 30, 2016

Mark Baza, Executive Director
IMPERIAL COUNTY TRANSPORTATION COMMISSION
1405 N. Imperial Avenue, Suite 1
El Centro, CA 92243

RE: PROPOSAL TO PREPARE TDA TRIENNIAL PERFORMANCE AUDIT

Dear Mr. Baza:

We are pleased to submit this proposal to the Imperial County Transportation Commission (ICTC) for conducting the triennial performance audit of ICTC and the public transit operators for the latest three-year period ending June 30, 2016. The Michael Baker International team is uniquely structured as a well-qualified, independent third-party firm as required by state law to conduct the audit. We offer a strong combination of Transportation Development Act (TDA) performance auditing and functional review of public transit operations and regional transportation planning agencies.

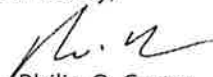
In developing recommendations, we will consider the agency's culture, resources, and organizational processes. With this information as background, the role of the audit must be to ensure that all of the Public Utilities Code section requirements are met. Also, with ICTC engaging in interstate transit operations using TDA revenue, we are very familiar with integrating these types of services in our performance audit work, having successfully conducted similar TDA triennial performance audits not only for ICTC, but for transit systems with an interstate bus service component.

The person authorized to bind the company contractually is:

Philip O. Carter, Vice President
Michael Baker International
2729 Prospect Park Drive, Suite 220
Rancho Cordova, CA 95670
(916) 361-8384

We appreciate the opportunity to propose on this project and look forward to answering any questions you may have. Derek Wong, AICP, TDA project manager, may be contacted toll-free at (866) 828-6762 or by e-mail at dwong@mbakerintl.com in the event any clarification is needed regarding the contents of our proposal.

Sincerely,


Philip O. Carter
Vice President


Derek Wong, AICP
TDA Finance Manager

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Appendix A - Resumes

COST PROPOSAL

Submitted in separate, sealed envelope.

no

TECHNICAL PROPOSAL

EXECUTIVE SUMMARY

Michael Baker International is pleased to submit this proposal to the Imperial County Transportation Commission (ICTC) for conducting a triennial performance audit of the subregional transportation planning agency and the county public transit systems. This audit cycle covers the latest three-year period between fiscal years 2013–14 and 2015–16 and will include stand-alone audits of each transit operator in addition to the ICTC audit. Each audited entity will be fully reviewed in compliance with the requirements under the Transportation Development Act (TDA) Statutes and California Code of Regulations and the Performance Audit Guidebook for Transit Operators and Regional Transportation Planning Entities, 3rd edition, both published by the California Department of Transportation (Caltrans).

In short, the triennial performance audit affords management the opportunity to have an independent, constructive, and objective evaluation of its organization and operations that otherwise might not be feasible given the daily demands of managing transportation programs and activities. Performance audits are likewise an important opportunity to point out both accomplishments and challenges that have arisen during the previous three years or are in process, and their impact on services. A significant accomplishment during this particular audit cycle was the effort made by ICTC to develop the IVT RIDE service concept. We will consult with city staff from the affected local jurisdictions as several service consolidations took place under the ICTC-branded IVT RIDE service concept in FY 2014–15.

ICTC identified a need to provide increased access to public services in the form of intracity circulators. In addition to the IVT Blue and Green Lines that were implemented prior to this audit period, the IVT Gold Line in the City of Brawley was implemented in January 2014. A Garnet Line in Calexico and a Red Line in Imperial will be under way when funding becomes available. The circulator lines provide continuing travel for passengers transferring from the main fixed-route bus routes in the cities.

ICTC reduced headways to 35 minutes during peak service hours on routes between Calexico and El Centro in October 2013. In addition, six 40-foot buses arrived in July 2015. The vehicle replacements are ICTC's effort to gradually take ownership of its entire transit fleet. From a planning perspective, a grant-funded feasibility study for the proposed Calexico Intermodal Transportation Center was completed in October 2014. The Regional Coordinated Plan Update was also completed in FY 2014–15, as well as an ADA Demand Management and Eligibility Assessment Study. Further, ICTC is implementing a plan for a four-phase bus stop improvement program. These examples of progress and change during the audit period highlight some of ICTC's activities that are pertinent to the triennial performance audit and our overall approach. As the prior TDA performance auditor for ICTC, Michael Baker (which acquired PMC in 2015), is knowledgeable of the background and local conditions preceding these actions, which will allow for more in-depth and cost-efficient assessments for this performance audit.

With ICTC engaging in interstate transit operations using TDA revenue, we are very familiar with integrating these types of services in our performance audit work, having successfully conducted similar TDA triennial performance audits for rural and small urban interstate transit programs in Mono/Inyo Counties (service to Reno, Nevada), San Bernardino County (service to Fort Mohave and Bullhead City, Arizona), Riverside County (service to Ehrenberg, Arizona), and Modoc County (service to Klamath Falls, Oregon, and Reno, Nevada). We will communicate and schedule a meeting with the transit manager for Yuma County Area Transit (YCAT), which will help facilitate this audit for ICTC.

We propose a clearly defined work plan that we believe addresses the dual needs of meeting all audit requirements and providing substantive value to ICTC and each transit system. Our work program specifies the data elements to be sampled, documents to be reviewed, techniques that will be used, and administrative and operational management expertise that will be employed. It is anticipated that the communications and site visits will enable us to maintain close relations during this engagement. Our familiarity with agency staff as well as with the operators will create efficiencies during this project.

Our technical approach follows general procedures in the Caltrans Performance Audit Guidebook and includes determining compliance with statutory and regulatory requirements, following up on prior audit recommendations, verifying performance data collection and reporting, calculating performance indicators, and conducting in-depth reviews of operator functions. Performance verification would extend beyond the five TDA-required indicators and include others as appropriate, including those in ICTC's transit monitoring system, to help determine trends in performance and the underlying causes of the trends. Other indicators would be developed for specific review of certain functions, such as administration or maintenance, should the audit deem them necessary to form trends in service.

Senate Bill (SB) 508, signed into law in October 2015, introduces a series of changes to the TDA farebox recovery ratio as well as application of the eligibility requirements for State Transit Assistance Funds. While the impacts of this new legislation might not be fully demonstrated for the three-year audit period, we are knowledgeable about the implications of this law on both transit operators and transportation planning agencies, and will discuss the intricacies as a value-added service.

Michael Baker's direct experience with the conduct of TDA performance audits lies in its dedicated staff. Derek Wong, AICP, will serve as lead staff consultant, managing this important project and participating in all aspects of the audit process. Derek's direct audit experience and knowledge of the TDA stretches over 20 years, enabling him to cultivate unique and applicable skills to the performance audit. He regularly manages regional transportation planning agency (RTPA) and transit performance audits around the state and is familiar with the operating conditions and challenges faced by rural and urban transit operators. Having been the project manager for prior ICTC performance audits, he is very familiar with Imperial County transportation personnel, which is a great benefit in developing successful and meaningful audits.

Technical Proposal

IDENTIFICATION OF THE PROPOSER AND ESTABLISHMENT OF PROPOSER'S FISCAL RESPONSIBILITY

A. LEGAL NAME AND ADDRESS

Michael Baker International
2729 Prospect Park Drive, Suite 220
Rancho Cordova, CA 95670

B. YEARS IN BUSINESS:

75 years

C. LEGAL FORM OF COMPANY:

Michael Baker International, Inc. is a private Pennsylvania corporation in good standing with the Secretary of State of Pennsylvania, and with the State of California in which we are duly authorized to conduct business. Certificates of Good Standing are available upon request.

D. WHOLLY OWNED SUBSIDIARY

Ownership of Michael Baker International is shared among senior managers of Michael Baker and DC Capital Partners, LLC. DC Capital, a private investment firm headquartered in Alexandria, VA.

E. MICHAEL BAKER ADDRESSES THAT WILL WORK ON THIS PROJECT

2729 Prospect Park Drive, Suite 220, Rancho Cordova, CA 95670

F. DBE CERTIFICATION

Due to the size of our firm, Michael Baker International does not qualify as either a disadvantaged business or a minority-owned business.

G. CONTACT REGARDING THE PROPOSAL

Derek Wong, AICP, TDA Finance Manager,
2729 Prospect Park Drive, Suite 220, Rancho Cordova, CA 95670
(530) 601-2508; dwong@mbakerintl.com

H. FINANCIAL CAPABILITIES

Michael Baker Corporation has a noted history of fiscal responsibility. Since the firm's establishment in 1940, we have demonstrated a responsible approach to financial matters. Our prudent fiscal policies extend beyond corporate finances to the hundreds of millions of dollars in federal, state, and local funds expended on projects planned and designed by Baker. We have never declared bankruptcy and are more than well equipped to successfully complete this project for the ICTC.

I. LICENSE NUMBERS

Although there are no particular licenses required for Michael Baker to provide our professional services, we do maintain local licenses for project areas as may be required by municipal code, such as city or county business licenses. Additionally, we are properly registered in each state in which we maintain any of our 90 offices, and do business.

EXPERIENCE AND TECHNICAL COMPETENCE

San Bernardino Associated Governments (SANBAG) Triennial Performance Audit

Michael Baker completed the most recent TDA triennial performance audit of SANBAG and the five public transit systems, including both rural and urban operators. The audits reviewed each agency's compliance with state requirements and improvements in the delivery of their respective services. Findings and recommendations were made to improve various activities that relate to the TDA.

Type of Work: TDA Performance Audit
Contract Value: \$100,000

Contact:
Vanessa Jezik, Management Analyst II, SANBAG
1170 West 3rd Street, 2nd Floor
San Bernardino, CA 92410
(909) 884-8276; vjezik@sanbag.ca.gov

Nevada County Transportation Commission (NCTC) Triennial Performance Audit

Michael Baker completed the most recent performance audit of NCTC and the two public transit operators. The audits reviewed each agency's compliance with state requirements and improvements in the delivery of their respective services. Recommendations were made to further NCTC's administrative efficiencies in administering the TDA and each transit agency's efficiency and economy in the provision of public transportation services.

Type of Work: TDA Performance Audit
Contract Value: \$35,000

Contact:
Dan Landon, Executive Director
Nevada County Transportation Commission
101 Providence Mine Road, Suite 102
Nevada City, CA 95959
(530) 265-3202; landon@nccn.net

Technical Proposal

Riverside County Transportation Commission (RCTC) Triennial Performance Audit

Michael Baker completed the most recent TDA triennial performance audit of RCTC and the seven public transit systems, including both rural and urban operators. The audits reviewed each agency's compliance with state requirements and improvements in the delivery of their respective services. Findings and recommendations were made to improve various activities that relate to the TDA.

Type of Work: TDA Performance Audit

Contract Value: \$100,000

Contact:

Josefina Clemente, Transit Program Manager

RCTC

4080 Lemon Street, 3rd Floor

Riverside, CA 92501

(951) 787-7141; jclemente@rctc.org

PROPOSED METHODS TO ACCOMPLISH THE WORK

The tasks contained in the audit of transit operators include:

- Initiating data collection and communicating/conducting site visit with the transit operators. We will consult with city staff from the affected local jurisdictions as several service consolidations took place under the ICTC-branded IVT RIDE service concept in FY 2014–15.
- Determining compliance with the 11 statutory and regulatory requirements listed in the Caltrans *Performance Audit Guidebook*.
- Following up on prior audit recommendations.
- Verifying performance indicators and comparing against goals through quantifying trends using at least the minimum five required indicators, plus farebox recovery, stipulated by state statute. Other indicators could be developed for specific review of certain functions, should the audit deem them necessary to determine trends in service.
- Reviewing operator functions in detail per the Caltrans guidebook, including general administration, operations, maintenance, planning, and marketing.
- Developing a set of findings and recommendations intended to improve upon the administration and oversight of the TDA.

The tasks contained in the ICTC audit include:

- Holding a kickoff meeting, initiating data collection, and conducting site visits at ICTC offices.
- Determining compliance with the 14 statutory and regulatory requirements listed in the Caltrans *Performance Audit Guidebook*.
- Following up on prior audit recommendations.

- Conducting a detailed functional review per the Caltrans guidebook with respect to the management of transit claimants, TDA fund allocation, grants management, short-range transit plans and programming, productivity oversight of transit service, marketing alternative transportation, and reporting responsibilities.
- Developing a set of findings and recommendations intended to improve on the administration and oversight of the TDA.

These tasks are explained in more detail below. Separate scopes of work are presented below, the first for the transit operator and the second for ICTC. Both sets of audits will be conducted in parallel to meet the required deadlines.

PERFORMANCE AUDIT OF IMPERIAL COUNTY TRANSIT PROVIDERS

Task 1: Data Collection, Interviews, and Site Visits

Objective: Initiate data collection and conduct site visits with the transit operators to communicate audit efforts, understand project expectations and performance trends, and answer questions. Develop list of specific documents to be provided by ICTC/transit operators.

Approach: We will work with the ICTC project manager to coordinate site visits and in-person meetings with representatives from ICTC and the transit operators, including the transit manager at YCAT. The initial consultation with the operators during the data collection phase would be conducted by phone prior to the site visit and the more in-depth review. As part of our initial communication, we will create a list of data needs and documents that traditionally have been used to help create a background assessment of the RTPA and the transit operator's performance and compliance over the past three years. Additional items may be identified as a result of the kickoff discussion. We will coordinate on the request for specific information and documents necessary to be provided by either ICTC or the transit operator to complete the audit requirements. At a minimum, the types of information required from the transit operators for the three-year period will include:

- State Controller's transit operator reports
- National Transit Database reports
- Annual budgets and financial and compliance audits
- CHP safety compliance report/terminal record update
- Performance productivity reports containing service measures such as ridership, vehicle service hours and miles, fares, and operations cost
- Vehicle operations data such as on-time performance, road calls, and customer complaints
- Organizational charts, goals, objectives, policies, and procedures
- Short- and long-range transit plans
- Response to prior performance audit recommendations

Technical Proposal

We intend to discuss the audit steps and schedule, and understand some of the issues through discussion with the transit representatives. We will also identify other data materials to collect, if necessary.

Prior to our site interviews and fieldwork, we will review the materials provided and generate a list of follow-up questions to ask during the meetings and possibly other materials. The background data and preliminary analysis will serve as a basis for the audit process and site visits. Upon receipt of the data, we will begin to compile performance profiles using numeric data, initiate compliance reviews, and identify areas of compliance as well as potential noncompliance. We will also compile the TDA-mandated performance indicators, farebox recovery ratios, and other indicators relevant to functional area performance. We will document the values used for the statistics and indicators, note the amount of change, and determine whether this change represents a positive or negative trend.

Performance trend results in major functional areas will be discussed, such as operations, maintenance, and administration, in order to focus the site visit interviews accordingly. On-site interviews will be held with transit management and other staff as necessary. Telephone interviews with other stakeholders, as appropriate, will be held based on discussions with transit and ICTC staff.

Interview guides will be developed and utilized to focus discussions and maximize the effectiveness of time spent in discussions with transit staff. Potential topics for discussion include:

- Data collection and reporting processes
- Performance trends and factors influencing trends
- Accomplishments and challenges
- Actions taken to implement prior audit recommendations, the resources required for implementation, and the results of those actions

Task 2: Compliance with Statutory and Regulatory Requirements

Objective: Review and make a determination as to each agency's compliance with TDA and related sections of the California Code of Regulations.

Approach: During this task, we will focus our activities in three specific areas.

- **Discuss Compliance Requirements with the Operator.** This first step involves meeting with operator staff, including transit management, and discussing the compliance requirements to ensure the operator is aware of them. The eleven operator compliance requirements, described in the Caltrans Performance Audit Guidebook, address topics such as timely submittal of external documents, farebox recovery, and compliance with rules and regulations guiding TDA funding.
- **Investigate Evidence of Compliance.** Based on the interviews and discussions with transit staff, we will collect pertinent documents and records that show sufficient objective evidence to meet each of the minimum 11 compliance requirements. Some of the documents will be from the initial data list provided during the kickoff. Staff assistance from the operator as well as from ICTC will be utilized to

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obtain the most relevant data. Evidence of compliance may also be produced from our direct observation of the compliance requirement.

- **Disclose Results of the Compliance Review.** We will document the methodology and results of the compliance review. The review will ensure that the evidence collected is objective and representative of transit operator activities for the past three years. If we find an indication of noncompliance with any requirement, we will make a finding in the audit report, draw conclusions, and make appropriate recommendations.

Task 3: Follow Up On Prior Performance Recommendations

Objective: Review prior performance audit recommendations and actions taken by the agency to implement the recommendations.

Approach: During this task, we will focus our activities in the following specific areas:

- **Review Prior Recommendations and Evidence of Compliance.** We will review the prior audit recommendations with respective transit staff and review the status of implementation. We will work with staff to determine the validity of each recommendation in light of the evolving nature of transit operations. Evidence may be contained in operator reports, memorandums and documents, and performance evaluation documents or obtained through direct observation.
- **Document Implementation of Recommendation.** We will follow up on the course of action taken by the operator to implement the recommendations.

If the operator has implemented a recommendation, we will seek data to confirm implementation, discuss the effectiveness and benefits from the recommendation, and discuss difficulties and costs associated with the recommendation.

If the operator is currently implementing a recommendation, we will address the current status of implementation, as well as any difficulties and costs of implementation.

If a recommendation has not been implemented, we will make a determination as to whether the recommendation is (a) no longer applicable, with a clear statement of why; (b) infeasible, with a clear statement of why; or (c) still valid and should be implemented and the benefits that are likely to result. For each determination, we will draw conclusions on the implementation status of these recommendations. If the prior recommendation still deserves merit, we will include the recommendation in the current audit report, either as stated or modified to account for any changes in conditions.

- **Disclose Results of Follow-Up Review.** We will document the results of the review and report the status of prior recommendations. For those recommendations that have been implemented, significant accomplishments from these prior recommendations will be recognized as well as difficulties and costs of implementation.

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Technical Proposal

Task 4: Required Performance Indicators

Objective: Quantify and review the efficiency and effectiveness of the transit operator's activities, TDA-required performance measures, and other potential performance indicators if warranted.

Approach: Subtask A: We will first review and validate the operator's collection methods of basic data needed to calculate these indicators. The basic data include operating cost, passenger counts, vehicle service hours, vehicle service miles, employee hours, and fare revenue. This will be accomplished through tracing and evaluating the steps taken by the operator to report the data. We will review sample driver logs, driver manifests, daily and monthly operator reports, and other pertinent materials where actual performance data is recorded to determine compliance with the TDA definitions (PUC 99247).

Additional operations data such as on-time arrival, missed trips, and number of road calls and preventable accidents will be included in the review of operational performance. We will discuss this process with the transit operator and identify any issues discovered from our review of the data. If warranted, we will suggest corrective actions to ensure compliance with the statute.

Subtask B: A triennial performance audit must include the verification of a minimum of five performance measures. Section 99246(d) of the Public Utilities Code requires that the performance indicators are:

- Operator's operating cost per passenger
- Operating cost per vehicle service hour
- Passengers per vehicle service hour
- Passengers per vehicle service mile
- Vehicle service hours per employee as defined in Section 99247 of the California Public Utilities Code

Though the farebox recovery ratio is not a required performance indicator under Section 99246(d), Section 99268 et seq. requires that the farebox ratio be calculated so that an operator's eligibility for funding can be determined. We will be attentive to how each operator calculates its farebox ratios, as reflected in documents such as the State Controller's Report, TDA claims, and annual fiscal audits. As mentioned, while the impacts of SB 508 might not be fully demonstrated for the three-year audit period, we are very knowledgeable about the implications of this law on both transit operators and transportation planning agencies, and will discuss the intricacies as a value-added service.

It is noted that our audit assessment for YCAT Turquoise Routes 5 and 10 will be dependent in part on available information provided by that agency to the auditor, and, to an extent, the performance data being provided by YCAT to ICTC. We will prepare performance measures and indicators for the service that match the TDA-required indicators based on available data, and conduct the analysis.

We will create user-friendly tables to depict the trends over the recent three-year period on a system-wide basis and by mode/type (i.e., fixed-route, dial-a-ride). We will contrast these performance trends with other three year trends that influence transit performance (e.g., Consumer Price Index). We will document the values used for the statistics and indicators, note the amount of change, and determine whether this change represents a positive or negative trend. We will document causal factors for all observed performance trends based on the numerical information and information from the site visits.

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In addition to tables, we will produce visual graphic representation via bar/line charts and data labels. The performance trends will provide the symptoms of potential issues that will be reviewed in-depth during the functional review audit, as well as changes in efficiencies and effectiveness.

Other performance indicators to be determined will be calculated if the analysis warrants further examination of a particular performance area of concern that is not covered by any of the five indicators. Any additional performance measures are intended to be useful and help determine trends in service. Example additional indicators include customer comments per 100,000 passengers, on-time performance, and road calls per 15,000 revenue miles.

We will consult the Transit Cooperative Research Program (TCRP) document entitled *A Guidebook for Developing a Transit Performance-Measurement System* for a comprehensive listing of performance indicators relative to various transit functional areas. Additional functional area performance indicators pertaining directly to service efficiency and effectiveness during the audit period will be developed as necessary.

Each piece of basic data can be influenced by a series of interrelated variables in transit operations. Therefore, the calculation and analysis of the above performance indicators may point out potential issues or concerns that may need further investigation during the next task, which will examine the operator functions. We will select and use the appropriate performance indicators to identify, quantify, and/or resolve performance problems and potential areas for improvement. We will draw from our experience and also consult the TCRP document to select additional indicators.

Task 5: Operator Functional Reviews

Objective: Interview operator's management and staff, plus ICTC staff involved in county transit and paratransit programs. Review the various functions and investigate potential functional concerns, problems, and possible improvements, while also highlighting recent accomplishments.

Approach: The review of operator functions can be divided into two parts—an initial review and a detailed review. The initial review will provide an understanding of the operator's characteristics and the functions performed. Operator characteristics include general data such as a description of the entity providing service, legal status (e.g., local jurisdiction), mode of service (bus, van, general public, specialized, etc.), type of service (fixed-route and dial-a-ride), and size of operations. We will review pertinent documents such as transit plans and staff reports in addition to discussions with appropriate transit staff to obtain a clear view of the general functions of the audited transit system.

Each function, in turn, can be broken into several subfunctional areas as described by the following (adapted from the Caltrans *Performance Audit Guidebook*):

- **General Management and Organization.** We will review the management and structure of the operator, including an assessment of:
 - Administrative oversight
 - Organizational structure and reporting

Technical Proposal

- Recent program changes and innovations
- Areas of interest to management and governing body
- ***Scheduling, Dispatch, and Operations.*** The daily scheduling and coordination of routes, drivers, and vehicles will be reviewed, including:
 - Assignment of drivers and vehicles to specific routes
 - Driver absence and sick leave
 - Part-time and cover drivers
 - Dispatch procedures and communication
- ***Service Planning.*** We will review how short-range transit plan recommendations, public input through surveys, and other planning and evaluation techniques have been implemented, and assess their results on operations. Topics to be covered include:
 - Strategic planning
 - Short-range planning
 - Evaluation of routes
 - Planning for special transportation needs
 - Surveys of riders/non-riders
- ***Maintenance.*** We will review maintenance records, CHP terminal and vehicle inspections, and other maintenance-related documentation on the condition of the vehicles and other capital facility assets. The subfunctions in this area include:
 - Preventive maintenance
 - Sufficiency of facility
 - Vehicle condition and maintenance schedules
 - Parts and inventory management
 - Communications with dispatch
 - Maintenance outsourcing
- ***Personnel Management and Training.*** We will review personnel policies, driver recruitment practices, turnover trends, and management of human resources. Topics to be covered include:
 - Recruitment and motivation
 - Training and safety
 - Discipline
 - Benefits

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- **Administration and Financial Controls.** Business and support services necessary for agency operations will be assessed. We will examine adopted policy documents guiding financial management and procurement practices. Administrative activities include:
 - Budgeting, financial, and grants management
 - Revenue collection and cash management
 - Payroll
 - Risk management
- **Marketing and Public Information.** Efforts to make information available to the public, market the service to the community, and communicate with social service agencies and other governmental entities will be reviewed. The assessment will include:
 - Marketing programs and objectives
 - Communications strategies with the public
 - Intergovernmental communications

We will use various data means to perform the assessment, including interviews with transit staff and management, in-house data collection, annual productivity reports, surveys and public input, transit plans, and other materials presented to the governing board.

We will describe the improvements and changes made over the past three years in each function. We will also review events and/or activities that may have occurred either before or after the audit period, as necessary, to digest the impacts during the audit period. We will identify any functional concerns and evaluate them using such methods as calculating additional performance indicators that would be applicable to the functional concern. Our site visits and interviews as well as documents (e.g., board and advisory committee reports and agendas, internal documentation) will help with describing the service changes or performance concerns.

From the functional review, we will provide a set of clear and concise recommendations for improvement with a clear timeline for implementation and identify the potential cost savings/benefit and responsible party for follow-up. Depending on the operator function, the recommendations may range from managerial improvements to operational efficiencies to financial controls.

Task 6: Prepare Audit Report and Presentation

Objective: Prepare administrative drafts for review, and finalize the audit reports.

Approach: The report will be developed in a positive and easy-to-read manner to help management and staff improve operations and increase efficiency and cost-effectiveness. We will organize the audit reports using the following areas as guidance:

- Table of Contents
 - Listing of chapter headings and major sections

Technical Proposal

- Tables and figures
- Associated page numbers
- Executive Summary
 - Synopsis of key findings and recommendations
- Introduction
 - Agency's recent history, administrative and policy structure, budget, staffing, and nature of services provided
 - Overview of regulatory requirements
 - Approach and methods used in conducting the audit
- Audit Findings
 - Compliance review results
 - Status of prior recommendations
 - Results of performance measures review
 - Results of functional review separated by subfunction
- Conclusions and Recommendations
 - Findings and recommendations
 - Strategies and follow-up actions to address performance issues

Following the RFP schedule, we will provide the ICTC project manager an electronic PDF copy of the initial draft audit report by April 24, 2017. A revised draft for agency/operator review will be prepared by May 1, 2017. After we have received comments, we will prepare and deliver an electronic PDF copy of a final draft report. We will also be available to make a presentation to both the ICTC Management Committee and the Board of Directors at their respective regularly scheduled meetings in June 2017. Any final comments will be incorporated for delivery to Caltrans by July 2017. We will provide the requisite number of printed hard copies of the final report.

PERFORMANCE AUDIT OF IMPERIAL COUNTY TRANSPORTATION COMMISSION

Task 1: Kickoff Meeting and Data Collection

Objective: Conduct initial kickoff meeting with ICTC to communicate work scope and schedule, understand project expectations, and answer questions. Develop list of specific documents to be provided by ICTC.

Approach: We will coordinate the kickoff meeting (via telephone if possible for cost savings) to:

- Introduce the project team.

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- Review overall performance audit objectives.
- Clarify any aspects of our work plan, schedule, or approach.
- Clarify the roles and responsibilities of ICTC and the consultant team.
- Discuss the study schedule and progress reporting.
- Initiate the data collection effort.

During the kickoff meeting, we intend to discuss the audit steps and schedule, and understand some of the issues through discussion with ICTC as the regional transportation funding agency.

As part of our initial communication, we will create a list of data needs and documents that traditionally have been used to help create a background assessment of the agency's performance and compliance over the past three years. Additional items may be identified as a result of the kickoff discussion. We will coordinate with ICTC on the request for specific information and documents necessary to complete the audit requirements. We will follow up with telephone calls to answer questions and clarify data needs. At a minimum, the types of information required will include:

- Annual OWP budgets and financial and compliance audits
- TDA and State Transit Assistance claims
- Organizational chart, goals, objectives, policies, and procedures
- Transit performance monitoring system reports
- Unmet transit needs documentation
- Transportation Improvement Program documentation
- Response to prior performance audit recommendations

Task 2: Evaluate Compliance with TDA Administrative Processes

Objective: Evaluate the way in which ICTC complies with requirements under the TDA.

Approach: The Performance Audit Guidebook identifies a series of compliance requirements that RTPAs, such as ICTC, must meet. These comprise 14 specific requirements found in the Public Utilities Code and in the California Code of Regulations. Conformance with these requirements will be ascertained during this initial task.

With this in mind, we will review ICTC's previous performance audit, relevant accounting records, internal documents such as the Board of Directors meeting minutes, and meeting minutes from relevant policy and technical advisory committees and other pertinent information.

Technical Proposal

In addition, we will interview ICTC staff to identify any problems that may impede the efficient and timely administration of the TDA funds. As part of this evaluation, we will conduct audit investigations to ensure that adequate documentation and instructions to claimants are available and that accurate records exist regarding apportionments and allocations to the claimants.

We will develop a matrix table of the 14 compliance requirements and document ICTC's effort to meet each requirement.

Task 3: Evaluate TDA Claim Approval Process and Transit Performance Oversight

Objective: Review the TDA claims process and transit monitoring program.

Approach: During this task, we will review the claims process and ICTC's role in administering the funds. We will discuss findings with ICTC staff to determine their perspectives on any concerns raised with the claim approval process. From these interviews, we will review any documentation or reports required to confirm issues and seek to develop procedures that could assist the process if, in fact, problems are perceived.

Annual apportionments, sample completed claims packets, and accompanying documentation to substantiate the claims for Local Transportation Fund and State Transit Assistance funds will be collected and reviewed. Compliance checklists and/or other documents that are typically attached to the claims forms will be evaluated and reviewed with staff.

We will also review the transit performance reporting and monitoring system employed by ICTC. We will confirm or verify that the data provided by the transit operator is sufficient for basing decisions on claim allocations and for monitoring progress on previous allocations. In performing this evaluation, we will select certain data provided by the systems and verify through independent confirmations that the data is materially correct. Our evaluation will also review the usefulness of the performance indicator monitoring system as a means to monitor trends in transit operator performance and in providing a focus for the performance audit process.

Task 4: Conduct Detailed Review of RTPA Functions

Objective: Determine operational and structural efficiencies and institutional relationships.

Approach: During this task, we will review ICTC's organizational effectiveness through an analysis of the following specific areas, as described in the Performance Audit Guidelines.

Administration and Management. This will include examining the general management of the agency and identifying achievements and challenges, policies and goals, governing board activities, roles and staff functions, and overall work programs. We will interview ICTC staff to identify any administrative and management issues of concern to them. We will investigate potential issues and make findings and possibly recommendations as part of the audit. Topics to be covered include:

- General administration
- Internal planning and achievement

- Governing board activities
- Personnel

Planning and Regional Coordination. This will include evaluating ICTC's regional functions as an RTPA. It will include the practices and methods in which ICTC prepares transportation and related planning documents. We will also examine the process ICTC follows in managing transit plans and other transit projects in its area of jurisdiction. Topics to be covered include:

- Subregional transportation plan development and adoption
- Subregional transportation plan topics and implementation
- Transportation and transit planning and programming
- Information collection, generation, and distribution for use in the planning process

Relationship with Related Agencies. We will interview ICTC staff on its role in working with allied planning organizations such as neighboring regional transportation planning agencies, the Southern California Association of Government, and Caltrans, as well as other local governmental agencies in ICTC's jurisdiction and in adjacent areas where travel and development may have an impact on ICTC's related responsibilities. We will contact these other agencies as necessary.

TDA Claims Processing and Transit Oversight. We will review the claims process and ICTC's role in administering the funds. Sample completed claims packets and accompanying documentation to substantiate the claims for Local Transportation Fund and State Transit Assistance funds will be collected and reviewed. We will evaluate compliance checklists and/or other supporting documents typically attached to the claims forms. Topics to be covered include:

- Transit productivity monitoring and evaluation
- Technical and managerial assistance to transit operator
- Assistance with TDA compliance
- TDA claims processing

Marketing and Transportation Alternatives. We will review the agency's marketing and communication efforts to keep the public informed about transportation issues and external events that influence travel and transportation choices.

Grant Management. This will include gaining an understanding of the level of grant administration and assistance provided by ICTC for transportation revenue sources such as state and federal programs. We will review ICTC's ability to secure discretionary funding sources that enhance and increase the availability and quality of transportation in the county. Topics to be covered include:

- Grant application coordination
- Grant application assistance

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- Grant management and compliance

Finally, we will interview ICTC staff, including executive and senior staff, to identify any administrative and management issues of concern. We will investigate potential issues and make findings and potential recommendations as part of the audit. We will also conduct interviews, as necessary and warranted, with select individuals from ICTC's standing committees to gauge their perspectives regarding the activities of the agency. This may include public members and/or board member interviews.

Task 5: Follow Up on Prior Performance Audit Recommendations

Objective: Review prior performance audit recommendations and actions taken by ICTC to implement the recommendations.

Approach: During this task, we will focus our activities in the following specific areas.

- **Obtain and Review Key Documents.** We will collect documents that contain prior recommendations and review the status of these recommendations. Possible key literature includes prior performance audits, recommendations submitted in management memorandums, and other performance evaluation documents.
- **Document Implementation of Recommendation.** We will follow up on the course of action taken by ICTC to implement the recommendations.

If ICTC has implemented a recommendation, we will seek data to confirm implementation, discuss the effectiveness and benefits from the recommendation, and discuss difficulties and costs associated with the recommendation.

If ICTC is currently implementing a recommendation, we will address the current status of implementation, as well as any difficulties and costs of implementation.

If a recommendation has not been implemented, we will make a determination as to whether the recommendation is (a) no longer applicable due to changes in circumstances, (b) infeasible, with a clear statement of why, or (c) still valid and should still be implemented. For each determination, we will draw conclusions on the implementation status of these recommendations. If the prior recommendation still deserves merit, we will include the recommendation in the current audit report.

- We will document evidence of implementation. Evidence may be contained in staff reports, memorandums, and documents or obtained by direct observation.

Task 6: Identify Improvements and Develop Recommendations

Objective: Identify the specific improvements and issues from each of the previous tasks and develop recommendations that would assist in implementing the improvements.

Approach: Based on work done earlier during the study, recommendations could be developed for the following principal areas:

- The TDA administrative process, including the institutional arrangements, organizational structure, allocation process, prioritization, and detailed RTPA review, and how the previous performance audit recommendations have been implemented.
- The monitoring of performance indicators and how the data can be used for claim review, analysis, and monitoring performance.
- The adequacy of the monitoring system, including the validity of the data and whether the most appropriate data is being collected and utilized. Data consistency and comparability will be reviewed in developing recommendations for improvement.
- Effectiveness of administrative controls.

The task will highlight both accomplishments and any areas where ICTC might not be in compliance with TDA regulations, and the impact of noncompliance will be identified. We will provide recommendations in sufficient detail to address the issue or concern found. In addition, all recommendations will identify the priority and responsible party for implementing the recommendations.

Task 7: Prepare Audit Report and Presentation

Objective: Prepare an administrative draft for review, and then finalize the audit report.

Approach: The draft and final reports will contain the detailed review, findings, and recommendations from the audit process. An executive summary will also summarize the audit findings and recommendations.

The organization of the ICTC audit report will closely follow that described under Task 6 of the transit operator scope of work and include an executive summary, introduction, audit findings, and conclusions and recommendations. Elements of the prior tasks will be contained in the audit report to support findings and conclusions.

Following the RFP schedule, we will provide the ICTC project manager an electronic PDF copy of the initial draft audit report by April 24, 2017. A revised draft for agency/operator review will be prepared by May 1, 2017. After we have received comments, we will prepare and deliver an electronic PDF copy of a final draft report. We will also be available to make a presentation to both the ICTC Management Committee and the Board of Directors at their respective regularly scheduled meetings in June 2017. Any final comments will be incorporated for delivery to Caltrans by July 2017. We will provide the requisite number of printed hard copies of the final report.

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PROJECT SCHEDULE

The project schedules below show the general duration of each task, milestones, and deliverables. Separate schedules are provided for the performance audit of ICTC and of the transit operators to clearly illustrate the various tasks. However, the work effort for both sets of audits will be conducted in parallel, thereby achieving efficiencies from data collection, interviews, and site visits. As described in the RFP, it is assumed that the project will kick off by October 2016 or earlier and be completed by July 2017.

Transit Operator Audit Schedule

Transit Operator Audit Tasks	Oct/Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul
Task 1: Data Collection, Interviews, and Site Visits	█								
Task 2: Regulatory Compliance		█	█	█					
Task 3: Prior Audit Recommendations			█						
Task 4: Performance Indicators		█	█	█					
Task 5: Functional Review	█	█	█	█	█				
Task 6: Audit Reports and Presentation							Draft 4/24	Revised Draft 5/1	Presentations
Final Report Delivery									█
Meetings and Interviews	★		★					★	★

ICTC Audit Schedule

ICTC Audit Tasks	Oct/Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul
Task 1: Kickoff and Data Collection	█								
Task 2: Evaluate TDA Administrative Process		█	█						
Task 3: Evaluate Claims Approval and Transit Monitoring			█	█	█				
Task 4: Functional Review		█	█	█	█				
Task 5: Prior Audit Recommendations			█						
Task 6: Findings and Recommendations				█	█	█			
Task 7: Audit Report and Presentation							Draft 4/24	Revised Draft 5/1	Presentations
Final Report Delivery									█
Meetings and Interviews	★		★					★	★

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KNOWLEDGE AND UNDERSTANDING OF LOCAL ENVIRONMENT AND RELEVANT LAWS

Our work on the previous performance audits in Imperial County have enabled us to gain firsthand knowledge about the local environment through our direct interaction with ICTC staff and interviews with local stakeholders representing the cities, Imperial County, and transit operators. As we have established these relationships, we do not anticipate any hurdles in beginning the project and will work closely again with staff and to build new relationships with additional stakeholders identified during this audit cycle.

ICTC's Overall Work Plan and Budget describes many high priority projects and planning endeavors that will help shape the future of transportation in the county. Our understanding of the local environment is described in brief in the Executive Summary section of this proposal, including both institutional and transit system changes. As a county transportation commission established under SB 607 (Ducheny), ICTC member agencies are enabled to exercise basic initiative and leadership in the transportation planning and programming process. ICTC acts in accordance with all applicable laws and statutes for county transportation commissions, including guiding the development of the Regional Transportation Plan for the Imperial region and its regional, state, and federal transportation improvement programs.

Local efforts to promote the visibility as an independent commission include an ICTC website and recognizable connection between IVT and ICTC via an ICTC logo. ICTC also places greater emphasis on regional transportation planning to comply with the requirements of SB 375 in the development of Sustainable Community Strategies for Imperial County.

Michael Baker personnel assigned to this project are very familiar with the TDA law and state and federal laws guiding transit allocations. For example, our knowledge and awareness of the intricacies of SB 508 will be of benefit to ICTC and the transit operators regarding the changes to TDA to take place, and to validate any staff assumptions about how to apply the new law. We regularly participate in discussions with Caltrans headquarters TDA branch staff regarding the interpretation of the law and practical implementation on the local level. In addition to our extensive experience with TDA audits, our project manager participated as a panelist on an expert panel for a session focusing on changes to TDA at the spring 2015 CalACT conference in Yosemite. Our team members also interface directly with federal funding programs. While employed with the Kings County Association of Governments (KCAG), Rick Williams administered Federal Transit Administration (FTA) Sections 5310 and 5311 transit allocation programs for transit agencies and jurisdictions in Kings County. We have also worked with other funding programs, including urbanized formula funds for other transit clients.

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PROJECT ORGANIZATION AND KEY PERSONNEL

DEREK WONG, AICP, PROJECT MANAGER

Derek will serve as lead staff consultant, managing this important project and participating significantly in all tasks, including interviews, performance analysis, functional review, and report preparation and presentation. He has over 20 years of direct TDA audit experience and knowledge of TDA guidelines, enabling him to bring unique and applicable skills to the performance audit. Because TDA performance audits are conducted in cycles for all RTPAs, he manages these audits on a regular basis for agencies throughout the state and has built a wealth of knowledge about efficient and effective practices for implementing transportation programs.

Derek developed the curriculum and was the lead trainer on Caltrans- and CalACT-funded training workshops that focused on TDA audit education, performance measurement and monitoring, and transit financial analysis. He was under retainer by Caltrans to instruct statewide workshops on how to conduct effective TDA performance audits. Caltrans TDA branch staff has continued to consult with Derek on TDA-related issues and questions.

He has been the lead staff on numerous triennial performance audits of RTPAs and transit operators in rural and urban settings. Many audits have also included review of consolidated transportation services agencies. Several of these RTPAs have retained Michael Baker for multiple audit cycles.

- Imperial County Transportation Commission
- San Bernardino Associated Governments
- Riverside County Transportation Commission
- Orange County Transportation Authority
- San Diego Association of Governments
- Santa Barbara County Association of Governments
- Transportation Agency for Monterey County
- San Luis Obispo Council of Governments
- San Benito Council of Governments
- Santa Cruz County Regional Transportation Commission
- Fresno Council of Governments
- Kings County Association of Governments
- Shasta Regional Transportation Agency
- Nevada County Transportation Commission
- San Joaquin Council of Governments
- Stanislaus Council of Governments
- Tulare County Association of Governments
- Madera County Transportation Commission
- Kern Council of Governments
- Mendocino Council of Governments Modoc County Transportation Commission
- Inyo-Mono Counties Local Transportation Commission
- Humboldt County Association of Governments
- Del Norte Local Transportation Commission
- Sacramento Area Council of Governments Calaveras Council of Governments
- El Dorado County Transportation Commission
- Placer County Transportation Planning Agency

For most of these clients, Derek conducted TDA audits of both the planning agency and multiple transit agencies, ranging from small rural dial-a-ride operators to larger fixed-route providers. As many of these planning agencies administer the TDA program over a large and diverse service area, the audits of the various types and sizes of operators have given him a wealth of experience with a range of transit issues. He provides analyses related to the efficiency and economy of transit systems and develops strategies and recommendations for improvements that further the goals of the system. His careful attention to details of the audit requirements has resulted in findings and recommendations that have been beneficial to both the transportation planning agency and the transit operator.

Derek has a BS in transportation planning from the University of California, Davis, and an MBA with honors from California Polytechnic State University, San Luis Obispo. He is a member of the American Institute of Certified Planners.

Derek will be responsible for the quality of all work products submitted to ICTC and the transit operators. He will manage all aspects of the performance audit and provide either staff lead or primary direction on each task, including conducting interviews, data analysis, functional review, and development of recommendations for improvement.

RICK WILLIAMS, AICP, ASSOCIATE

Rick has been an analyst on numerous performance audits, including for the Imperial County Transportation Commission, Imperial Valley Association of Governments, San Bernardino Associated Governments, Riverside County Transportation Commission, Santa Barbara County Association of Governments, San Luis Obispo Council of Governments, Nevada County Transportation Commission, El Dorado County Transportation Commission, Sacramento Area Council of Governments, Madera County Transportation Commission, and Tulare County Association of Governments.

Rick served as a transportation planner for the Kings County Association of Governments. His experience with Kings County included both transportation and land use planning. He was the lead planner assigned to update the Kings County Transit Development Plan. He administered the TDA and FTA Sections 5310 and 5311 transit allocation programs for agencies and jurisdictions in Kings County. Rick also prepared transportation planning grant applications and coordinated Social Service Transit Advisory Council hearings for the purpose of determining unmet transit needs in Kings County. He is a member of the American Institute of Certified Planners.

Rick and Derek have worked jointly on numerous triennial performance audits at Michael Baker and have developed an efficient work program in the conduct of the audits. Rick engages in several aspects of the performance audit, including analyzing performance trends and conducting detailed functional reviews. He will assist with various aspects of the audits, given his knowledge and understanding of TDA, transit systems, and regional planning agencies. He will assist with data collection and review, performance analysis, and functional review of the audited agencies.

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Please refer to the Experience and Technical Competence section for references for recent Michael Baker TDA triennial performance audit work.

ICTC'S DBE PROGRAM AND ANTI-DISCRIMINATION POLICY

As stated previously, Michael Baker cannot qualify as a disadvantaged business entity due to our size and financial strength.

However, we are in full compliance with state and federal law regarding meeting DBE goals and with nondiscrimination and equal opportunity in hiring. Michael Baker also adheres to these policies in the subcontracting we do with outside firms. Our goal is to hire the most qualified and reputable firm in order to best serve our clients, but we recognize that certain projects have goals set by our clients to utilize local, small, emerging, minority-owned, veteran-owned, or underutilized disadvantaged businesses (disadvantaged businesses). Michael Baker will make every effort to work with our clients to meet such goals and has a past record of hiring subconsultants who qualify as federally, state, or locally certified disadvantaged business to provide technical services which Michael Baker does not provide in the course of normal business. Michael Baker uses word-of-mouth resources, pre-proposal meeting resources, and local agency, state, and federal resources to locate subconsultants for specialized services for which we do not already have a reputable and qualified firm on the books.

For this project, no subconsultants are proposed for inclusion on the project, as Michael Baker is able to complete all services in-house.

PREVIOUS CONTRACTS WITH ICTC

Michael Baker performed the triennial performance audit of ICTC and the transit operators covering FYs 2010–11 through 2012–13. The audit involved compliance with provisions of TDA and detailed functional review of operator and commission activities. The ICTC assigned project manager was Kathi Williams, project coordinator. The work was awarded November 2013 and completed in October 2014 for a total cost of \$71,601.

EXCEPTIONS TO THIS REQUEST FOR PROPOSALS

We have reviewed the sample agreement contained in the RFP as Attachment A and are confident that we will be able to agree to mutually acceptable terms. We routinely sign Professional Services Agreements with various public agencies, including the ICTC and Imperial County. We believe resolution of minor language changes can be easily attained, and have not had difficulty resolving terms with either the County or the ICTC in the past. As permitted by the RFP instructions on page 11 of the RFP, our comments and requested changes are identified below by section for your convenience, and are consistent with past agreements with Imperial County. Please note that these are requests only, and we are more than willing to discuss any of concern to the ICTC:

SECTION 4 (WORK TO BE PERFORMED BY CONSULTANT)

Section 4.3.2 - It is our past experience that various agency laws at different levels can conflict with one another, making it impractical for this language in this section to work. Should such a conflict arise, Michael Baker would use its professional judgment and work with the ICTC to resolve the situation. Therefore, we request modification of this section to:

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

Section 4.4 - We understand the importance of keeping project materials confidential, but due to the potential for circumstances which are beyond our control, request the addition of the following clarifying paragraph:

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

SECTION 11 (SUSPENSION AND TERMINATION)

Section 11.1 - We request modification of the final phrase in the first sentence of this section due to the potential for subjectivity in the existing term. We don’t wish to be put in the position of having completed work and have our client determine upon suspension of the project, or termination of the project, that such work is not of benefit, and thus be subject to non-payment for services performed in good faith. The requested modification to the end of the first sentence is:

“...ICTC shall be obligated to compensate CONSULTANT only for that portion of CONSULTANT’s services which have been performed in accordance with the terms and conditions of this Agreement.”

SECTION 13 (OWNERSHIP OF MATERIALS)

We produce various types of materials for specific projects and purposes. Should our client choose to use materials that were prepared for this project on another project, Michael Baker cannot be responsible for any possible negative results. In other words, we cannot be held liable for future uses or misuses of deliverables because they cannot be prepared for all potential uses. Therefore, we request the addition of the following paragraph to this section:

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“Any substantive modification of the materials by ICTC, or at ICTC’s direction, or any use of the completed materials for other projects, or any use of uncompleted materials, without the written consent of CONSULTANT, shall be at ICTC’s sole risk and without liability or legal exposure to CONSULTANT. ICTC agrees to hold CONSULTANT harmless from all damages, claims, expenses and losses arising out of any reuse of the materials for purposes other than those described in this Agreement, unless CONSULTANT consents in writing to such reuse.”

SECTION 15 (INDEMNIFICATION)

We are prepared to be responsible for our errors and understand our obligation to indemnify our clientele. However, we cannot be responsible for the actions of parties outside our control, such as our client. Additionally, we need to ensure that this section is insurable under design professional liability insurance which provides coverage to the extent of the policy-holder’s negligent acts, errors or omissions, and will not provide for the hiring of defense counsel for any party except the policy-holder. We feel it is in the best interests of both parties that our insurance carrier does not deny coverage due to the wording in the indemnification section. Therefore, the following reasonable modifications are requested, and again, are consistent with recent past Imperial County agreements:

“15.1. CONSULTANT agrees to the fullest extent permitted by law to indemnify, defend, protect and hold COUNTY and its representatives, officers, directors, designees, employees, successors and assigns harmless from any and all claims, expenses, liabilities, losses, causes of actions, demands, losses, penalties, attorneys’ fees and costs, in law or equity, of every kind and nature whatsoever arising out of or in connection with CONSULTANT’s negligent acts and omissions or willful misconduct under this Agreement (“Claims”), whether or not arising from the passive negligence of COUNTY, but does not include Claims that are the result of the negligence or willful misconduct of COUNTY.

15.2. CONSULTANT agrees to defend with counsel acceptable to COUNTY, indemnify and hold COUNTY harmless from all Claims, including but not limited to:

15.2.1. Personal injury, including but not limited to bodily injury, emotional injury, sickness or disease or death to persons including but not limited to COUNTY’s representatives, officers, directors, designees, employees, agents, successors and assigns, subcontractors and other third parties and/or damage to property of anyone (including loss of use thereof) arising out of CONSULTANT’s negligent performance of, or willful misconduct surrounding, any of the terms contained in this Agreement, or anyone directly or indirectly employed by CONSULTANT or anyone for whose acts CONSULTANT may be liable;

15.2.2. Liability arising from injuries to CONSULTANT and/or any of CONSULTANT’s employees or agents arising out of CONSULTANT’s negligent performance of, or willful misconduct surrounding, any of the terms contained in this Agreement, or anyone directly or indirectly employed by CONSULTANT or anyone for whose acts CONSULTANT may be liable;

15.2.3. Penalties imposed upon account of the violation of any law, order, citation, rule, regulation, standard, ordinance or statute caused by the negligent action or inaction, or willful misconduct of CONSULTANT or anyone directly or indirectly employed by CONSULTANT or anyone for whose acts CONSULTANT may be liable;

15.2.4. Infringement of any patent rights which may be brought against COUNTY arising out of CONSULTANT's work;

15.2.5. Any violation or infraction by CONSULTANT of any law, order, citation, rule, regulation, standard, ordinance or statute in any way relating to the occupational health or safety of employees; and

15.2.6. Any breach by CONSULTANT of the terms, requirements or covenants of this Agreement.

15.3. These indemnification provisions shall extend to Claims occurring after this Agreement is terminated, as well as while it is in force.

15.4. Notwithstanding the indemnity provisions above, CONSULTANT shall not be required to defend COUNTY for claims arising out of CONSULTANT's professional work that are deemed uninsurable under CONSULTANT's professional liability coverage, EXCEPT THAT:

15.4.1. CONSULTANT shall be required to pay COUNTY's reasonable attorney's fees associated with COUNTY's defense of any such claim; and

15.4.2. If any such claim is covered under any of CONSULTANT's other insurance policies, CONSULTANT shall be required to defend COUNTY as specified in Paragraphs 15.1 through 15.3."

SECTION 17 (INSURANCE)

Michael Baker can comply with the types and limits of insurance required, and requests only a few clarifications based upon coverage commercially available and company policy.

Paragraph 3, bottom of page 8, lines 22-27 - Deductibles are set by company corporate principals who are well familiar with the financial strength and capability of the firm. We need to keep control of the setting of limits and deductibles within the firm, and due to security and confidentiality concerns, do not typically release full policies of insurance outside of the company. For these reasons, we request modification of this paragraph to:

"CONSULTANT shall be responsible for payment of any deductibles contained in any insurance policies required hereunder and CONSULTANT shall also be responsible for payment of any self-insured retentions. Any deductibles or self-insured retentions must be declared to the ICTC's Executive Director or his/her designee. At no time shall ICTC be responsible for the payment of any deductibles or self-insured retentions."

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Paragraph 4 on the top of page 9, lines 1–8 - Based on our insurance company's notification policies and procedures, please note that we cannot provide an endorsement or policy wording as requested in this section. Larger carriers will provide advance notification on most types of policies for reason of cancellation only (including cancellation due to non-payment of premium). For this reason, we request removal of the terms "reduced in coverage or limits" and "or reduction in coverage or in limits" in this section, as well as addition of the term "or as soon as reasonably available." at the end of this paragraph regarding the mailing of renewal certificates.

Paragraph 5, page 9, line 14 - We request that the fourth sentence regarding a Fidelity Bond/Crime insurance policy be deleted as such a policy is not required, nor is it a normal requirement for this type of work.

SECTION 27 (ATTORNEY'S FEES)

We request that this clause be made similar to mediation or arbitration clauses in that each party is responsible for its own costs. The request modification is:

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

STATEMENT OF IMPARTIALITY

Michael Baker provides services to municipalities and firms throughout California and adheres to an objective third-party approach to our services. Outside of business contractual arrangements, Michael Baker has no financial interest with any of our clientele. This approach eliminates the potential for any conflicts of interest between Michael Baker and project affiliates. Michael Baker will avoid all actual or appearances of conflicts of interest and affirms that to the best of this proposers knowledge, we are not currently, nor would we during the performance of services, participate in any other similar work involving a third party with interests in conflict or likely to be in conflict with ICTC's interests.

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Michael Baker
INTERNATIONAL

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**APPENDIX A –
RÉSUMÉS**

Derek Wong, AICP Project Manager

Mr. Wong has over 20 years of project management and consulting experience specializing in Transportation Development Act (TDA) performance audits, infrastructure financing of public facilities, and transit financial management. He has conducted TDA triennial performance audits for both urban and rural clients throughout the state. He has managed complex engagements that require the identification and analysis of revenues and costs for local and regional projects and programs, including for the transportation and development communities. Mr. Wong has developed various revenue strategies and funding mechanisms that involve consensus building with local community stakeholders and governing boards to bridge funding shortfalls for capital facilities and ongoing operations.

Education

MBA | California Polytechnic State University, San Luis Obispo

BS, Environmental Policy Analysis and Planning, emphasis on transportation policy | University of California, Davis

Relevant Project Experience

TDA Triennial Performance Audits. Conducted performance audits of various regional transportation planning agencies (RTPA) and transit operators in California for 20 years. Managed or currently managing performance audits of RTPAs and public transit operators as required by the state TDA. Reviewed the efficiency and effectiveness of operations, maintenance, and management. Developed findings and recommendations to improve future service provision. Select clients include:

- Imperial County Transportation Commission
- San Bernardino Associated Governments
- Riverside County Transportation Commission
- Orange County Transportation Authority
- San Diego Association of Governments

Professional Affiliations and Service

- American Institute of Certified Planners
- American Planning Association, Sacramento Valley Section
Division Director, Section
Membership Director, Section
Treasurer

Team Member since 2005

Michael Baker

INTERNATIONAL

- Santa Barbara County Association of Governments
- Transportation Agency for Monterey County
- San Luis Obispo Council of Governments
- San Benito Council of Governments
- Santa Cruz County Regional Transportation Commission
- Fresno Council of Governments
- Kings County Association of Governments
- Shasta Regional Transportation Agency
- Nevada County Transportation Commission
- Calaveras Council of Governments
- El Dorado County Transportation Commission
- Placer County Transportation Planning Agency
- Kern Council of Governments
- San Joaquin Council of Governments
- Stanislaus Council of Governments
- Tulare County Association of Governments
- Madera County Transportation Commission
- Mendocino Council of Governments
- Modoc County Transportation Commission
- Inyo-Mono Counties Local Transportation Commission
- Humboldt County Association of Governments
- Del Norte Local Transportation Commission
- Sacramento Area Council of Governments

CalACT 2015 Spring Conference, Yosemite, TDA Presenter. Participated on expert panel to discuss TDA and application to RTPAs and transit operators. Presented historical perspective, statutory provisions, and new legislation. Provided interpretation of TDA language to assist with practical practice.

California Department of Transportation (Caltrans), TDA Instructor. Retained by Caltrans over a three-year period to develop curriculum and provide instruction to transportation professionals on TDA performance audits. Conducted a series of workshops throughout California, including in Fresno, Sacramento, and Redding.

Anaheim Transportation Network, Integrated Transportation Capacity Study. Provided financial analysis of proposed service enhancements for Anaheim Resort Transportation serving the entertainment and hospitality district of Anaheim. Evaluated governance opportunities that would provide the structure for service enhancement.

Solano Transportation Authority, Transit Sustainability Study. Conducted a study that focused on existing financial conditions and performance trends of six Solano County transit operators. Assessed operations and capital expenditures and determined the relative financial sustainability to continue current services.

City of Elk Grove, Comprehensive Operations Analysis (COA). Provided financial analysis for a COA study that undertook a full analysis of transit services and provided system-wide recommendations and an implementation plan.

City of Visalia, Short Range Transit Plan (SRTP). Provided financial analysis for a SRTP that undertook a full analysis of transit services and provided system-wide recommendations and an implementation plan.

Stanislaus County, Comprehensive Operations Analysis. Recently managed a COA study that undertook a full analysis of transit services and provided system-wide recommendations and an implementation plan. Conducted ride checks, on-board survey, and interviews to prepare performance analysis and service improvement plan. Technology integration was an aspect of the analysis.

Antelope Valley Transit Authority, Transit Cost Allocation Study. Managed the development of indirect labor cost rates for general and administrative cost allocations for AVTA, located in Lancaster. The allocations were factored into the calculation of total costs that could be applied to government grants, fees, federal reimbursements, and other billings. Also developed a modal cost allocation plan.

San Bernardino Associated Governments, Transit Cost Allocation Study. Managed the development of indirect labor cost rates for general and administrative cost allocations for Omnitrans transit. The allocations are factored into the calculation of billable hourly rates that could be applied to government grants, fees, federal reimbursements, and other billings. Also developed a modal cost allocation plan that spreads indirect and direct cost among transit service modes using performance statistics as the basis for the allocation.

Humboldt County Association of Governments, Transit Development Plan. Managed the short-range transit plans for eight transit systems in Humboldt County. Conducted existing conditions assessment, on-board surveys, and interviews with each transit operator's staff. A financial operations and capital plan was developed providing projections for near-term operations and asset replacement.

Stanislaus County, Dial-A-Ride Needs Assessment and Financial Analysis. As part of a consulting team, reviewed assessment of transit needs not being met by existing public transit services, and developed funding mechanisms to meet the needs of the elderly and disabled throughout Stanislaus County. Developed a detailed funding matrix that identified almost 25 different potential revenue sources. Each revenue source was evaluated for its feasibility.

Humboldt County Association of Governments, Dial-A-Ride Transit Consolidation Study. Conducted a financial assessment of current demand response services in the greater Eureka area and determined whether consolidation opportunities existed. Six consolidation options were developed ranging from greater coordination by the cities to full consolidation under one provider.

Prior Experience

Arthur Bauer & Associates, Sacramento, Senior Associate. Transportation management, policy, and public financing consulting firm—provided services including infrastructure planning and funding, strategic planning, project management, information technology, financial analysis, performance auditing, and economic analyses. Conducted performance audits of regional planning agencies and public transit providers.

Rick J. Williams

Associate

Mr. Williams has 17 years of multidisciplinary experience in the private and public sectors specializing in public affairs outreach and transportation planning encompassing transit financial management and Transportation Development Act (TDA) performance audits. He has conducted TDA triennial performance audits for both urban and rural clients throughout the state. Mr. Williams is also experienced in developing and implementing multicultural public outreach and marketing campaigns for general plan updates, specific plans, and transportation plans using communication tools such as fact sheets, press releases, e-mail blasts, meeting facilitation, intercept interviews, public service announcements, website copy, and summary reports. His expertise includes being bilingual in Spanish. He has a proven ability to work collaboratively with policymakers and stakeholders as well as to forge strong working relationships and partnerships in multidisciplinary project teams.

Education

BA, Management and Organizational Development | Fresno Pacific University, Fresno, CA

AA, Travel-Tourism/Geography | West Los Angeles College, Culver City, CA

Relevant Project Experience

TDA Triennial Performance Audits. Conducted performance audits of various regional transportation planning agencies and transit operators in California for 10 years as required by the state Transportation Development Act. Reviewed the efficiency and effectiveness of operations, maintenance, and management. Developed findings and recommendations to improve future service provision. Select clients include:

- Imperial County Transportation Commission
- San Bernardino Associated Governments
- Riverside County Transportation Commission
- Orange County Transportation Authority

Professional Affiliations

- American Planning Association
- American Institute of Certified Planners

Team Member since 2005

- San Luis Obispo Council of Governments
- Santa Barbara County Association of Governments
- Madera County Transportation Commission
- Tulare County Association of Governments
- San Joaquin Council of Governments
- Stanislaus Council of Governments
- Fresno Council of Governments
- Sacramento Area Council of Governments
- San Benito Council of Governments
- Kern Council of Governments
- El Dorado County Transportation Commission
- Nevada County Transportation Commission
- Humboldt County Association of Governments
- Mendocino Council of Governments
- Calaveras Council of Governments

City of Wasco Transit, Title VI Report. Managed the preparation of the federally required Title VI report detailing the assurances of the city's transit program for receipt of federal transit grant funding.

Stanislaus County, Comprehensive Operations Analysis. Participated in a COA study that undertook a full analysis of transit services and provided system-wide recommendations and an implementation plan. Conducted analysis of ride checks, on-board surveys, and interviews to prepare performance analysis and service improvement plan. Technology integration was an aspect of the COA.

Humboldt County Association of Governments, Dial-A-Ride/Dial-A-Lift Consolidation Study. Involved in developing and coordinating the study's public outreach plan to social service agencies, Native American tribal governments, and paratransit providers. Outreach deliverables included fact sheets, press releases, stakeholder interviews, and a public outreach summary report. Michael Baker developed several alternative models to streamline the administration and delivery of dial-a-ride/dial-a-lift transit services in the greater Humboldt Bay area.

Regional Transportation Commission of Washoe County, Nevada, BRT Marketing Strategy. As project manager, developed an effective marketing strategy that included conducting a communications audit and key findings report and developing/creating taglines, web banners, and 60-second radio advertising spots. Target groups included seniors, persons with disabilities, low-income groups, and businesses. Michael Baker developed a comprehensive marketing strategy for the implementation of the Bus Rapid Transit service in Reno, known as RTC RAPID.

Metropolitan Transportation Commission, Transportation 2035, Public Involvement Program. Part of public involvement efforts for MTC's Transportation 2035 Regional Transportation Plan update to engage environmental justice communities and others with a history of nonparticipation in transportation planning. Assisted in facilitation efforts at the Change in Motion regional summit, public workshops, and focus groups. Planned and coordinated intercept interviews at various public locations throughout MTC's nine-county area. Prepared written summaries and findings of the first and second phases of the public outreach program.

COST PROPOSAL

Michael Baker proposes a not-to-exceed price of \$72,076 to conduct the triennial performance audits. This includes committing 550 hours in senior staff time, which are detailed in the personnel matrix in the prior section. A detailed cost proposal is included in this section, including the transit operator audits and the ICTC audit.

Transit Operator Budget

Transit Operator Audit Tasks	D. Wong Project Manager		R. Williams Assoc. Planner		Administrative		Total	
	Hours	\$145	Hours	\$105	Hours	\$70	Hours	Budget
Task 1: Data Collection, Interviews, and Site Visits	50	\$7,250	56	\$5,880		\$0	106	\$13,130
Task 2: Regulatory Compliance	8	\$1,160	28	\$2,940		\$0	36	\$4,100
Task 3: Prior Audit Recommendations	3	\$435	8	\$840		\$0	11	\$1,275
Task 4: Performance Indicators	16	\$2,320	40	\$4,200		\$0	56	\$6,520
Task 5: Functional Review	28	\$4,060	40	\$4,200		\$0	68	\$8,260
Task 6: Audit Reports and Presentation	72	\$10,440	72	\$7,560	12	\$840	156	\$18,840
Subtotal	177	\$25,665	244	\$25,620	12	\$840	433	\$52,125
Direct Expenses								
Travel								\$3,250
Production								\$290
10% Markup								\$354
Subtotal								\$3,894
Total Operator Audit							433	\$56,019

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ICTC Budget

ICTC Audit Tasks	D. Wong Project Manager		R. Williams Assoc. Planner		Administrative		Total	
	Hours	\$145	Hours	\$105	Hours	\$70	Hours	Budget
Task 1: Kickoff and Data Collection	5	\$725	6	\$630		\$0	11	\$1,355
Task 2: Evaluate TDA Administrative Process	5	\$725	8	\$840		\$0	13	\$1,565
Task 3: Evaluate Claims Approval and Transit Monitoring	4	\$580	6	\$630		\$0	10	\$1,210
Task 4: Functional Review	12	\$1,740	12	\$1,260		\$0	24	\$3,000
Task 5: Prior Audit Recommendations	1	\$145	1	\$105		\$0	2	\$250
Task 6: Findings and Recommendations	3	\$435	3	\$315		\$0	6	\$750
Task 7: Audit Report and Presentation	28	\$4,060	20	\$2,100	3	\$210	51	\$6,370
Subtotal	58	\$8,410	56	\$5,880	3	\$210	117	\$14,500
Direct Expenses								
Travel								\$1,365
Production								\$50
10% Markup								\$142
Subtotal								\$1,557
Total ICTC Audit							117	\$16,057