



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

**MANAGEMENT COMMITTEE**

**Imperial County Transportation Commission  
1503 N. Imperial Ave. Suite 104  
El Centro, CA 92243**

**Wednesday, January 10, 2018  
10:30 A.M.**

**CHAIR: ROM MEDINA**

**VICE CHAIR: DAVID DALE**

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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.

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**I. CALL TO ORDER AND ROLL CALL**

**II. EMERGENCY ITEMS**

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

**III. PUBLIC COMMENTS**

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

**IV. CONSENT CALENDAR**

- |  |                   |            |
|--|-------------------|------------|
| A. Approval of Management Committee Draft Minutes: | October 11, 2017  | Pages 4-27 |
|  | December 13, 2017 |            |
| B. Receive and File:                               |                   |            |
| 1. ICTC Board Minutes:                             | October 25, 2017  |            |
|  | November 29, 2017 |            |
| 2. ICTC Board Draft Minutes:                       | December 13, 2017 |            |

**V. REPORTS**

- A. ICTC/LTA Executive Director
- See attached Executive Director Report on page 29
- B. Southern California Association of Governments
- See attached report on page 35
- C. California Department of Transportation – District 11
- See attached report on page 38
- D. Committee Member Reports

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

## VI. INFORMATION CALENDAR

- A. Full Analysis by Bond Counsel for Future Bonding Opportunities Page 50

This item will be presented by Carmen Vargas from Ramirez & Co., Inc.; and Don Hunt from Norton Rose and Fulbright. See attached presentation and 2018 Sales Tax Revenue Bond Analysis

\*Staff recommends consideration to have City/County Finance and/or Public Works Directors in attendance.

- B. 2016 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) – Amendment 3  
See attached summary letter on page 88

- C. Senate Bill 1 Trade Corridor Enhancement Program – Grant Applications  
See attached summary letter on page 90

- D. Overview of the Brawley Transit Corridor Brownfield Assessment

- E. Overview of the Southern Border Broadband Consortium

## VII. ACTION CALENDAR

- A. Rotation of Chair and Vice-Chair Positions Page 92

It is requested that the Management Committee take any appropriate action for the rotation and assignment of the Chair and Vice-Chair positions for 2018.

- B. Draft Regional Collaboration (RC) Budget, FY 2017-2018 Page 95

Following review and input, it is requested that the ICTC Management Committee recommend that the Draft Regional Collaboration Budget for FY 2017-2018 be presented to the Commission for review and approval after public comment, if any.

- C. SCAG – ICTC Memorandum of Understanding (MOU) Page 99

ICTC staff forwards this request to the Management Committee and recommends that the Commission take the following actions, after the receipt of public comment, if any:

1. Authorize the Chairperson to sign the SCAG – ICTC Memorandum of Understanding (MOU) 2018.
2. Direct staff to forward the MOU to SCAG for further processing.

- D. Memorandum of Agreement (MOA) between the Imperial County Transportation Commission (ICTC) and Imperial Valley Economic Development Corporation (IVEDC) – Brownsfield Assessment Project Page 109

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. Authorize the Chairman to sign the Memorandum of Agreement between Imperial County Transportation Commission and Imperial Valley Economic Development Corporation (IVEDC) for the Brownsfield Assessment Project.

## VIII. NEXT MEETING DATE AND PLACE

- A. The next meeting of the Management Committee is currently scheduled for **Wednesday, February 14, 2018 at 10:30 a.m.**, at the **City of Westmorland**, Westmorland, CA.

## IX. ADJOURNMENT

- A. Motion to Adjourn

## **IV. CONSENT CALENDAR**

### **A. APPROVAL OF MANAGEMENT COMMITTEE**

**DRAFT MINUTES:**

**OCTOBER 11, 2017**

**DECEMBER 13, 2017**

### **B. RECEIVE AND FILE:**

#### **1. ICTC BOARD DRAFT MINUTES:**

**OCTOBER 25, 2017**

**NOVEMBER 29, 2017**

**DECEMBER 13, 2017**

**IMPERIAL COUNTY TRANSPORTATION COMMISSION  
MANAGEMENT COMMITTEE**

**DRAFT MINUTES OF October 11, 2017**

**10:00 a.m.**

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**VOTING MEMBERS PRESENT:**

City of Brawley	Rosanna Bayon Moore
City of Calexico	Armando Villa
City of Calipatria	Rom Medina (Chair)
City of El Centro	Marcela Piedra
City of Holtville	Nick Wells
County of Imperial	Rosa Lopez for Robin Hodgkin

**STAFF PRESENT:** Mark Baza, Kathi Williams, Virginia Mendoza, David Aguirre, Guillermo Gonzalez, Cristi Lerma

**OTHERS PRESENT:** David Salgado: SCAG; Jesus Vargas, Bing Luu: Caltrans; Tom Dubose

The following minutes are listed as they were acted upon by the Imperial County Transportation Commission Management Committee and as listed on the agenda for the meeting held Wednesday, October 11 2017 together with staff reports and related documents attached thereto and incorporated therein by reference.

**I. CALL TO ORDER AND ROLL CALL**

Chair Medina called the Committee meeting to order at 10:49 a.m. Roll call was taken. Introductions were made.

**II. EMERGENCY ITEMS**

A. There were none.

**III. PUBLIC COMMENTS**

There were none.

**IV. CONSENT ITEMS**

A motion was made by [Bayon Moore](#) seconded by [Villa](#) to approve consent items 4A-B. **Motion carried** unanimously.

A. Approved ICTC Management Committee Minutes for September 20, 2017

B. Received and filed:

1. ICTC Board Draft Minutes for September 27, 2017

**V. INFORMATION / DISCUSSION CALENDAR**

A. Discussion of the Holtville Airport

Mr. Dubose gave the Committee a presentation regarding the Holtville Airport and its current state of disrepair. The key challenges from the presentation were:

- Additional land may be needed
- The existing permit is under suspension
- Some of the land is owned by Bureau of Land Management

- More airspace is needed, and there is restricted airspace nearby owned by the military
- Creating a new facility versus rehabbing the old facility
- The most recent study was done on January 28, 2013

The key tasks moving forward are the following:

- Get the military on board
- Analyze specific information, such as previous study, a new feasibility study, finance
- Remove the suspension on the existing permit
- Environmental

B. Transit 101 2017 (Mobility Coordination)

Mr. Gonzalez stated that ICTC recently held its third annual Transit 101 session on October 4, 2017 at the ICTC office from 10:00 AM to 12:00 PM. The session is conducted in October during the regular Social Services Transportation Advisory Council (SSTAC) meeting.

Staff from Imperial Valley Transit (IVT); IVT Access, the Americans with Disabilities Act paratransit services; IVT RIDE, paratransit for seniors and persons with disabilities; and IVT MedTrans, the non-emergency transportation to medical facilities in San Diego, presented information on their specific services. In addition, the IVT branded service vehicles were on display in the parking lot.

Each year, a few new agencies attend gaining information that potentially enables them to better serve their clients' needs including but not limited to; the County Health Department, the County Behavioral Health Department, Pioneer's Memorial Hospital, Access for Independence and the Work Training Center.

C. 2<sup>nd</sup> Project Update – Federal Transit Administration (FTA) Section 5310 Grant Program for Elderly and Disabled Transportation Services FY 2014-15 (Mobility Coordination)

The Mobility Coordinator is responsible for assisting existing ICTC transit and contractor staff in addressing two primary areas:

1. The 2014 Human Services – Public Transit Coordinated Planning efforts goals; to use a bilingual Mobility Coordinator to bridge the gap between current public transit service providers, human service agencies, social service agencies and the senior citizen and disabled communities of Imperial County.
2. Address the recommendations in the consultant prepared ADA Certification and Eligibility Process, Demand Management Project; to revise the certification and eligibility process (implemented January 2017)

Mr. Gonzalez stated that since the approval of the Mobility Coordination grant he has been busy with providing outreach to local social services agencies; creating the “Do Not Leave Alone” Policy; providing ADA interviews; and, providing bilingual Facebook alerts. For the 4<sup>th</sup> year in a row IVT will be participating in the “Stuff a Bus” event where all canned foods and non-perishables will be used in lieu of fares, and they will be donated to the Imperial Valley Food Bank

In addition to the above stated, continued public outreach has been provided for the IVT MedTrans services in San Diego.

Mr. Gonzalez attached a list of the several individualized coordination and training sessions provided by the Mobility Coordinator directly, or with contractor's transit staff. The Mobility Coordinator has provided a needed and appreciated point of contact,

including some personalized case management for the community and in particular for seniors and persons with disabilities. Mr. Gonzalez provided an overview of key accomplishments to date.

**VI. REPORTS**

- A. ICTC Executive Director
  - A list of ICTC updates can be found on Page 22 of the agenda.
- B. Southern California Association of Governments (SCAG)
  - A list of SCAG updates can be found on Page 36 of the agenda.
- C. Caltrans Department of Transportation – District 11
  - A full report is on page 43 of the agenda.
- D. Committee Member Reports
  - There were none.

**VI. ACTION CALENDAR**

- A. 2018 State Transportation Improvement Program (STIP) Recommendations for Imperial County

Ms. Mendoza presented the Committee with the 2018 STIP Recommendations.

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

- 1. Approve the 2018 STIP Recommendations for Imperial County, requesting funding for the I-8/Imperial Avenue Interchange project and Planning, Programming and Monitoring (PPM). The funding request is as follows:

Project	Prior	FY18-19	FY19-20	FY20-21	FY21-22	FY22-23
I-8/Imperial Ave Interchange - existing	\$6,428		\$31,412			
I-8/Imperial Ave Interchange - additional <sup>1</sup>	+\$996		+\$3,244			
PPM - existing		\$300				
PPM – additional				+\$239	+\$239	+\$238
<b>Total – Proposed Revision</b>	<b>\$7,424</b>	<b>\$300</b>	<b>\$34,656</b>	<b>\$239</b>	<b>\$239</b>	<b>\$238</b>

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

- B. IVT Bus Operations Facility Evaluation Phase 1  
 Property: 1605 Adams Avenue, El Centro, Ca 92243

Mr. Aguirre provided the Committee with the results of the consultant’s study. Below are the options outlined in the staff report for consideration by the Commission.

Option A

Proceed with Phase 2 of the project and complete the comprehensive analysis of the Adams Avenue Facility. In addition, ICTC staff would return to the Commission for instruction to commence negotiations with Caltrans regarding the acquisition of the facility.

Pros: The site is larger than ICTC’s existing maintenance and operations facilities and

could assist with the goal of consolidating both the leased Ross Road and Industry Way locations.

Cons: Phase 1 has determined that the site would require extensive, costly rehabilitation and demolition to make it functional for the “move in ready” option. The site under the “move in ready” option would provide some upgrades over existing facilities but would not be sufficient for any future needs or expansion.

#### Option B

Do not proceed with the Phase 2 portion of the project, do not move forward with the acquisition of the Caltrans facility and look at other potential sites suitable for ICTC’s transit and administrative needs as previously directed by the Commission.

Pros: Saves the remaining funds previously allocated towards the Phase 2 of this project (\$180,041.00). Look at various other sites capable of meeting ICTC’s existing and future transit and administrative needs.

Cons: Time required in a search for a new site and continued use of the existing dual site scenario for maintenance and operations services.

#### Option C

Reallocate the Phase 2 budget (\$180,041.00) and utilize a portion of the budget to issue a contract amendment/change order with the existing consultant CH2M Hill to complete an initial study for a new site not to exceed (NTE) \$50,000 and work with a real estate consultant to review multiple potential sites.

Pros: Streamlines the process to complete preliminary engineering services for a new site while also utilizing existing budgeted funds. Engineering services would be performed by a consultant team already familiar with ICTC and the transit operations.

Cons: Engineering services would be limited to the existing consultant.

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

1. Proceeding with Option B:
  - a. Authorizing the Executive Director to cease the pursuit of the Caltrans facility.
2. Proceeding with Option C:
  - a. Authorizing the Executive Director to prepare a contract amendment/change order with the existing consultant (CH2M Hill) to complete an engineering analysis for a different potential transit maintenance and operations yard, with ICTC Administration building location from the existing project budget (Not To Exceed \$50,000).
  - b. Authorizing the Executive Director to engage a real estate consultant to look at multiple sites from the existing project budget.

A motion was made by [Wells](#) seconded by [Piedra](#), **Motion carried** unanimously.

Mr. Baza stated that these recommendations are consistent with the direction given to staff at the meeting in September.

C. IVT RIDE, Public Dial-a-Ride Paratransit Services, Triennial Review FY 2014-15 – FY 2016-17

Ms. Williams provided background information regarding the consolidation of the five public dial-a-ride services: Brawley, Calexico, El Centro, Imperial and the West Shores. Previously, there were multiple operators under separate contracts with these agencies.

In February 2014, fourteen transportation providers were invited to submit written proposals for consideration for the service branded as *IVT RIDE*, and with logo colors of yellow, black and white. The providers were requested to submit one proposal for all five of the paratransit services for a five year contract, with three one-year extensions. The new contract would be administered by ICTC.

The participating public agencies would terminate their individual contracts during a scheduled transition effective in FY 2014-15. However for accountability, a new Paratransit Coordination Committee (PCC) would be created by which the participating public agencies would review system performance, make recommendations and retain the ability to be responsive to their constituents.

Based on the results of the competitive bid process, it appeared that an opportunity to achieve greater efficiencies, better compliance with regulations, new technology for reservations/dispatching and performance management, and cost reductions could be achieved through the consolidation of the operations including; management, dispatch, reservationists, maintenance and marketing under one provider under one contract. Ultimately First Transit Inc. was selected as the most responsive provider.

Included in the service contract was the benefit of coordinated bilingual dispatching and a computerized reservation system, a fuel escalator for fuel prices that exceed the negotiated price per a gallon, a marketing and public outreach allowance (to be developed annually based on available funding per year), replacement of the any previous vehicles with fourteen (14) new, smaller and ramp equipped paratransit buses, in house maintenance support services and a dedicated management team.

ICTC procured the paratransit vehicles and service started in Brawley, Calexico, Imperial and the West Shores in FY 2014-15 with El Centro joining in FY 2016-17.

Data from the previous operators was not able to be verified related to passengers per day/hour etc. Therefore, service delivery began with the same service hours/days and fares as had been in operation under the previous City's' contracts. Shown below are the fares for each service area as follows:

Brawley - \$1.50    Calexico - \$1.00    El Centro - \$1.25    Imperial - \$1.75    West Shores - \$2.00

With the exception of the City of El Centro Service Area, service has been in operation for the demonstration period of three years. Staff have evaluated the services, the Paratransit Coordination Committee (PCC) has met a minimum of twice annually in each of the three years and recommendations for service changes have been developed.

Below are the system wide recommendations:

- Allow for limited hand carried bags on board
- Various - Increase fares, Reduce service hours, Reduce service days
- Reduce marketing expenses



- Reduce eligibility age for seniors from 60 to 55 years

Below are the specific recommendations for each service area:

### **Brawley**

The service in Brawley is provided with two buses M – F, one bus on Saturdays, and primarily focused on providing access to medical facilities in the area of the Pioneers' Hospital, Walmart, the Nutrition program at the Senior Center and Day Out facilities. The fare is \$1.50. Service in the PM after 3PM is very low. Service on Saturdays is very low. The farebox ratio is under the required 10%.

1. Maintain one bus with service hours on M – F 7AM to 6PM and the second bus reduce the service hours to 7 AM to 3PM.
2. Reduce the service hours on Saturdays from 7AM to 6PM, to 8AM to 2PM.

### **Calexico**

The service in Calexico is provided with three buses M – F, one bus on Saturdays and Sundays, and primarily focused on providing access to Walmart, the Nutrition program at the Senior Center and Alegria facilities. The fare is \$1.00. Service is steady on the weekdays and the weekend. The farebox ratio is under the required 10%.

1. Conduct more outreach
2. Raise fares

### **El Centro**

The service in El Centro is provided with four buses M – F, one bus on Saturdays, and primarily focused on providing access to medical facilities in the area of the ECRMC Hospital, medical facilities in the City of Imperial and along the La Brucherie Rd/Ross Rd, Walmart, the Nutrition program on Waterman Ave the Senior Center and Day Out facilities. The fare is \$1.25. Use of the service is increasing even though it has been in operation for only six months.

1. No changes recommended at this time.

### **Imperial**

The service in Imperial is provided with one bus M – F, one bus on Saturdays, and primarily focused on providing access to medical facilities in the City of Imperial and El Centro area programs and services including medical facilities in the area of the ECRMC Hospital, and along the La Brucherie Rd/Ross Rd, Walmart, the Nutrition program on Waterman Ave, the Senior Center and Day Out facilities. The fare is \$.75 in town and \$1.75 to and from El Centro. Service on Saturdays is very low. The farebox ratio is under the required 10%.

1. Reduce the four Saturdays a month to two Saturdays a month due to very low ridership
2. Increase fare to and from El Centro.
3. In a future competitive bid, consider combining service area of El Centro and Imperial into one contract/ scope of work to reduce any reporting and admin overhead costs.

### **West Shores**

The service in the area of the West Shores is provided with one bus and primarily focused on providing access to the IVT bus stop in Westmorland for activities in Westmorland and Brawley and return on Tuesdays, and access to the Nutrition program on Thursdays. The fare is \$2.00 in the community and \$3.00 to and from Westmorland. Service is low. The farebox ratio is under the required 10%.

1. Review a trip to Coachella/Indio instead of Westmorland and Brawley
2. Review a trip to the Brawley transfer terminal and Walmart w/o/wo a connection to the IVT bus stop in Westmorland on Tuesdays due to difficulty for seniors etc. in making the transfers.
3. Raise fare

4. Retire the service due to very high cost per passenger

The triennial performance data was also attached to the agenda for comparison.

After the recent review by the TDA Performance audit team, ICTC staff recommends that the service changes be implemented effective January 1, 2018, after a period of public notice. However, staff also recommends that any fare increases be deferred until a system wide fare study of all of the transit services can be completed during FY 2018-19.

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

1. Direct staff to implement the recommend changes to the service operations as of January 1, 2018 after public notice.
2. Direct staff to include the IVT RIDE services in a future system wide transit fare study.

A motion was made by [Bayon Moore](#) seconded by [Wells](#), **Motion carried** unanimously.

#### **VII. NEXT MEETING DATE AND PLACE**

The next meeting of the **Management Committee** will be held on **December 13, 2017** at the **City of Westmorland**, Westmorland, CA.

#### **VIII. ADJOURNMENT**

- A. Meeting adjourned at 12:17 p.m.

**IMPERIAL COUNTY TRANSPORTATION COMMISSION  
MANAGEMENT COMMITTEE**

**DRAFT** MINUTES OF December 13, 2017

**10:00 a.m.**

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**VOTING MEMBERS PRESENT:**

<p>City of Brawley City of Calexico City of Calipatria City of El Centro City of Holtville</p>	<p>Gordon Gaste for Rosanna Bayon Moore David Dale Rom Medina (Chair) Marcela Piedra Nick Wells</p>
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**STAFF PRESENT:** Mark Baza, Kathi Williams, Michelle Bastidas, David Aguirre, Cristi Lerma

**OTHERS PRESENT:** Jesus Vargas: Caltrans; Paula Graf and Jurg Heuberger: LAFCO; Liz Zarate: City of El Centro; Luis Wong: ICOE

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The following minutes are listed as they were acted upon by the Imperial County Transportation Commission Management Committee and as listed on the agenda for the meeting held Wednesday, December 13, 2017 together with staff reports and related documents attached thereto and incorporated therein by reference.

**I. CALL TO ORDER AND ROLL CALL**

Chair Medina called the Committee meeting to order at 10:41 a.m. Roll call was taken. Introductions were made.

**II. EMERGENCY ITEMS**

A. There were none.

**III. PUBLIC COMMENTS**

There were none.

**IV. CONSENT ITEMS**

A motion was made by Wells seconded by Piedra to approve the consent calendar as presented, with an abstention from Calexico. However after review of the voting members present, the motion could not be carried. The motion was amended to approve consent items 4C and 4D only. **Motion carried** unanimously. Items 4A and 4B will be brought at the next scheduled meeting for approval due to a lack

C. FY 2017-18 Appointment of the Social Services Transportation Advisory Council (SSTAC)

1. Appoint the Social Services Transportation Advisory Council (SSTAC) for FY 2017-18 for the positions and terms per the enclosure.

D. California Transit Security Grant Program FY 2016-17

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 2016-17 financial assistance, provided by the Governor's Office of Homeland Security under the California Transit Security Grant Program.

## V. REPORTS

- A. ICTC Executive Director
  - A list of ICTC updates can be found on Page 33 of the agenda.
- B. Southern California Association of Governments (SCAG)
  - There were no SCAG updates.
- C. Caltrans Department of Transportation – District 11
  - A full report is on page 39 of the agenda.
- D. Committee Member Reports
  - There were none.

## VI. INFORMATION / DISCUSSION CALENDAR

- A. Brief Update for Future Bonding Opportunities

Mr. Baza provided the committee a brief presentation regarding the possibility of future bonding opportunities. Mr. Baza reviewed the 2012 LTA Sales Tax Revenue Bond and participating agencies. He also stated that the majority of the proceeds have been spent. The potential future bond effort would be to look to issue bonds in the early months of 2018. They LTA would have a total of up to \$54.3 million of proceeds to distribute to participating agencies. Assuming debt service coverage of 130% and wrapping the 2018 bond debt service around that of the 2012 bonds, participants are able to capture proceeds for additional projects. City of Holtville and the City of El Centro could be new participants. The committee agreed to more information at the next meeting in January.

## VII. ACTION CALENDAR

- A. Unmet Transit Needs Public Hearing for Fiscal Year 2018-19

It was requested that the 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 1 or February 22, 2018 and the set the time of the hearing.
3. Direct staff to conduct the administrative arrangements.
4. Adopt the definition of "Unmet Transit Needs" and "Reasonable to Meet" as published and utilized by the Executive Committee of the Southern California Association of Governments (SCAG) in 1981 and the Imperial Valley Association of Governments (IVAG) in 1992.
5. Authorize the Executive Director or his designee to sign the allocation disbursement instructions.
6. Authorize ICTC staff to process the TDA claims in accordance with regulations.

A motion was made by [Piedra](#) seconded by [Wells](#), **Motion carried** unanimously.

- B. Goals and Objectives for the FY 2017-18 Short Range Transit Plan (SRTP)

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

1. Reaffirm the Goals from the 2011 Short Range Transit Plan, as the guiding principles for the development of the 2017 Short Range Transit Plan.

A motion was made by Wells seconded by Piedra, **Motion carried** unanimously.

- C. Short Range Transit Plan (SRTP) for the Imperial County Transportation Commission – FY 2017-18

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

1. Approved the award of the Consultant Agreement for the FY 2017-18 Short Range Transit Plan for the Imperial County Transportation Commission, to AECOM for the fee of \$147,985.

A motion was made by Piedra seconded by Wells, **Motion carried** unanimously.

#### **VIII. NEXT MEETING DATE AND PLACE**

The next meeting of the **Management Committee** will be held on **January 10, 2018** at the **City of Westmorland**, Westmorland, CA.

#### **IX. ADJOURNMENT**

- A. Meeting adjourned at 11:20 a.m.

**IMPERIAL COUNTY TRANSPORTATION COMMISSION**

**DRAFT MINUTES FOR October 25, 2017**

**6:00 p.m.**

**VOTING MEMBERS PRESENT:**

City of Calipatria	Maria Nava-Froelich (Chair)
City of Calexico	Lewis Pacheco (alt.)
City of El Centro	Cheryl Viegas-Walker
City of Holtville	Mike Goodsell (alt.)
City of Westmorland	Larry Ritchie
County of Imperial	Ryan Kelley
City of Imperial	Robert Amparano
County of Imperial	Ryan Kelley

**NON-VOTING MEMBERS PRESENT:** Caltrans District 11 Cory Binns

**STAFF PRESENT:** Mark Baza, Kathi Williams, David Aguirre, Virginia Mendoza, Vicky Hernandez, Cristi Lerma, Guillermo Gonzalez

**OTHERS PRESENT:** David Salgado: SCAG; Eric Havens: ICTC Counsel; Eric Estell: First Transit; John Gay: County of Imperial; Marcelo Peinado, Jesus Vargas: Caltrans; Robert Menvielle: County Assessor’s Office; Christian Froelich: Public

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 25, 2017 together with staff reports and related documents attached thereto and incorporated therein by reference.

**I. CALL TO ORDER AND ROLL CALL**

Chair Nava-Froelich called the Commission meeting to order at 6:03 p.m. Roll call was taken and a quorum was present.

**II. EMERGENCY ITEMS**

There were none.

**III. PUBLIC COMMENTS**

There were none.

**IV. CONSENT CALENDAR**

- A. Approval of Commission Draft Minutes: September 27, 2017  
October 17, 2017
- B. Received and Filed:
  - 1. ICTC Management Committee Draft Minutes: October 11, 2017  
September 28, 2017

A motion was made by Viegas-Walker and seconded by Ritchie to approve consent items A and B, **Motion carried with 1 abstention by Holtville.**

**V. REPORTS**

- A. ICTC Executive Director
  - Mr. Baza and ICTC staff provided ICTC updates.
  - Executive Director Reports can be found on Page 24 of the agenda.

- B. Southern California Association of Governments (SCAG)
  - Mr. Salgado provided SCAG updates.
  - A SCAG report can be found on page 39 of the agenda.
- C. California Department of Transportation (Caltrans)
  - Mr. Binns provided Caltrans updates.
  - A Caltrans report can be found on page 46 of the agenda.
- D. Commission Member Reports
  - There were various reports by Commission members of countywide issues and events happening in each of their respective cities/county.

## VI. INFORMATION / DISCUSSION CALENDAR

### A. Transit 101 2017 (Mobility Coordination)

Mr. Gonzalez stated that ICTC held its third annual Transit 101 session on October 4, 2017 at the ICTC office. The session is conducted in October during the regular Social Services Transportation Advisory Council (SSTAC) meeting.

Staff from Imperial Valley Transit (IVT); IVT Access, the Americans with Disabilities Act paratransit services; IVT RIDE, paratransit for seniors and persons with disabilities; and IVT MedTrans, the non-emergency transportation to medical facilities in San Diego, presented information on their specific services. In addition, the IVT branded service vehicles were on display in the parking lot.

Each year, a few new agencies attend gaining information that potentially enables them to better serve their client's needs including but not limited to; the County Health Department, the County Behavioral Health Department, Pioneer's Memorial Hospital, Access for Independence and the Work Training Center.

### B. 2nd Project Update - Federal Transit Administration (FTA) Section 5310 Grant Program for Elderly and Disabled Transportation Services FY 2014-15 (Mobility Coordination)

In February 2015, the Commission approved ICTC's submittal of a FY 2014-15 FTA 5310 Grant application. The federal grant program had been revised to include funding for certain transit operational expenses and mobility management program functions.

It was staff's recommendation to fund a Mobility Management/Coordination position with a new ICTC employee. The position was to be of a professional classification and require a standard recruitment process. The recruitment process was completed and the staff person has been engaged in Mobility Coordination since February 2016.

The Mobility Coordinator is responsible for assisting existing ICTC transit and contractor staff in addressing two primary areas:

1. The 2014 Human Services – Public Transit Coordinated Planning efforts goals; to use a bilingual Mobility Coordinator to bridge the gap between current public transit service providers, human service agencies, social service agencies and the senior citizen and disabled communities of Imperial County.
2. Address the recommendations in the consultant prepared ADA Certification and Eligibility Process, Demand Management Project; to revise the certification and eligibility process (implemented January 2017)

As of October 2017, several additional presentations have been made to social service agencies, service clubs and agencies such as County Behavioral Health. In addition, continued public outreach was provided for the IVT RIDE within Imperial Valley and IVT MedTrans services in San Diego.

Mr. Gonzalez attached a list of the several individualized coordination and training sessions provided by the Mobility Coordinator directly, or with contractor's transit staff. He stated that the Mobility Coordinator has provided a needed and appreciated point of contact. This activity has included some personalized case management for the community and in particular for seniors and persons with disabilities. Mr. Gonzalez provided an overview of several key accomplishments to date.

## VII. ACTION CALENDAR

### A. 2018 State Transportation Improvement Program (STIP) Recommendations for Imperial County

Ms. Mendoza presented this item to the Commission.

The 2018 Fund Estimate also provides \$716,000 for Planning, Programming and Monitoring (PPM). This amount is limited to 5% of available RIP funding and is deducted from the RIP funding share. PPM funds are restricted to programming years 2020/21, 2021/22 and 2022/23. Because ICTC has already programmed the maximum 5% allowed for PPM through FY2018/19, PPM funds are not available for programming in FY2019/20.

ICTC staff met with Caltrans District 11 staff and ICTC's STIP consultant, COH and Associates, Inc., on August 25, 2017 to discuss options and draft recommendations for the 2016 STIP. The meeting between Caltrans and ICTC is required pursuant to the STIP Guidelines. Caltrans staff stated that the cost estimate to complete the I-8/Imperial Avenue Interchange reconstruction project has increased from \$39,098,000 to \$44,240,000. The reasons for the increase are:

STIP guidelines require that ICTC submit the 2018 STIP Recommendations by December 15, 2017. It is anticipated that the CTC will adopt the 2018 STIP by March 2018.

The recommended 2018 STIP for Imperial County is summarized in the attachment to this letter. ICTC Management Committee met on October 11, 2017 and forwarded the following recommendation(s) to the Commission, after the review of public comment, if any:

1. Approved the 2018 STIP Recommendations for Imperial County, requesting funding for the I-8/Imperial Avenue Interchange project and Planning, Programming and Monitoring (PPM). The funding request is as follows:

**2018 STIP Programming Proposed Amendment (\$1,000)**

Project	Prior	FY18-19	FY19-20	FY20-21	FY21-22	FY22-23
I-8/Imperial Ave Interchange - existing	\$6,428		\$31,412			
I-8/Imperial Ave Interchange - additional <sup>1</sup>	+\$996		+\$3,244			
PPM - existing		\$300				
PPM – additional				+\$239	+\$239	+\$238
<b>Total – Proposed Revision</b>	<b>\$7,424</b>	<b>\$300</b>	<b>\$34,656</b>	<b>\$239</b>	<b>\$239</b>	<b>\$238</b>

A motion was made by [Amparano](#) and seconded by [Pacheco](#), **Motion carried unanimously.**

### B. IVT Bus Operations Facility Evaluation Phase 1



Property: 1605 Adams Avenue, El Centro, Ca 92243

Mr. Aguirre presented this item to the Commission.

Since 2012, ICTC began the transition of acquiring and taking ownership of the IVT branded services vehicle fleet. The fleet size has grown to 67 total vehicles. Previously First Transit (Operator) provided the vehicles for the operation of service. The acquisition of vehicles was accelerated due additional revenues received as a result of the Point of Sale Transaction sales tax revenues related to solar infrastructure projects within the County of Imperial.

The IVT branded services has also expanded over the past few years with the additions of IVT Ride and IVT MedTrans services. The service expansions created the need to acquire additional bus drivers, dispatching staff and administrative staff. The expansion of the vehicle fleet and services has impacted the available space for parking storage and operations, and has created a need for additional capacity.

Due to the lack of space, IVT currently utilizes two locations to conduct operations. The larger facility located at 792 Ross Road in El Centro has been in use since 2005 and currently stores and maintains all of the IVT service vehicles, dispatching for the IVT service, provides a small area for farebox storage and collection, small offices for safety and security staff and maintenance staff and a small office area for walk up passengers purchasing tickets. The Ross Road facility also provides three bays for bus maintenance, parts inventory and employee parking.

The second facility located one block away on Industry Way has been in use since 2011 and provides dispatching services for the IVT Ride, IVT Access and IVT MedTrans services, offices for senior management and administrative staff, record storage, and a training room for bus drivers and administrative staff.

It is important to note that the two current bus operations and maintenance facility, and administrative office both are leased by First Transit Inc. from local private owners. Many public transit systems own or lease their own facilities in order to be able to better control capital costs and manage the potential for contractor turnover as a result of competitive bids.

Caltrans recently completed the transition to its new facility resulting in the opportunity to possibly acquire the old Caltrans maintenance facility located at 1605 Adams Avenue in El Centro. Caltrans has provided ICTC with the first opportunity to acquire the old Caltrans maintenance facility.

In order to better determine the feasibility of an acquisition, ICTC issued a Request for Proposals (RFP) in March 2017 to complete a comprehensive evaluation of the facility. The services requested as part of the RFP included but were not limited to:

1. Completion of an Assessment of the existing Imperial Valley Transit Bus Operations Yard along Ross Road to obtain critical information pertaining to current operations and existing infrastructure and how those elements will be integrated into the new facility.
2. Completion of a comprehensive evaluation of the proposed Imperial Valley Transit Bus Operations Yard along Adams Avenue to evaluate existing conditions, note areas of deficiency and issue recommendations for improvements to the facility.
3. Preparation of a comprehensive evaluation report of the new facility noting the findings pertaining to the assessment of the existing facility and evaluation of the

new facility, providing recommendations pertaining to items that require immediate improvement, short term improvement and long term improvement, providing space use projections and site plans, providing information pertaining to required permits, environmental and study documents and various other items.

4. Providing Project Management/Construction Administrative Support Services.

The contract was awarded to the consulting firm of CH2M Hill to complete a two phase evaluation of the facility. CH2M Hill proposed to complete an initial feasibility assessment (phase 1) to determine if the facility could be converted for the existing and future bus fleet. If it was determined under phase 1 to be feasible for the transition, phase 2 would complete a more comprehensive evaluation. The award of contract value for phase 1 is \$51,780.00 and phase 2 is \$180,041.00.

CH2M Hill completed the phase 1 evaluation of the facility and prepared a thorough report noting information pertaining to the existing IVT infrastructure, fleet and operations, substantial critical information about the Adams Avenue facility, information about the viability of the Adams Avenue facility being converted to a transit facility, the viability of the facility being able to accommodate ICTC's current and potential future fleet and operations, information pertaining to improvements required to possibly make the facility move in ready under existing conditions or eliminating all buildings at the facility and starting with an empty site (ultimate option) and rough order of magnitude cost for the move in ready and ultimate options.

The report noted several required improvements like permitting, coordination with the City, environmental studies, design engineering, construction activities such as demolition, building repair, pavement repair, environmental item mitigation and various other items. The approximate cost to complete the required improvements to make the facility move in ready is approximately 6.5 million while the ultimate option cost is approximately 15 million. The phase 1 evaluation is attached to this letter for review.

Therefore, the following are options for consideration by the Commission:

Option A

Proceed with Phase 2 of the project and complete the comprehensive analysis of the Adams Avenue Facility. In addition, ICTC staff would return to the Commission for instruction to commence negotiations with Caltrans regarding the acquisition of the facility.

Pros: The site is larger than ICTC's existing maintenance and operations facilities and could assist with the goal of consolidating both the leased Ross Road and Industry Way locations.

Cons: Phase 1 has determined that the site would require extensive, costly rehabilitation and demolition to make it functional for the "move in ready" option. The site under the "move in ready" option would provide some upgrades over existing facilities but would not be sufficient for any future needs or expansion.

Option B

Do not proceed with the Phase 2 portion of the project, do not move forward with the acquisition of the Caltrans facility and look at other potential sites suitable for ICTC's transit and administrative needs as previously directed by the Commission.

Pros: Saves the remaining funds previously allocated towards the Phase 2 of this project

(\$180,041.00). Look at various other sites capable of meeting ICTC's existing and future transit and administrative needs.

Cons: Time required in a search for a new site and continued use of the existing dual site scenario for maintenance and operations services.

### Option C

Reallocate the Phase 2 budget (\$180,041.00) and utilize a portion of the budget to issue a contract amendment/change order with the existing consultant CH2M Hill to complete an initial study for a new site not to exceed (NTE) \$50,000 and work with a real estate consultant to review multiple potential sites.

Pros: Streamlines the process to complete preliminary engineering services for a new site while also utilizing existing budgeted funds. Engineering services would be performed by a consultant team already familiar with ICTC and the transit operations.

Cons: Engineering services would be limited to the existing consultant.

The ICTC Management Committee met on October 11, 2017 and forwarded this item to the Commission for review and approval after public comment, if any:

1. Proceeding with Option B:
  - a. Authorizing the Executive Director to cease the pursuit of the Caltrans facility.
2. Proceeding with Option C:
  - a. Authorizing the Executive Director to prepare a contract amendment/change order with the existing consultant (CH2M Hill) to complete an engineering analysis for a different potential transit maintenance and operations yard, with ICTC Administration building location from the existing project budget (Not To Exceed \$50,000).
  - b. Authorizing the Executive Director to engage a real estate consultant to look at multiple sites from the existing project budget.

A motion was made by [Viegas-Walker](#) and seconded by [Plancarte](#), **Motion carried unanimously.**

- C. IVT RIDE, Public Dial-a-Ride Paratransit Services, Triennial Review FY 2014-15 – FY 2016-17

Ms. Williams presented this item to the Commission.

In FY 2014-15 as directed by the Commission, ICTC completed two competitive bids focused on the consolidation of the five public dial-a-ride services: Brawley, Calexico, El Centro, Imperial and the West Shores. Previously, there were multiple operators under separate contracts with these agencies.

The five (5) agencies were interested in determining if greater efficiencies, better compliance with regulations and cost reductions could be achieved through the consolidation of the management, dispatch, reservationists, maintenance and marketing etc. under one turnkey

contractor with one administering agency. This process would be determined through a competitive bid, whereby one (1) operator may be offered a contract for all five services.

In February 2014, fourteen transportation providers were invited to submit written proposals for consideration for the service branded as *IVT RIDE*, and with logo colors of yellow, black and white. The providers were requested to submit one proposal for all five of the paratransit services for a five year contract, with three one-year extensions. The new contract would be administered by ICTC.

The participating public agencies would terminate their individual contracts during a scheduled transition effective in FY 2014-15. However for accountability, a new Paratransit Coordination Committee (PCC) would be created by which the participating public agencies would review system performance, make recommendations and retain the ability to be responsive to their constituents.

The IVT RIDE Request For Proposal (RFP) written by ICTC required several key issues be addressed in the proposals including compliance with the twenty-four mandatory functional areas in order to be eligible for federal transit funding, i.e., drug and alcohol testing, the Americans with Disabilities Act, performance measures, as well as, State requirements for driver training and offering employment to incumbent transit drivers and other personnel as necessary, local requirements for facilities, marketing, bilingual drivers and reservationists, and participation with the local agencies' Offices of Emergency Services for emergency evacuation purposes etc.

Based on the results of the competitive bid process, it appeared that an opportunity to achieve greater efficiencies, better compliance with regulations, new technology for reservations/dispatching and performance management, and cost reductions could be achieved through the consolidation of the operations including; management, dispatch, reservationists, maintenance and marketing under one provider under one contract. Ultimately First Transit Inc. was selected as the most responsive provider.

Included in the service contract was the benefit of coordinated bilingual dispatching and a computerized reservation system, a fuel escalator for fuel prices that exceed the negotiated price per a gallon, a marketing and public outreach allowance (to be developed annually based on available funding per year), replacement of the any previous vehicles with fourteen (14) new, smaller and ramp equipped paratransit buses, in house maintenance support services and a dedicated management team.

ICTC procured the paratransit vehicles and service started in Brawley, Calexico, Imperial and the West Shores in FY 2014-15 with El Centro joining in FY 2016-17.

Data from the previous operators was not able to be verified related to passengers per day/hour etc. Therefore, service delivery began with the same service hours/days and fares as had been in operation under the previous City's contracts. Shown below are the fares for each service area as follows:

Brawley - \$1.50  
Calexico - \$1.00  
El Centro - \$1.25  
Imperial - \$1.75  
West Shores - \$2.00

With the exception of the City of El Centro Service Area, service has been in operation for the demonstration period of three years. Staff have evaluated the services, the Paratransit

Coordination Committee (PCC) has met a minimum of twice annually in each of the three years and recommendations for service changes have been developed.

Attached are the system wide recommendations, as well as, specific recommendations for each service area. The triennial performance data is also attached for comparison.

After the recent review by the TDA Performance audit team, ICTC staff recommends that the service changes be implemented effective January 1, 2018, after a period of public notice. However, staff also recommend that any fare increases be deferred until a system wide fare study of all of the transit services can be completed during FY 2018-19.

The ICTC Management Committee met on October 11, 2017 and forwarded this item to the Commission for review and approval after public comment, if any:

1. Directed staff to implement the recommend changes to the service operations as of January 1, 2018 after public notice.
2. Directed staff to include the IVT RIDE services in a future system wide transit fare study.

A motion was made by [Viegas-Walker](#) and seconded by [Pacheco](#), **Motion carried unanimously.**

#### **VIII. CLOSED SESSION**

- A. Motion to Adjourn to Closed Session ([Viegas-Walker/Ritchie](#)) **Motion carried.**
- B. PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Government Code § 54957)  
Title: ICTC Executive Director
- C. Announcement of Closed Session Action(s)
- D. Mr. Havens stated that the Commission met in Closed session to discuss PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Government Code § 54957) and stated that direction was given but no final action was taken.

#### **IX. NEXT MEETING DATE AND PLACE**

- A. The next meeting of the Imperial County Transportation Commission will be held on **Wednesday, December 13, 2017 at 6:00 p.m.**, at the County of Imperial Board Chambers, at 940 W. Main Street, El Centro, CA.

#### **X. ADJOURNMENT**

- A. Meeting adjourned at 8:28 p.m.

**IMPERIAL COUNTY TRANSPORTATION COMMISSION****DRAFT MINUTES FOR November 29, 2017****5:30 p.m.****VOTING MEMBERS PRESENT:**

City of Calexico	Bill Hodge
City of Calipatria	Maria Nava-Froelich (Chair)
City of El Centro	Alex Cardenas (Alt.)
City of Holtville	James Predmore
City of Imperial	Robert Amparano
County of Imperial	Ryan Kelley
County of Imperial	Luis Plancarte (Vice-Chair)

**NON-VOTING MEMBERS PRESENT:** None**STAFF PRESENT:** Mark Baza, Kathi Williams, Cristi Lerma, Eric Havens (ICTC Counsel)**OTHERS PRESENT:** Rogelio Vargas, Brenda Garavito, Maria Luisa Canchola and Robert Garcia Jr.:  
RoGar Manufacturing, Inc.

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 November 29, 2017 together with staff reports and related documents attached thereto and incorporated therein by reference.

**I. CALL TO ORDER AND ROLL CALL**

**Chair Nava-Froelich** called the Commission meeting to order at 5:35 p.m. Roll call was taken and a quorum was present.

**II. PUBLIC COMMENTS**

Mr. Vargas made a public comment regarding the possibility of having a bus stop installed at or near their business at 866 E. Ross Ave. in El Centro. He stated that their parking lot does not accommodate all 200 employees and they are having issues with parking, among others. They have spoken with the City of El Centro, and Mr. Cardenas stated that the City will look into safety issues and signage to address those issues. Mr. Baza stated that ICTC has initiated the process to begin the Short Range Transit Plan and staff can include this request as a part of the needs assessment. Mr. Baza also stated that there may be potential for a vanpool. Mr. Vargas stated that was a great suggestion and that their agency would be willing to share in the cost. Mr. Vargas was encouraged to contact ICTC staff for a meeting to discuss alternatives.

**III. CLOSED SESSION**

A. Motion to Adjourn to Closed Session (**Cardenas/Hodge**) **Motion carried.**

B. CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Government Code § 54956.8)

- i. Property: 1503 N. Imperial Ave., Suite 104, El Centro, CA Assessor's Parcel Number #044-261-019  
Use: Office Space  
Agency negotiator: Mark Baza  
Negotiating parties: Pico Group, LLC

Instructions to negotiator will concern price, terms of payment.

C. Announcement of Closed Session Action(s)

The Commission met in closed session regarding “conference with real property negotiators” (Government Code § 54956.8) to discuss the property on 1503 N. Imperial Ave., Suite 104 in El Centro, direction was given and no final action was taken.

**IV. ACTION CALENDAR**

A. Lease and Sublease Agreements

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

Approved and ratified the lease and sublease agreements with PICO Group, LLC and Southern California Association of Governments for the property located at 1503 N. Imperial Ave., Suite 104, El Centro, CA **for a term of one (1) year** and authorized the Executive Director to execute the agreements

A motion was made by [Plancarte](#) and seconded by [Hodge](#), **Motion carried unanimously.**

**V. ADJOURNMENT**

A. Meeting adjourned at 6:30 p.m.

**IMPERIAL COUNTY TRANSPORTATION COMMISSION****DRAFT MINUTES FOR December 13, 2017****6:00 p.m.****VOTING MEMBERS PRESENT:**

City of Brawley	George Nava
City of Calipatria	Maria Nava-Froelich (Chair)
City of El Centro	Alex Cardenas (alt.)
City of Imperial	Robert Amparano
County of Imperial	Luis Plancarte

**NON-VOTING MEMBERS PRESENT:** Caltrans District 11 Marcelo Peinado

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

**OTHERS PRESENT:** David Salgado: SCAG; Eric Havens: ICTC Counsel; Eric Estell: First Transit

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 December 13, 2017 together with staff reports and related documents attached thereto and incorporated therein by reference.

**I. CALL TO ORDER AND ROLL CALL**

Chair Nava-Froelich called the Commission meeting to order at 6:04 p.m. Roll call was taken and a quorum was present.

**II. EMERGENCY ITEMS**

There were none.

**III. PUBLIC COMMENTS**

There were none.

**IV. CONSENT CALENDAR**

- |    |   |                   |
|----|---|-------------------|
| A. | Approval of Commission Draft Minutes:   | October 25, 2017  |
|    | Approval of Commission Draft Minutes:   | November 29, 2017 |
| B. | Receive and File:   |                   |
|    | 1. ICTC TAC Draft Minutes:  | October 26, 2017  |
| C. | FY 2017-18 Appointment of the Social Services Transportation Advisory Council (SSTAC)   |                   |
|    | 1. Appointed the Social Services Transportation Advisory Council (SSTAC) for FY 2017-18 for the positions and terms per the enclosure.  |                   |
| D. | California Transit Security Grant Program FY 2016-17  |                   |
|    | 1. Approved 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 2016-17 financial assistance, provided by the Governor's Office of Homeland Security under the California Transit Security Grant Program. |                   |



A motion was made by [Nava](#) and seconded by [Plancarte](#) to approve consent items A through D, **Motion carried unanimously.**

## V. REPORTS

- A. ICTC Executive Director
  - Mr. Baza and ICTC staff provided ICTC updates.
  - Executive Director Reports can be found on Page 26 of the agenda.
- B. Southern California Association of Governments (SCAG)
  - Mr. Salgado provided SCAG updates and distributed a report at the meeting.
- C. California Department of Transportation (Caltrans)
  - Mr. Peinado provided Caltrans updates.
  - A Caltrans report can be found on page 34 of the agenda.
- D. Commission Member Reports
  - There were various reports by Commission members of countywide issues and events happening in each of their respective cities/county.

## VI. CLOSED SESSION

- A. Motion to Adjourn to Closed Session ([Cardenas/Plancarte](#)) **Motion carried.**
- B. CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Government Code § 54956.8)
  - i. Property: 1503 N. Imperial Ave., Suite 104, El Centro, CA  
Assessor's Parcel Number: 044-261-019  
Use: Office Space  
Agency negotiator: Mark Baza  
Negotiating parties: PICO Group, LLC  
Instructions to negotiator will concern price, terms of payment
- C. Announcement of Closed Session Action(s): Mr. Havens stated the following: The Commission met in closed session regarding real property negotiators for the property at 1503 N. Imperial Ave. in El Centro, CA, direction was given but no final action was taken.

## VII. INFORMATION CALENDAR

- A. Brief Update for Future Bonding Opportunities

Mr. Baza provided the commission a brief presentation regarding the possibility of future bonding opportunities. Mr. Baza reviewed the 2012 LTA Sales Tax Revenue Bond and participating agencies. He also stated that the majority of the proceeds have been spent. The potential future bond effort would be to look to issue bonds in the early months of 2018. They LTA would have a total of up to \$54.3 million of proceeds to distribute to participating agencies. Assuming debt service coverage of 130% and wrapping the 2018 bond debt service around that of the 2012 bonds, participants are able to capture proceeds for additional projects. City of Holtville and the City of El Centro could be new participants. Mr. Baza agreed to provide more information at the next meeting in January.

**VIII. ACTION CALENDAR****A. Lease and Sublease Agreements**

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

1. Approved the lease and sublease with PICO Group, LLC and Southern California Association of Governments for the property located at 1503 N. Imperial Ave, El Centro, CA for an amended term of three (3) years plus two (2) one (1) year extension option periods and authorized the Executive Director to execute the agreements.

A motion was made by [Plancarte](#) and seconded by [Amparano](#), **Motion carried unanimously.**

**B. Unmet Transit Needs Public Hearing for Fiscal Year 2018-19**

ICTC Management Committee met on December 13<sup>th</sup> and forwarded this item to the Commission for review and approval after public comment, if any:

1. Appointed the Unmet Transit Needs Hearing Panel: two members from the County, three City representatives (Calipatria, El Centro, Imperial) with two City alternates (Brawley).
2. Selected a Public Hearing date of February 22, 2018 at 3 p.m. at the City of El Centro Council Chamber's.
3. Directed staff to conduct the administrative arrangements.
4. Adopted the definition of "Unmet Transit Needs" and "Reasonable to Meet" as published and utilized by the Executive Committee of the Southern California Association of Governments (SCAG) in 1981 and the Imperial Valley Association of Governments (IVAG) in 1992.
5. Authorized the Executive Director or his designee to sign the allocation disbursement instructions.
6. Authorized ICTC staff to process the TDA claims in accordance with regulations.

A motion was made by [Plancarte](#) and seconded by [Amparano](#) to approve items 1-4, **Motion carried unanimously.**

A motion was made by [Plancarte](#) and seconded by [Amparano](#) to approve item 5, **Motion carried unanimously.**

A motion was made by [Plancarte](#) and seconded by [Cardenas](#) to approve item 6, **Motion carried unanimously.**

**C. Goals and Objectives for the FY 2017-18 Short Range Transit Plan (SRTP)**

ICTC Management Committee met on December 13<sup>th</sup> and forwarded this item to the Commission for review and approval after public comment, if any:

1. Reaffirmed the Goals from the 2011 Short Range Transit Plan, as the guiding principles for the development of the 2017 Short Range Transit Plan.

A motion was made by [Cardenas](#) and seconded by [Plancarte](#), **Motion carried unanimously.**

- D. Short Range Transit Plan (SRTP) for the Imperial County Transportation Commission – FY 2017-18

ICTC Management Committee met on December 13<sup>th</sup> and forwarded this item to the Commission for review and approval after public comment, if any:

1. Approved the award of the Consultant Agreement for the FY 2017-18 Short Range Transit Plan for the Imperial County Transportation Commission, to AECOM for the fee of \$147,985.

A motion was made by [Nava](#) and seconded by [Cardenas](#), **Motion carried unanimously.**

#### **IX. ADJOURNMENT / NEXT MEETING DATE AND PLACE**

- A. The next meeting of the Imperial County Transportation Commission will be held on **Wednesday, January 24, 2018 at 6:00 p.m.**, at the County of Imperial Board Chambers, at 940 W. Main Street, El Centro, CA.

Meeting adjourned at 8:08 p.m. ([Cardenas/Nava](#)), Motion Carried.

# V. REPORTS

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



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

## Memorandum

**Date:** January 5, 2018  
**To:** ICTC Management Committee Meeting  
**From:** Mark Baza, Executive Director  
**Re:** Executive Director's Report

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The following is a summary of the Executive Director's Report for the Management Committee Meeting on January 10, 2018.

- 1) **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 was just recently completed in November 2017. Phase 2 and 3 will begin in early Spring of 2018 with completion in Summer 2018. Community outreach will be necessary prior to initiating construction in Phase 2 and 3 as road closures and detours will be necessary.
- 2) **IVT RIDE:** ICTC and transit operator staff have started an evaluation and review process of the performance data for the first three years of operations. The review will focus primarily on the Brawley, Calexico, Imperial and Westshores areas, as the City of El Centro service did not begin until July 1, 2016. The Paratransit Coordinating Committee (PCC) met on March 13, 2017 to develop recommendations for service adjustments. Service adjustments are under development. Service adjustment recommendations were delivered to Management Committee and the Commission in October and service adjustments will be delivered beginning in January 2018.
- 3) **Update to the 2011 Short Range Transit Plan (SRTP) Request for Proposals:** ICTC staff developed a Request for Proposals (RFP) that was released on September 1, 2017 to complete an update to the 2011 Short Range Transit Plan (SRTP). This is a planning document that identifies transit services and capital improvements over the next three to five year period, with expected available resources. The project unfolds over an approximately 12 month period. The goal is to have an updated report with bilingual public participation. *ICTC awarded the contract to the firm AECOM at the December 13, 2017 Commission meeting.*
- 4) **Preparation of FTIP 2019:** The 2019 Federal Transportation Improvement Program (FTIP) Guidelines have been prepared to facilitate the work of the County Transportation Commissions (CTCs) (Imperial, Los Angeles, Orange, Riverside, San Bernardino and Ventura Counties), transit operators, and the State of California Department of Transportation Caltrans) in development of county Transportation Improvement Programs (TIPs) for inclusion in the Southern California Association of Governments (SCAG) 2019 FTIP. These Guidelines assist in the development of the county TIPs that fulfill the legal, administrative and technical requirements prescribed by the law and which minimizes duplicate efforts by the CTCs, Caltrans, SCAG and/or other agencies. ICTC staff will reach out to cities and county staff to obtain project updates on all programmed 2019 FTIP projects. *During the month of November, ICTC staff received project updates from member*

agencies. ICTC staff will be updating the 2019 FTIP database for all Imperial County projects. A recommendation to approve the resolution will be on the January 2018 agenda.

- 5) **Calexico West Port of Entry Traffic Management Study:** Caltrans authorized a special planning grant to perform a traffic management study to assist the City of Calexico and the Imperial Valley region to analyze and propose traffic management strategies and alternatives to serve traffic flow for the Calexico West Port of Entry expansion. The expansion will have two access points: One, from current access at SR-111/Imperial Ave.; and, a Second at Cesar Chavez Blvd and 2<sup>nd</sup> St. SCAG, Caltrans and ICTC will lead study in partnership with the City of Calexico, Customs and Border Protection and General Services Administration. *The study is expected to proceed with a Request for Proposals in February 2018.*
  
- 6) **Imperial Mexicali Binational Alliance Meeting:** The IMBA meeting was held on October 5, 2017 at the Carmen Durazo Cultural Arts Center in the City of Calexico. A presentation regarding the Calexico West/Mexicali I POE Expansion Project was conducted by the General Services Administration (GSA). An update was also presented by Caltrans regarding the State Route 98 Widening Project. In addition, Economic Development updates were presented. A strategic planning meeting was conducted on November 28, 2017, with IMBA MOU signees to review goals and projects for 2018. *The next regular IMBA meeting is scheduled for January 11, 2018 in Mexicali.*
  
- 7) **State and Federal funding Obligations:** Beginning October 1, 2017, agencies are allowed to move forward with request for authorization (RFA) for Congestion Mitigation Air Quality (CMAQ), Regional Surface Transportation Program (RSTP) and Active Transportation Program (ATP) programmed in FY 2017/2018. A complete list of programmed projects will be provided as a separate attachment.

<b>FY2017/2018 Project List</b>						
<b>Agency</b>	<b>Project Name</b>	<b>Funding Type</b>	<b>Phase</b>	<b>Federal Amount in FY2017/18</b>	<b>Local Match</b>	<b>Total Phase Cost</b>
Calexico	De Las Flores Street paving and sidewalk installation	CMAQ	CON	\$403,000	\$52,000	\$455,000
Calipatria	N. Brown Street road and pedestrian improvements	CMAQ & RSTP	ROW	\$51,000	\$6,000	\$57,000
El Centro	Dogwood and Danenberg synchronization	CMAQ	CON	\$275,000	\$36,000	\$311,000
El Centro	Imperial Ave. extension south	RSTP	CON	\$2,023,000	\$2,090,000	\$4,113,000
El Centro	SR2S Program & bicycle improvements	ATP-MPO	CON	\$247,000	\$ -	\$247,000
Holtville	9th Street improvements from Palm Ave. to Olive Ave.	CMAQ & RSTP	CON	\$216,000	\$28,000	\$244,000
Imperial County	Rio Vista Sidewalk improvements from San Diego Ave. to Holt Ave.in Seeley	CMAQ	CON	\$792,000	\$103,000	\$895,000
Imperial County	Rio Vista Sidewalk improvements from Holt Ave. to Imperial Ave. in Seeley	ATP-MPO	ENG	\$193,000	\$26,000	\$219,000
<b>Regional Total FY2017/2018</b>						<b>\$6,541,000</b>

- 8) **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 program activity report for December 2017 will be attached to next month's agenda.
- 9) **Partnerships with IVEDC:**
- a) Southern Border Broadband Consortium: ICTC in partnership with IVEDC received a California Advanced Services Regional Consortia Grant award of \$450,000 from their Rural and Regional Consortia program. The grant will cover a 3-year period. ICTC will be the fiscal agent and is working on developing an MOU which will define roles and responsibilities (Audits, Administration and Project Management) for ICTC and IVEDC. Since award, IVEDC staff has been meeting monthly with Consortia members and other webinars toward development of strategies for providing Broadband services for underserved communities. *IVEDC has developed a schedule and Action Plan. The immediate next steps are to develop a schedule for workshops for underserved communities to be held here in Imperial Valley with a goal to provide broadband education and gather input through community needs surveys.*
  - b) The Brawley Transit Corridor Brownfield Assessment: ICTC in partnership with IVEDC received a U.S. Environmental Protection Agency (EPA) Brownfields Communitywide Assessment Grant award of \$300,000 from the Environmental Protection Agency's Brownfields Assessment Program. This assessment will be focused along the transit circulator route within the 13 mile Imperial Valley Transit's (IVTs) Brawley Gold Line Transit Route and the Brawley Transit Center that serves as the IVTs North Imperial County transfer terminal. The commercial corridors in the target assessment area include over 100 known commercial properties and suspected historical gas station sites with known or suspected underground tanks in the target area. ICTC will be the fiscal agent and is working on developing an MOU which will define roles and responsibilities (Audits, Administration and Project Management) for ICTC and IVEDC. *IVEDC staff recently attended an EPA conference that provided guidance for project implementation. ICTC and IVEDC are currently working to develop a Request for Proposals/State of Qualifications for qualified firms to carry out the study analysis.*
- 10) **State Route 86 (Northbound) Border Patrol Checkpoint:** In August 2017 following a year of coordination, Caltrans, the County of Imperial and ICTC met with CBP management and operations staff achieved consensus for a new conceptual alternative prepared by Caltrans. The LTA Board met on September 27, 2017, staff presented the Board with a fund request for \$1.3 million from the 5% Regional Highway Set-Aside from the Measure D allocations. The request was approved. *Staff met with Caltrans and CBP on December 20, 2017 at the ICTC to finalize agreements and discuss next steps.*
- 11) **I-8 / Imperial Avenue Interchange Reconstruction:** On August 25, 2017, ICTC staff met with Caltrans District 11 staff to discuss the updated project details. The proposed project schedule will not be accelerated due to right of way delays. Caltrans staff recommends that the I-8 / Imperial Avenue project schedule for FY 2019/20 for construction. *ICTC staff submitted the 2018 State Transportation Improvement Plan to the CTC on December 15, 2017.*
- 12) **State Legislation for Transportation Funding – SB 1:** On August 24<sup>th</sup> ICTC staff hosted a TAC workgroup to discuss the upcoming expected actions to be undertaken by cities and county. The workshop discussed the Local Streets and Roads Program and the Local Partnership Program. Representatives from the cities and county were recommended to focus on the upcoming deadlines under the Local Streets and Roads Program. An estimate of Local Streets and Roads Program revenues were provided during the workshop. The estimates per agency included FY2017/2018 and FY2018/2019 Local Streets and Roads Program revenues. All cities and the county were responsible to submit a project list and an amended budget for FY2017/2018 to the California Transportation Commission (CTC) by October 16, 2017. ICTC staff has received confirmation that all agencies submitted a project list for FY 2017/2018 to CTC.

\$1.5 Billion annually will go to cities and counties for local road improvements. The following are projected annual revenues for the Cities and the County of Imperial for FY 2017/2018.

<b>Agency</b>	<b>RMRA Amount FY 2017/2018</b>
Brawley	\$150,100
Calexico	\$227,196
Calipatria	\$43,534
El Centro	\$255,215
Holtville	\$34,426
Imperial	\$102,634
Westmorland	\$12,747
County of Imperial	\$2,656,079
<b>TOTAL</b>	<b>\$3,481,931*</b>

*\*City estimate source is from California League of Cities - [FY 17-18 HUTA and RMRA Funding Estimates](#)*

*\*County estimate source is from California State Association of Counties -*

[http://www.counties.org/sites/main/files/file-attachments/fy\\_2017-18\\_huta\\_and\\_sb\\_1\\_revenue\\_estimates\\_041317\\_0.pdf](http://www.counties.org/sites/main/files/file-attachments/fy_2017-18_huta_and_sb_1_revenue_estimates_041317_0.pdf)

Below are the projected annual revenues beyond FY 2017/2018.

<b>Agency</b>	<b>RMRA Amount FY 2018-2019</b>
Brawley	\$456,354
Calexico	\$690,750
Calipatria	\$132,357
El Centro	\$775,936
Holtville	\$104,666
Imperial	\$312,041
Westmorland	\$38,754
County of Imperial	\$7,490,000
<b>TOTAL</b>	<b>\$10,000,858*</b>

The **2018 Local Partnership Program** is comprised of formulaic program and competitive programs. In FY2017/2018 total amount available statewide is \$200M and distribution is 50/50 for both formulaic and competitive programs. The formulaic program share distributions for the Local Partnership Program were presented at the CTC meeting in December 6-7, 2017. During the meeting the CTC Commission took action and approved the distribution of funds for the formulaic portion, the funding share for Imperial County in FY2017/2018 and in FY2018/2019 is estimated at \$538,000. According to the program guidelines and CTC staff, there is one time opportunity to rollover funds to the following fiscal year in order to maximize opportunity to use funds. Project applications for formulaic program are due December 15, 2017 to CTC. *For FY2017/2018, no projects were submitted for the formulaic program and funds will be rolled over to FY2018/2019.* Applications for the competitive program are due January 30, 2018 to CTC. The following is the link to the 2018 Local Partnership Program guidelines:

[http://www.catc.ca.gov/programs/SB\\_1/11617\\_Final\\_LPP\\_Guidelines.pdf](http://www.catc.ca.gov/programs/SB_1/11617_Final_LPP_Guidelines.pdf)

- 13) **Active Transportation Program (ATP) Augmentation Planning Grant Opportunity:** As a part of Senate Bill (SB) 1, the 2017 Active Transportation Program (ATP) Augmentation is funded from the approximately \$200 million allocated from the Road Maintenance and Rehabilitation Account to the ATP in fiscal years 2017-18 and 2018-19. The Road Maintenance and Rehabilitation Account funds are state funds. Therefore, projects funded in the 2017 ATP Augmentation do not need to be federal-aid eligible. The initial programming capacity for the 2017 ATP Augmentation program is in fiscal years 2017-18 and 2018-19. Some fiscal year 2019-20 and 2020-21 programming capacity may become available as previously programmed projects request advancement into fiscal years 2017-18 and 2018-19.



The County of Imperial was awarded an ATP Augmentation Grant for sidewalk improvements on Rio Vista in the Community of Seeley. The grant is \$369,000 with a local match of 1.2 million for a total project of \$1.5 million.

- 14) **SCAG’s Sustainability Grant Program – Imperial County Regional Climate Action Plan:** ICTC was awarded a SCAG Sustainable Planning Grant to develop a Regional Climate Action Plan. ICTC staff will work in collaboration with SCAG staff to develop and release a request for proposal to select a consultant that will develop the Regional Climate Action Plan. ICTC will serve as the day to day project manager and SCAG staff will serve as the administrative project manager. The goal of the project is to develop a regional framework for addressing Green House Gas (GHG) emissions for a Regional Climate Action Plan that allows each local agency to customize and fit into the context of the community each jurisdiction serves, that can be used at the local level in the development of jurisdiction – specific Climate Action Plans (CAPs). ICTC staff is currently finalizing the scope of work language in collaboration with SCAG staff and plans to release a request for proposal at the beginning of 2018.
  
- 15) **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 \$65 million. ICTC is pursuing discretionary freight program funding for the bridge expansion for an estimated total cost of \$28 million. Pending the possible funds for the bridge expansion, ICTC is pursuing a donation authority request to U.S. Customs and Border Protection. In October 2017, *ICTC staff submitted a TIGER Grant proposal for the bridge expansion. With no assurances of grant award staff is coordinating with Caltrans to submit for grant funding under the State’s Freight funding available under SB-1 and the State’s share of the 2015 federal transportation bill (FAST Act).*
  
- 16) **Westshores Transit Opportunities:** In Preparation for the Short Range Transit Plan, staff is exploring transit connection opportunities with Sunline Transit that serves the Coachella Valley region, and pursuing grant opportunities for interregional transit services to/from Westshores and Coachella. Together we will be pursuing available grant opportunities to provide service connections. Update - On Friday, May 19, 2017, ICTC and IVT RIDE staff held a 2nd transit service outreach at the Imperial Valley Food Bank’s distribution site in Westshores from 7:30 am – 9:30 am. ICTC staff met with SunLine staff in Palm Springs on June 2, 2017 to continue dialogue for potential opportunities.
  
- 17) **Critical Rural Freight Corridors (CRFC) and Critical Urban Freight Corridors (CUFC):** The Southern California Association of Government (SCAG) requested a CRFC and CUFC project nomination list from all Regional Transportation Planning Agency (RTPA). On January 10, 2017, ICTC reviewed the regional project list and submitted the following projects to SCAG:

Project Description	Designation & Cost
<b>Widen bridge over the All American Canal at the Calexico East POE:</b> Widen of bridge over the All American Canal to six lanes at the Calexico East Port of Entry	CRFC (\$30M)
<b>Intelligent Transportation Systems (ITS) Implementation at Calexico East POE:</b> Install border wait-time monitoring systems, radio frequency identification (RFID)/Bluetooth technology, and advanced traveler information systems	CRFC (\$3M)
<b>SR-98 widening from VV Williams Avenue to Rockwood Avenue:</b> Widen SR-98 from 4 to 6 lanes from VV Williams Avenue to Rockwood Avenue	CUFC (\$10M)
<b>Forrester Road Corridor:</b> Forrester Road bridge over the New River reconstruction, roadway realignment and operational improvements	CRFC (\$20M)
<b>Menvielle Road Widening:</b> Widen Menvielle Road from 2 to 4 lanes between Carr Road to SR-98	CRFC (\$4.4M)

- 18) **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 draft Mobility Hub Concept Designs for the intermodal facilities in the City of Brawley, Imperial Valley College and the City of El Centro. The consultant team has completed the contract work and SANDAG project team will be submitting the final report to ICTC and Caltrans by June 30, 2017. SANDAG project team is refining document design and using non-grant funding to carry out professional copyediting services on all public-facing documents. The final deliverables will be posted online January 2018. Virginia Mendoza, Project Manager

- 19) **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.
- 20) **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 March 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. The City of Calexico is finalizing their right of way acquisition for widening Cesar Chavez Boulevard; however, the city has faced a challenge and will need to amend the project's CEQA document that will result in a 3 to 4 month delay. Caltrans has initiated construction for widening SR-98 for more details on the project, refer to Caltrans report. Caltrans is currently scheduled for completion in March 2018 to coincide with GSA's Phase 1 completion of the Port expansion.

- 21) **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.
- 22) **Meetings attended on behalf of ICTC:**
- December 15, 2017 – County Transportation Commission CEO's / SCAG and Regional CEO's Meetings in Los Angeles
  - December 15, 2017 – Mobility 21 Legislative Reception in Los Angeles



## Memorandum

**Date:** January 10, 2018  
**To:** ICTC Management Committee Meeting  
**From:** David Salgado, Regional Affairs Officer (RAO)  
**Re:** **Southern California Association of Government's Report**

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The following is a summary of the SCAG Executive Director's Report and/or Federal and State Legislature Staff Report for the Imperial County Transportation Commission Management Meeting January 10, 2018.

- 1. SCAG RTP-SCS Local Input Process 1 on 1 Meetings:** From December 11<sup>th</sup> to December 13<sup>th</sup> each city in Imperial County and the County of Imperial met with SCAG Planning Staff at the City of El Centro RDA Conference Room in order to review the "Bottom-Up Local Input Process for the 2020 RTP-SCS and RHNA." This will allow for direct engagement with each jurisdiction in order to establish accurate data development for the plans. This will ensure the plans consistency with our member agencies programs and allow SCAG to create the most detailed plan possible. City managers and Planning Directors will be receiving data and survey packets for local review as well as a detailed work plan with instructions on how to provide input. Data will be accepted up to October of 2018. As a part of the Local Input Process SCAG is making interns available to help input data or complete any tasks related to the Local Data Input Process and 2020 RTP-SCS development. Please contact David Salgado with any questions.
- 2. SCAG President and Executive Team Luncheon and Imperial Valley Tour:** SCAG President Margaret Finlay is committed to coming to Imperial County for a tour in the near future. We are finalizing details and dates and will provide information as it is made available. SCAG Executive Director Hasan Ikhrata is also committed to providing a presentation to city managers, elected officials, and stakeholders while out in Imperial County covering some of SCAG's roles, responsibilities, and ongoing programs. The presentation will be provided during the SCAG hosted luncheon portion of their visit.
- 3. 2018 Regional Conference and General Assembly:** Please save the date for the 2018



Regional Conference and General Assembly. This year's conference will be held at the Renaissance Esmeralda Indian Wells Resort and Spa in Indian Wells on May 3<sup>rd</sup> and 4<sup>th</sup>, 2018. City clerks should have received notice to begin the formal process for selecting the 2018 GA delegate and alternate. For questions please contact Regional Affairs Officer (RAO) David Salgado.

4. **SCAG Downtown Los Angeles Relocation:** After 27 years at the current location SCAG relocated to the new Downtown Headquarters located at The Wilshire Grand Center. The new address is 900 Wilshire Boulevard, 17<sup>th</sup> Floor, Los Angeles, CA 90017. The building is a brand new LEED Certified Class A Building and provides for a more advanced space for SCAG to grow into. The new space will also have improved spaces for SCAG's regular public meetings and workshops.
5. **SCAG Regional Council and Policy Committees:** SCAG's Regional Council and Policy Committee meetings will take place Thursday February 1<sup>st</sup>, 2018 at SCAG's main offices in Los Angeles. **SCAG will be dark the month of January 2018.**
6. **SB 1 Road Repair and Accountability Act of 2017:** The bill passed by a vote of 27-11. The bill provides \$52.4 billion over 10 years for transportation by raising California's gas excise tax 12 cents to 30 cents a gallon, with annual adjustments for inflation. The diesel excise tax will also go up 20 cents to 36 cents a gallon. Funds will also be raised by fee increases on vehicle registrations which will be proportionate to the vehicle model year and will range from \$25 to \$175 a year annually. Zero emission vehicles will incur a \$100 annual fee. There will be a constitutional amendment put on the 2018 ballot to allow a vote to ensure the funds will be provided for road projects.
7. **SCAG 2017 Local Profiles:** 2017 Final Local Profiles are posted on the SCAG website and readily available. Hard copies may be provided upon request. Questions can be directed to Ping Chang or Mike Gainor at SCAG.
8. **2017 SCAG Presidents Strategic Plan (PSP) Update:** SCAG has convened a strategic planning committee composed of executive management, leadership, and staff in order to develop and update SCAG's Strategic Planning Document. The Strategic Plan has not been updated since 2009 and provides a framework for the agencies Work Plan and continued success. A Staff Strategic Planning (SSP) Committee has been composed to support the work of the PSP. Imperial County RAO David Salgado is participating on the PSP Committee.



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

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.



**Date:** January 5, 2018  
**To:** ICTC Management Committee  
**From:** Cory Binns, Caltrans District 11, Acting District Director  
**Re:** **District Director's Report**

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The following is the California Department of Transportation, District 11 report for the Imperial County Transportation Commission (ICTC) Management Committee meeting of January 10, 2018:

**1. Project Updates:**

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

**2. Construction:**

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

I-8 Continuously Reinforced Concrete Pavement Project is divided into the following five segments. Completion of the entire project is scheduled for 2019.

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

- Segment 1: This project is complete: the contract was accepted on December 12, 2017.
- Segment 2: This project is complete: the contract was accepted on December 12, 2017.
- Segment 3: This project is complete; the contract was accepted on October 31, 2017.
- Segment 4: This segment is divided into two sections located near El Centro from west of I-8/SR-111 separation to just west of Anderholt Road overcrossing and from east of the East Highline Canal Bridge to west of the I-8/SR-98 separation. This segment began construction on July 10, 2017. The contractor continues working on I-8 near SR-111, with the next traffic switch expected to be in February. The contractor is also replacing the existing pavement on Evan Hewes Highway in preparation of establishing this road as a detour.

### **Construction (continued):**

- Segment 5, is located near Winterhaven from west of Ogilby Road overcrossing to west of the I-8/SR-186 separation. This seven-mile segment began construction the week of June 12, 2017. Westbound traffic was switched onto new westbound lanes on December 20, 2017. The eastbound traffic is expect to be switched onto new westbound lanes on January 8, 2018. This project is expected to be completed one year ahead of schedule.

#### **I-8/Dogwood Road Landscape Project**

The follow-up landscape project has been completed with plant establishment continuing.

#### **SR-98 / Cesar Chavez Widening Project**

Contract approval was received in January 2017, with construction on the \$12.9 million project beginning in April 2017 and ending in spring 2018. Utility relocation work is complete. Construction on Stage 1 from Eady Avenue to VV Williams is complete. Stage 2 and 3 work from VV Williams to Cesar Chavez is complete.

Stage 4 (Final stage) is currently under construction. One lane is open in each direction, with sidewalks and all lanes scheduled for completion in February 2018.

#### **SR-86/Heber Pedestrian Improvements**

This project will construct sidewalks and a bus shelter. Construction on Phase 1 is complete. Design is complete for the remaining phases and should be in construction in early 2018. 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. The project has been approved and the contractor expects the manufacturing of the shelter to take two months. Construction will begin after receiving the shelter.

### **3. Traffic Operations:**

#### **SR-86/Customs & Border Protection Checkpoint Expansion**

Caltrans recently provided a design alternative with cost estimate to ICTC. The design will allow for two lanes for use by the Border Patrol under a newly constructed canopy to be placed over SR-86, and two lanes of secondary inspection during peak periods, which should reduce or eliminate queuing of traffic during these time periods.

This concept was discussed with the County of Imperial, and then presented to the ICTC Commission who approved the allocation for funding in the amount of \$1.3 million. Funds

### **Traffic Operations (Continued):**

will be allocated from the LTA 5% Regional Highway Set-Aside (Measure D) allocations. The Board authorized their Executive Director to execute the necessary agreements between Caltrans, the Imperial County Local Transportation Authority, and Customs and Border Protection.

The schedule for this project is being developed by Caltrans.

### **SR-98/Birch Street**

Caltrans Highway Operations is currently working on a Traffic Investigation Report (TIR) that will recommend to remove school zone related signs from the speed feedback posts. In addition, the speed feedback signs will be reset to a 24 hour schedule upon completion of the TIR.

### **Signage on Interstate 8 Directing Trucks to State Route 7:**

The TIR to install signs to direct trucks to use SR-7 on I-8 and SR-111 was approved on November 27, 2017. Per the approved TIR, guide signs to direct trucks to use SR-7 will be installed on eastbound I-8 prior to SR-98 and SR-111. An additional guide sign will be installed on southbound SR-111 to direct trucks to use east I-8 to south SR-7, for a total of three guide signs. No additional guide signs will be installed on westbound I-8 as there are existing guide signs to direct trucks to use SR-7 for border crossing prior to the I-8/SR-7 connector. The proposed signs were sent to Operations Planning Support on November 30, 2017 to process the sign order.

## **4. Planning:**

### **Senate Bill 1 – New Grant Opportunities:**

Caltrans launched two new planning grant programs with funding from Senate Bill 1, the Road Repair & Accountability Act of 2017. The new planning grant funds include:

- \$25 million annually for Sustainable Communities Grants to encourage local and regional planning that further state goals, including, but not limited to, the goals and best practices cited in the regional transportation plan guidelines adopted by the California Transportation Commission.
- \$20 million over three years for Adaptation Planning Grants to local and regional agencies for climate change adaptation planning.

The next call for grants was released on January 2, 2018, with applications due on February 23, 2018.

The Adaptation Planning Grants call for grant applications is anticipated to be in January 2018. These SB1 planning funds are in addition to the FY 2018/2019 Sustainable Transportation Planning Grants which are also expected to have a call for applications in January 2018. This category will have \$20 million over three years available statewide.



## **Planning (Continued):**

### **Coordinated Efforts:**

Caltrans has been awarded a grant from the Federal Highways Administration (FHWA) State Planning & Research funds, with an 80/20 in-kind match by the Imperial County Transportation Commission (ICTC) to fund a \$100,000 Traffic Circulation Plan (TCP) for access to the Calexico West Port of Entry (POE).

This effort will have a two-phase approach. Phase one will address access for opening day traffic conditions. Phase two will provide further analysis and recommendations for potential traffic shifts for the 60-90 day period beyond opening day conditions. Caltrans is working with SCAG and ICTC to procure consultant services which is expected to be complete by the end of February 2018.

The Calexico West POE is scheduled to be complete in March 2018; with both northbound and southbound traffic flows becoming operational in Summer 2018. Opening of the POE will require the City of Calexico to make necessary improvements to Cesar Chavez Boulevard which will serve as future access to the POE. Caltrans and the City of Calexico will work cooperatively with other local and regional partners to identify other traffic improvements and changes which may be required by changing patterns. Additionally, while Mexico has completed their roadway improvements; their federal customs facility remains to be constructed.

The TCP will provide analysis for the above issues, as well as coordinated efforts for circulation, traffic control, emergency services, and impacts to transit routes. The analysis is expected to take ten months to complete.

The TCP will be fully vetted by all involved agencies and stakeholders. A final report and plan will be presented to the ICTC Management & Commission, as well as the City of Calexico. Significant involvement by federal, state and local agencies will be made to ensure consensus and approval.

### **Grants Underway:**

#### ***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.

### **Planning (Continued):**

- 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. The consultant will be modeling the economic delay for 2025 and the air quality for 2025 and 2035 respectively.
- d. The consultants are working on the model development component of the grant at this point. The consultants developed a white paper on available technology that could provide on-going border wait times data collection. It would be up to the Federal Government to decide what technology may work best at these POEs.
- e. New Accomplishments

The amended Project Implementation Order has been approved that will extend the Air Quality portion of the study to April 30, 2018.

The Consultants are working with CBP to give the collected data a “reasonableness check”.

Another cross border business interview has been completed.

The EPA Moves model will be used as the emissions model for Mexican cars, as Mexican car data is available in that format.

### **Imperial County Transportation Model Update**

The Project Team held monthly coordination meetings on the project status, actions taken, and next steps. The last two meetings addressed issues from traffic analysis zones (TAZs) updates and refinement, centroid connector editing, highway network adjustment including extra node additions based on review and comments provided by Caltrans/D11, to traffic counts analysis following the field study which was completed by Traffic Research & Analysis, Inc. in early July. Next, SCAG will be working on the social, economic and demographic (SED) data forecasting in a zonal basis for future years, and the consultant is ready to move into base-year model calibration

### **Upcoming Grant Projects**

#### **Imperial County Active Transportation Plan**

Caltrans Planning recently met with the County of Imperial Public Works Department and held a kick-off meeting for this \$200,000 Planning Grant. The plan will cover the unincorporated areas of Imperial County, specifically the Communities and Townsites; and areas near schools. The plan will be based on needs assessment through data gathering and analysis, public feedback, and consultation with local agencies.

## **Planning (Continued):**

The study will address issues such as safety and security, liability, environmental concerns, convenience, accessibility, usage, connections and linkages for bicycle users, as well as associated pedestrians and safe routes to school planning efforts.

Requests for Proposals (RFPs) have been received, reviewed and interviews held with consultant selection finalized. Final contract negotiations are underway and it is anticipated that project kickoff will be in early 2018, with the Plan being complete by early 2019.

### **5. Local Assistance:**

#### Inactive Projects

*Future Inactives should be billed within the specified and agreed upon timeframe to avoid a unilateral deobligation of funds.*

Action is required by the following agencies: Imperial County, Cities of Imperial, Calexico, and El Centro. Please transmit all Inactive and Future Inactive invoices to the District Local Assistance Engineer (DLAE) in District 11 before January 20, 2018.

A complete list of inactive projects can be found at the link provided below.

<http://www.dot.ca.gov/hq/LocalPrograms/Inactiveprojects.htm>

#### ATP Cycle 4 Call-For Projects

Caltrans anticipates the CTC will announce the 2019 (Cycle 4) call-for-projects in or around March 2018.

The Cycle 4 Call for Projects is expected to include about \$440M in ATP funding made up of Federal funding and State SB1 and SHA funding. The funding/programming years are expected to include 19/20, 20/21, 21/22 and 22/23 funding years.

Potential applicants are encouraged to check the Caltrans and CTC ATP websites for future updates.

CTC – ATP website: <http://www.catc.ca.gov/programs/ATP.htm>

For project specific and call for project questions, please contact Bryan Ott, District 11 ATP Coordinator at (619) 220-5310 or via email at [bryan.ott@dot.ca.gov](mailto:bryan.ott@dot.ca.gov)

#### Highway Safety Improvement Program (HSIP)

The next call for projects (HSIP Cycle 9) is expected to be announced around May 2018. Please visit this website periodically for updates:

[http://www.dot.ca.gov/hq/LocalPrograms/HSIP/apply\\_now.htm](http://www.dot.ca.gov/hq/LocalPrograms/HSIP/apply_now.htm)

**Local Assistance (Continued):**

For questions, you may contact Bryan Ott, District 11 HSIP Coordinator at (619) 220-5310 or via email at [bryan.ott@dot.ca.gov](mailto:bryan.ott@dot.ca.gov)

**Agency One-On-One Meeting with Caltrans Local Assistance – February and March 2018**

Caltrans District 11 Local Assistance would like to meet with each agency and staff members who are involved with the administration and project management of the local federal-aid funded projects. It will be an open agenda meeting serving as a meet-and-greet and to generally discuss questions and issues the agency may have regarding the Local Assistance program and projects.

The one-on-one meetings are scheduled on two dates: Wednesday, February 21, 2018; and Tuesday, March 13, 2018 at one-hour intervals, and will be held in one of the ICTC Conference Rooms located at 1503 N. Imperial Avenue, Suite 104, El Centro, CA 92243. A notice from ICTC was sent to all agencies on December 20, 2017 and as of December 29, 2017, below is the reservation schedule. Only the Cities of El Centro and Calexico are missing from the list. Accordingly, there are two timeslots available, both on March 13, 2018. If the cities of El Centro and Calexico are interested in reserving a slot, please contact ICTC, Cristi Lerma, [cristilerma@imperialctc.org](mailto:cristilerma@imperialctc.org).

**Wednesday, February 21, 2018**

10:00 a.m. – 11:00 a.m.	County of Imperial
11:00 a.m. – 12:00 p.m.	Holtville
1:30 p.m. – 2:30 p.m.	Westmorland
2:30 p.m. – 3:30 p.m.	Imperial

**Tuesday, March 13, 2018**

10:00 a.m. – 11:00 a.m.	<b>OPEN</b>
11:00 a.m. – 12:00 p.m.	Calipatria
1:30 p.m. – 2:30 p.m.	Brawley
2:30 p.m. – 3:30 p.m.	<b>OPEN</b>

**Architectural & Engineering (A&E) Consultant Contract Review Office Bulletin #17-02**

A recording of the A&E Exhibit 10-C 2-Hour Intensive training webinar is now available, along with a PDF of the presentation and all accompanying handouts. This webinar recording discusses the revised LAPM *Exhibit 10-C Consultant Contract Reviewers Checklist* and the new procedure in effect requiring all agencies to obtain acceptance of Exhibit 10-C prior to contract award.

If you or your staff were not able to attend one of the 24 in-person training classes or the live webinar we offered, please watch this webinar to learn how to avoid the risk of non-compliance.

## **Local Assistance (Continued):**

Check out our A&E Exhibit 10-C Webinar Recording and Handouts at the following link:

<http://www.localassistanceblog.com/ae-training/>

### **Subsidized Classes for Local Agencies**

The California Local Technical Assistance Program is a jointly funded effort between FHWA and Caltrans to provide local governments with training, information, technology and direct assistance to help improve transportation infrastructure. Upcoming courses are listed at this link:

[registration.techtransfer.berkeley.edu/wconnect/ShowSchedule.awp?&Mode=GROUP&Group=:FULL&Title=Complete+Listing](http://registration.techtransfer.berkeley.edu/wconnect/ShowSchedule.awp?&Mode=GROUP&Group=:FULL&Title=Complete+Listing)

### **April 9-13, 2018: Federal Aid Series**

Location: Caltrans District 11, 4050 Taylor Street, Gallegos Room, San Diego 92110  
Additional dates and sites are available statewide. *Registration is open.* Please check for updates through the online registration link below:

<http://www.californialtap.org/index.cfm?pid=1077>

For questions or to register for any training, please contact Alma Sanchez at (619) 278-3735 or via email at: [Alma.Sanchez@dot.ca.gov](mailto:Alma.Sanchez@dot.ca.gov)

### **Reminder: Division of Local Assistance Listserver Email Subscription**

Sign up for a Division of Local Assistance “Listserver” to receive significant updates or additions to Local Assistance webpages, including changes to the *Local Assistance Procedures Manual* (LAPM) and Local Assistance Program Guidelines (LAPG), new Office Bulletins and Local Programs Procedures, as well as Calls for Projects.

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

### **Reminder: Division of Local Assistance Blog (LAB)**

The Caltrans Local Assistance Blog (LAB) provides clarity on issues and contributes 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>

### **Reminder: Local Assistance Customer Service Survey**

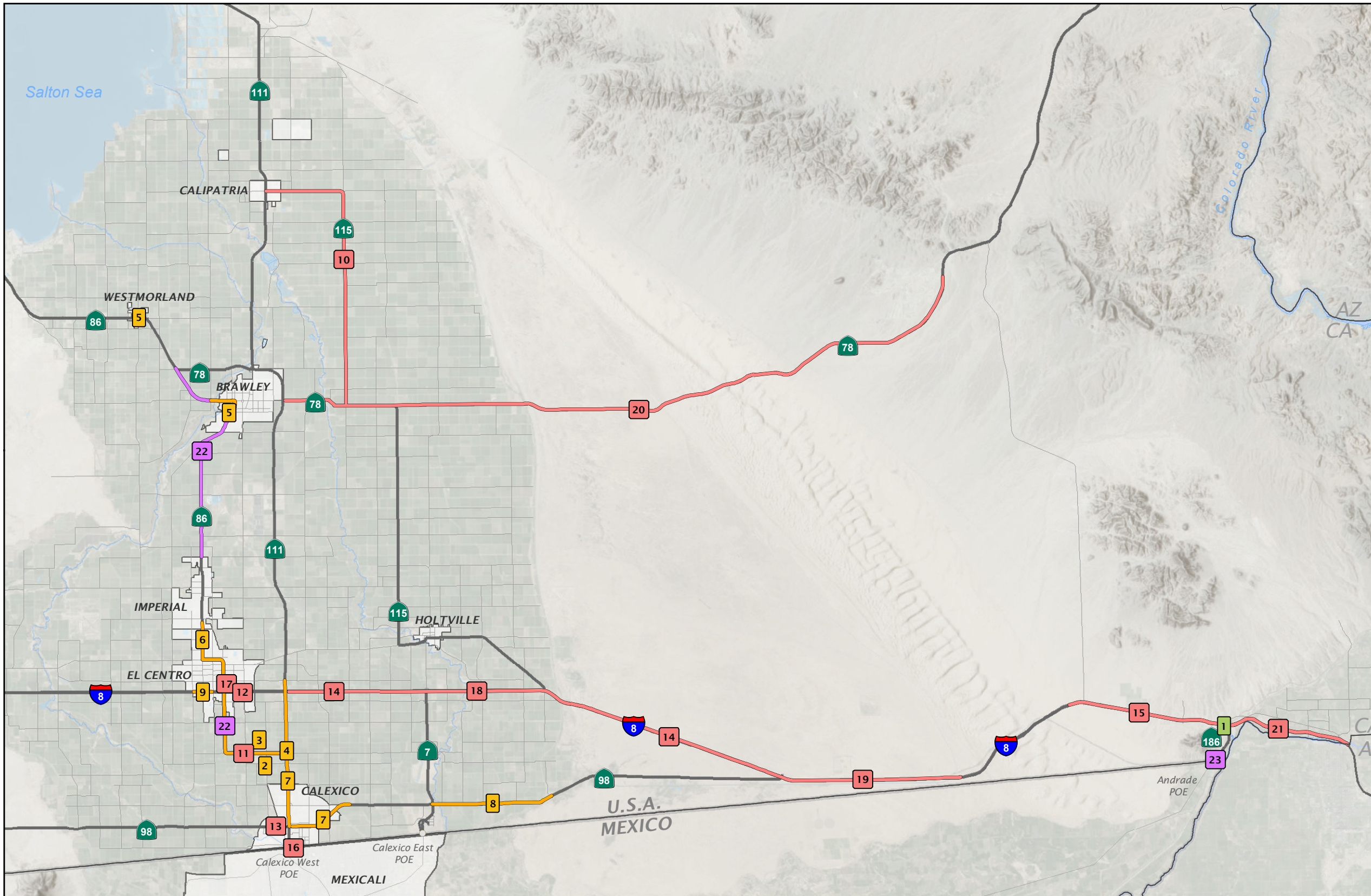
This pilot program supports a Caltrans Strategic Management Plan Goal: Organizational Excellence. An external survey ranked Local Assistance as the Division of Caltrans that

**Local Assistance (Continued):**

external agencies interact with most on a regular basis. HQ-Division of Local Assistance and District Offices will recognize employees who go “above and beyond,” document best practices and identify needed training.

So, how did we do? Help us serve you better! The Caltrans Local Assistance Customer Service Survey can be found at the link provided below.

<https://www.surveymonkey.com/r/CTLocalAssistanceFeedback>



## ENVIRONMENTAL

1. SR-186/I-8 Interchange Improvements

## DESIGN

2. SR-86/"Heber Ave" Sidewalk, Transit, & ADA Improvements Phases 2 & 3\* Design Complete Fall 2017
3. SR-86/Dogwood Road Intersection Improvements\* Design Complete Fall 2018
4. SR-86/SR-111 Intersection Improvements\* Design Complete Fall 2018
5. SR-86 Pavement Rehabilitation Design Complete
6. SR-86 Pavement Rehabilitation Design Complete
7. SR-111/SR-98 Pavement Rehabilitation Design Complete
8. SR-98 Pavement Rehabilitation Design Complete Fall 2017
9. I-8/Imperial Ave Interchange Improvements Design Complete Spring 2019

## CONSTRUCTION

10. SR-115 Pavement Rehabilitation Construction Complete Fall 2017
11. SR-86/"Heber Ave" Sidewalk, Transit, & ADA Improvements Phase 1\* Construction Complete
12. Dogwood Road Landscape Plant Establishment Fall 2018
13. SR-98 West Widening Phase 1 B Eady Ave to Ollie Ave Construction Complete Spring 2018
14. I-8 Pavement Rehabilitation at Various Locations Construction Start Summer 2017
15. I-8 Pavement Rehabilitation at Ogilby Rd to SR-186 Construction Start Summer 2017
16. SR-111 Calexico West - GSA POE Reconfiguration\* Construction Complete Spring 2018
17. I-8/Dogwood Rd Interchange Improvements Construction Complete Fall 2017
18. I-8 Pavement Rehabilitation Construction Complete
19. I-8 Pavement Rehabilitation Construction Complete
20. SR-78 Pavement Rehabilitation Construction Complete Fall 2017
21. I-8 Pavement Rehabilitation Construction Complete

## RELINQUISHMENT

22. SR-86 Relinquishment From SR-78 to SR-111 Senate Bill 788 Approved Fall 2013
23. SR-186 Relinquishment 500 Feet from Border to GSA\* Complete Summer 2018

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



Abbreviations:  
GSA: General Services Administration  
  
POE: Port of Entry

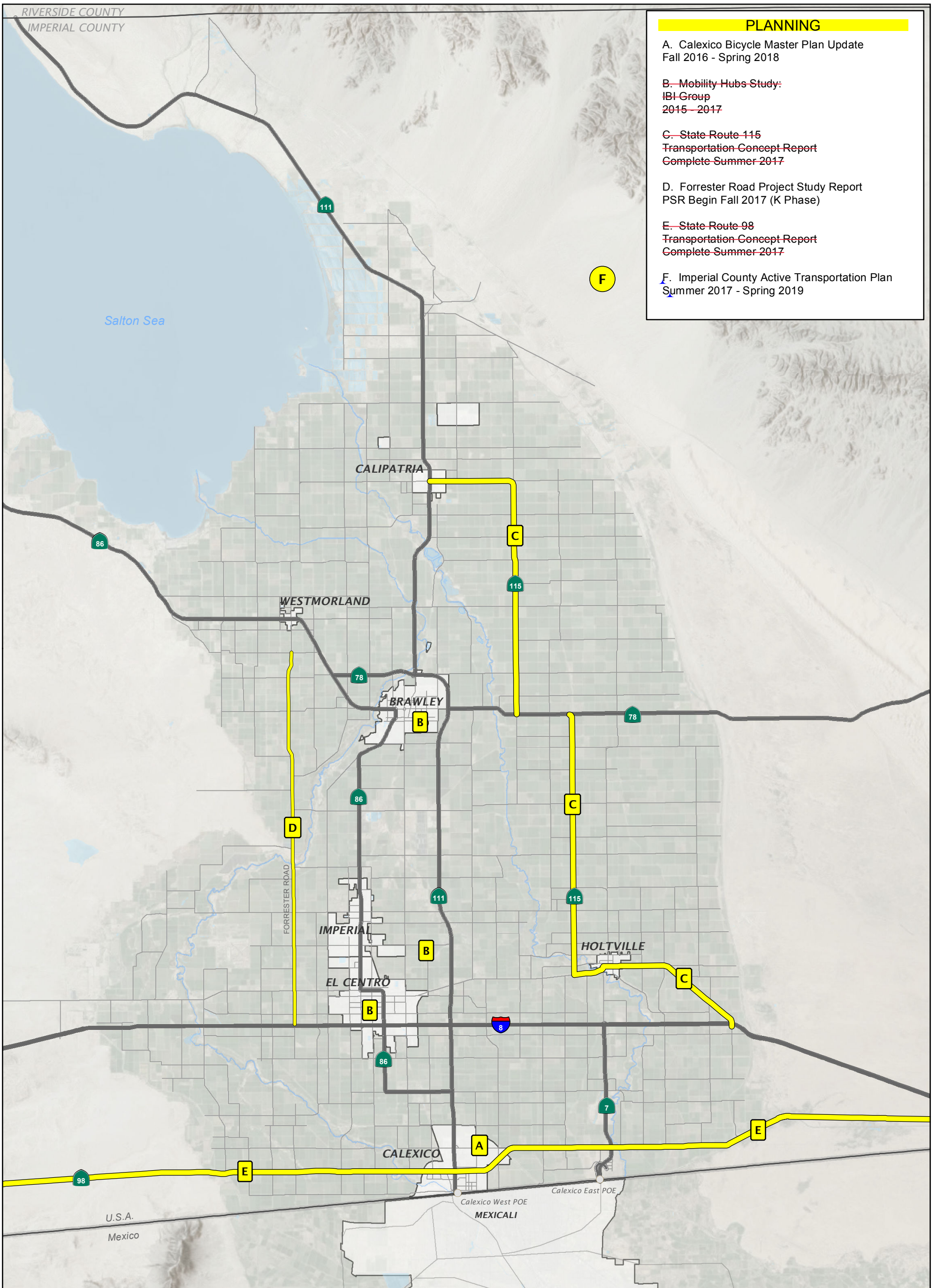


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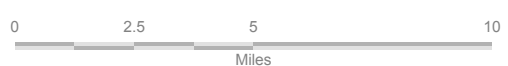
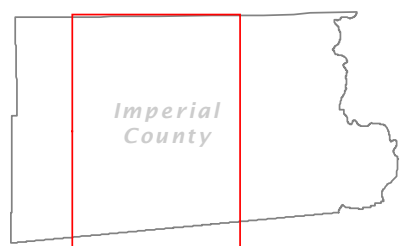
\* The California Department of Transportation (Caltrans) is a partner in this study/projects, although not the lead agency.



# IMPERIAL COUNTY STATUS OF TRANSPORTATION STUDIES AND REPORTS



- PLANNING**
- A. Calexico Bicycle Master Plan Update  
Fall 2016 - Spring 2018
  - ~~B. Mobility Hubs Study:  
IBI Group  
2015 - 2017~~
  - ~~C. State Route 115  
Transportation Concept Report  
Complete Summer 2017~~
  - D. Forrester Road Project Study Report  
PSR Begin Fall 2017 (K Phase)
  - ~~E. State Route 98  
Transportation Concept Report  
Complete Summer 2017~~
  - F. Imperial County Active Transportation Plan  
Summer 2017 - Spring 2019



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Date: 06/08/2017



# VI. INFORMATION CALENDAR

## A. Full Analysis by Bond Counsel for Future Bonding Opportunities

January 10, 2018



## Imperial County Local Transportation Authority

### Analysis on Additional Bonding Capacity



Our Clients' Success is Essential to Ours  
Integrity Experience Teamwork Performance

## ***2012 LTA Sales Tax Revenue Bonds (Limited Tax Bonds)***

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- **Imperial County Local Transportation Authority (the “LTA”) Issued \$53,975,000 of Sales Tax Revenue Bonds (Limited Tax Bonds) in 2012**
  
- **Participating Agencies included**
  - ✓ City of Brawley - \$8.2 million bonds issued; \$7.7 million proceeds received
  - ✓ City of Calexico - \$15.4 million bonds issued; \$14.1 million proceeds received
  - ✓ City of Calipatria - \$2.3 million bonds issued; \$2.2 million proceeds received
  - ✓ City of Imperial - \$6.2 million bonds issued; \$5.8 million proceeds received
  - ✓ County of Imperial- \$21.9 million bonds issued; \$20 million proceeds received
  
- **Majority of Proceeds have been spent**

## 2018 LTA Bonds\*

- LTA would look to issue bonds in the early months of 2018
- Proceeds available for projects
  - ✓ They LTA would have a total of up to \$64.7 million of proceeds to distribute to participating agencies
  - ✓ Assuming debt service coverage of 130% and wrapping the 2018 bond debt service around that of the 2012 bonds (2009 Bonds for El Centro), participants are able to capture proceeds for additional projects.
    - City of Holtville would be a new participant
    - City of El Centro would be a new participant

	Brawley	Calexico	Calipatria	Imperial	County	Holtville	El Centro
Proceeds Available:	\$ 8,985,635	\$ 10,421,225	\$ 1,482,319	\$ 6,187,235	\$ 22,171,014	\$ 4,910,914	\$ 10,552,202
True Interest Cost:	3.493%	3.590%	3.569%	3.515%	3.501%	3.222%	3.495%
Debt Service Coverage:	130%	130%	130%	130%	130%	130%	130%

\*Analysis is preliminary and subject to change.

# Disclosure

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Ramirez & Co., Inc. (“Ramirez”) has prepared this material and any accompanying information exclusively for the resolution to whom it is directly addressed and delivered in anticipation of serving as an underwriter to you. As part of our services as underwriter, Ramirez may provide advice concerning the structure, timing, terms, and other similar matters concerning potential financings Ramirez proposed to underwrite. This presentation is not complete and should only be viewed in conjunction with any oral briefing provided and any related subsequent material and/or presentation.

This presentation is for discussion purposes only. The information provided is based on information, market conditions, laws, opinions, and forecasts, all of which are subject to change. Ramirez is not obligated to update material to reflect subsequent changes. In preparing this presentation, information contained herein has been obtained from sources considered reliable, but Ramirez has not verified this information and does not represent that this material is accurate, current, or complete and it should not be relied upon as such. This presentation does not constitute a commitment by Ramirez to underwrite, subscribe for or place any securities or to extend or arrange credit or to provide any other services.

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Responsibilities of Ramirez as an underwriter. As an underwriter, Ramirez is required to deal fairly at all times with both municipal issuers and investors. Ramirez must purchase securities with a view to distributing securities in an arm’s-length commercial transaction with the issuer and has financial and other interests that differ from those of the issuer. Ramirez has a duty to purchase securities from issuers at a fair and reasonable price, but must balance that duty with its duty to sell them to investors at prices that are fair and reasonable.

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**Imperial County Local Transportation Authority  
2018 Sales Tax Revenue Bonds  
Analysis is Preliminary and Subject to Change**

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**SOURCES AND USES OF FUNDS**

**Imperial County Local Transportation Authority  
2018 Sales Tax Revenue Bonds  
Analysis is Preliminary and Subject to Change**

Sources:	Sales Tax Revenue Bonds, Series 2018A (City of Brawley)	Sales Tax Revenue Bonds, Series 2018B (City of Calexico)	Sales Tax Revenue Bonds, Series 2018C (City of Calipatria)	Sales Tax Revenue Bonds, Series 2018D (City of Imperial)	Sales Tax Revenue Bonds, Series 2018E (County of Imperial)	Sales Tax Revenue Bonds, Series 2018A (City of Holtville)
Bond Proceeds:						
Par Amount	7,750,000.00	8,970,000.00	1,275,000.00	5,335,000.00	19,120,000.00	4,240,000.00
Premium	1,412,672.20	1,656,131.45	236,444.10	974,104.65	3,487,781.65	767,770.60
	9,162,672.20	10,626,131.45	1,511,444.10	6,309,104.65	22,607,781.65	5,007,770.60
Uses:						
Delivery Date Expenses:						
Cost of Issuance	34,691.14	40,152.19	5,707.25	23,880.93	85,586.39	18,979.41
Underwriter's Discount	62,000.00	71,760.00	10,200.00	42,680.00	152,960.00	33,920.00
Surety Bonds @ 3%	25,507.26	29,522.60	4,196.36	17,558.87	62,928.88	13,954.94
Bond Insurance @ 0.40%	54,838.72	63,471.39	9,021.85	37,750.27	135,292.42	30,002.09
	177,037.12	204,906.18	29,125.46	121,870.07	436,767.69	96,856.44
Other Uses of Funds:						
Additional Proceeds	8,985,635.08	10,421,225.27	1,482,318.64	6,187,234.58	22,171,013.96	4,910,914.16
	9,162,672.20	10,626,131.45	1,511,444.10	6,309,104.65	22,607,781.65	5,007,770.60

**SOURCES AND USES OF FUNDS**

**Imperial County Local Transportation Authority  
2018 Sales Tax Revenue Bonds  
Analysis is Preliminary and Subject to Change**

Sources:	Sales Tax Revenue Bonds, Series 2018G (City of El Centro)	Total
<hr/>		
Bond Proceeds:		
Par Amount	9,160,000.00	55,850,000.00
Premium	1,601,448.00	10,136,352.65
		<hr/>
	10,761,448.00	65,986,352.65
		<hr/> <hr/>

Uses:	Sales Tax Revenue Bonds, Series 2018G (City of El Centro)	Total
<hr/>		
Delivery Date Expenses:		
Cost of Issuance	41,002.69	250,000.00
Underwriter's Discount	73,280.00	446,800.00
Surety Bonds @ 3%	30,147.92	183,816.83
Bond Insurance @ 0.40%	64,815.82	395,192.56
	<hr/>	<hr/>
	209,246.43	1,275,809.39
Other Uses of Funds:		
Additional Proceeds	10,552,201.57	64,710,543.26
		<hr/>
	10,761,448.00	65,986,352.65
		<hr/> <hr/>



**BOND SUMMARY STATISTICS**

**Imperial County Local Transportation Authority  
Sales Tax Revenue Bonds, Series 2018A (City of Brawley)**

Dated Date	04/05/2018
Delivery Date	04/05/2018
Last Maturity	06/01/2038
Arbitrage Yield	2.714502%
True Interest Cost (TIC)	3.493064%
Net Interest Cost (NIC)	3.866216%
All-In TIC	3.609068%
Average Coupon	4.999515%
Average Life (years)	15.378
Duration of Issue (years)	11.182
Par Amount	7,750,000.00
Bond Proceeds	9,162,672.20
Total Interest	5,958,450.00
Net Interest	4,607,777.80
Total Debt Service	13,708,450.00
Maximum Annual Debt Service	1,128,250.00
Average Annual Debt Service	680,132.58

Bond Component	Par Value	Price	Average Coupon	Average Life
Serial Bond	7,750,000.00	118.228	5.000%	15.378
	7,750,000.00			15.378

	TIC	All-In TIC	Arbitrage Yield
Par Value	7,750,000.00	7,750,000.00	7,750,000.00
+ Accrued Interest			
+ Premium (Discount)	1,412,672.20	1,412,672.20	1,412,672.20
- Underwriter's Discount	(62,000.00)	(62,000.00)	
- Cost of Issuance Expense		(34,691.14)	
- Other Amounts		(80,345.98)	(54,838.72)
Target Value	9,100,672.20	8,985,635.08	9,107,833.48
Target Date	04/05/2018	04/05/2018	04/05/2018
Yield	3.493064%	3.609068%	2.714502%

**BOND SUMMARY STATISTICS**

**Imperial County Local Transportation Authority  
Sales Tax Revenue Bonds, Series 2018B (City of Calexico)**

Dated Date	04/05/2018
Delivery Date	04/05/2018
Last Maturity	06/01/2038
Arbitrage Yield	2.714502%
True Interest Cost (TIC)	3.590314%
Net Interest Cost (NIC)	3.958749%
All-In TIC	3.697737%
Average Coupon	5.000000%
Average Life (years)	16.963
Duration of Issue (years)	12.053
Par Amount	8,970,000.00
Bond Proceeds	10,626,131.45
Total Interest	7,608,016.67
Net Interest	6,023,645.22
Total Debt Service	16,578,016.67
Maximum Annual Debt Service	1,648,250.00
Average Annual Debt Service	822,503.58

Bond Component	Par Value	Price	Average Coupon	Average Life
Serial Bond	8,970,000.00	118.463	5.000%	16.963
	8,970,000.00			16.963

	TIC	All-In TIC	Arbitrage Yield
Par Value	8,970,000.00	8,970,000.00	8,970,000.00
+ Accrued Interest			
+ Premium (Discount)	1,656,131.45	1,656,131.45	1,656,131.45
- Underwriter's Discount	(71,760.00)	(71,760.00)	
- Cost of Issuance Expense		(40,152.19)	
- Other Amounts		(92,993.99)	(63,471.39)
Target Value	10,554,371.45	10,421,225.27	10,562,660.06
Target Date	04/05/2018	04/05/2018	04/05/2018
Yield	3.590314%	3.697737%	2.714502%

**BOND SUMMARY STATISTICS**

**Imperial County Local Transportation Authority  
Sales Tax Revenue Bonds, Series 2018C (City of Calipatria)**

Dated Date	04/05/2018
Delivery Date	04/05/2018
Last Maturity	06/01/2038
Arbitrage Yield	2.714502%
True Interest Cost (TIC)	3.568594%
Net Interest Cost (NIC)	3.935739%
All-In TIC	3.677156%
Average Coupon	5.000000%
Average Life (years)	16.673
Duration of Issue (years)	11.917
Par Amount	1,275,000.00
Bond Proceeds	1,511,444.10
Total Interest	1,062,916.67
Net Interest	836,672.57
Total Debt Service	2,337,916.67
Maximum Annual Debt Service	252,500.00
Average Annual Debt Service	115,993.66

Bond Component	Par Value	Price	Average Coupon	Average Life
Serial Bond	1,275,000.00	118.545	5.000%	16.673
	1,275,000.00			16.673

	TIC	All-In TIC	Arbitrage Yield
Par Value	1,275,000.00	1,275,000.00	1,275,000.00
+ Accrued Interest			
+ Premium (Discount)	236,444.10	236,444.10	236,444.10
- Underwriter's Discount	(10,200.00)	(10,200.00)	
- Cost of Issuance Expense		(5,707.25)	
- Other Amounts		(13,218.21)	(9,021.85)
Target Value	1,501,244.10	1,482,318.64	1,502,422.25
Target Date	04/05/2018	04/05/2018	04/05/2018
Yield	3.568594%	3.677156%	2.714502%

**BOND SUMMARY STATISTICS**

**Imperial County Local Transportation Authority  
Sales Tax Revenue Bonds, Series 2018D (City of Imperial)**

Dated Date	04/05/2018
Delivery Date	04/05/2018
Last Maturity	06/01/2038
Arbitrage Yield	2.714502%
True Interest Cost (TIC)	3.515176%
Net Interest Cost (NIC)	3.887704%
All-In TIC	3.629354%
Average Coupon	4.999655%
Average Life (years)	15.701
Duration of Issue (years)	11.359
Par Amount	5,335,000.00
Bond Proceeds	6,309,104.65
Total Interest	4,187,955.56
Net Interest	3,256,530.91
Total Debt Service	9,522,955.56
Maximum Annual Debt Service	810,500.00
Average Annual Debt Service	472,472.99

Bond Component	Par Value	Price	Average Coupon	Average Life
Serial Bond	5,335,000.00	118.259	5.000%	15.701
	5,335,000.00			15.701

	TIC	All-In TIC	Arbitrage Yield
Par Value	5,335,000.00	5,335,000.00	5,335,000.00
+ Accrued Interest			
+ Premium (Discount)	974,104.65	974,104.65	974,104.65
- Underwriter's Discount	(42,680.00)	(42,680.00)	
- Cost of Issuance Expense		(23,880.93)	
- Other Amounts		(55,309.14)	(37,750.27)
Target Value	6,266,424.65	6,187,234.58	6,271,354.38
Target Date	04/05/2018	04/05/2018	04/05/2018
Yield	3.515176%	3.629354%	2.714502%

**BOND SUMMARY STATISTICS**

**Imperial County Local Transportation Authority  
Sales Tax Revenue Bonds, Series 2018E (County of Imperial)**

Dated Date	04/05/2018
Delivery Date	04/05/2018
Last Maturity	06/01/2038
Arbitrage Yield	2.714502%
True Interest Cost (TIC)	3.501436%
Net Interest Cost (NIC)	3.874345%
All-In TIC	3.616734%
Average Coupon	4.999552%
Average Life (years)	15.501
Duration of Issue (years)	11.250
Par Amount	19,120,000.00
Bond Proceeds	22,607,781.65
Total Interest	14,817,382.22
Net Interest	11,482,560.57
Total Debt Service	33,937,382.22
Maximum Annual Debt Service	2,822,250.00
Average Annual Debt Service	1,683,773.10

Bond Component	Par Value	Price	Average Coupon	Average Life
Serial Bond	19,120,000.00	118.242	5.000%	15.501
	19,120,000.00			15.501

	TIC	All-In TIC	Arbitrage Yield
Par Value	19,120,000.00	19,120,000.00	19,120,000.00
+ Accrued Interest			
+ Premium (Discount)	3,487,781.65	3,487,781.65	3,487,781.65
- Underwriter's Discount	(152,960.00)	(152,960.00)	
- Cost of Issuance Expense		(85,586.39)	
- Other Amounts		(198,221.30)	(135,292.42)
Target Value	22,454,821.65	22,171,013.96	22,472,489.23
Target Date	04/05/2018	04/05/2018	04/05/2018
Yield	3.501436%	3.616734%	2.714502%

**BOND SUMMARY STATISTICS**

**Imperial County Local Transportation Authority  
Sales Tax Revenue Bonds, Series 2018A (City of Holtville)**

Dated Date	04/05/2018
Delivery Date	04/05/2018
Last Maturity	06/01/2038
Arbitrage Yield	2.714502%
True Interest Cost (TIC)	3.222343%
Net Interest Cost (NIC)	3.592065%
All-In TIC	3.359310%
Average Coupon	4.997786%
Average Life (years)	12.312
Duration of Issue (years)	9.473
Par Amount	4,240,000.00
Bond Proceeds	5,007,770.60
Total Interest	2,609,072.22
Net Interest	1,875,221.62
Total Debt Service	6,849,072.22
Maximum Annual Debt Service	345,500.00
Average Annual Debt Service	339,810.64

Bond Component	Par Value	Price	Average Coupon	Average Life
Serial Bond	4,240,000.00	118.108	4.998%	12.312
	4,240,000.00			12.312

	TIC	All-In TIC	Arbitrage Yield
Par Value	4,240,000.00	4,240,000.00	4,240,000.00
+ Accrued Interest			
+ Premium (Discount)	767,770.60	767,770.60	767,770.60
- Underwriter's Discount	(33,920.00)	(33,920.00)	
- Cost of Issuance Expense		(18,979.41)	
- Other Amounts		(43,957.03)	(30,002.09)
Target Value	4,973,850.60	4,910,914.16	4,977,768.51
Target Date	04/05/2018	04/05/2018	04/05/2018
Yield	3.222343%	3.359310%	2.714502%

**BOND SUMMARY STATISTICS**

**Imperial County Local Transportation Authority  
Sales Tax Revenue Bonds, Series 2018G (City of El Centro)**

Dated Date	04/05/2018
Delivery Date	04/05/2018
Last Maturity	06/01/2036
Arbitrage Yield	2.714502%
True Interest Cost (TIC)	3.495220%
Net Interest Cost (NIC)	3.855199%
All-In TIC	3.616038%
Average Coupon	4.993373%
Average Life (years)	14.658
Duration of Issue (years)	10.806
Par Amount	9,160,000.00
Bond Proceeds	10,761,448.00
Total Interest	6,704,346.67
Net Interest	5,176,178.67
Total Debt Service	15,864,346.67
Maximum Annual Debt Service	1,813,500.00
Average Annual Debt Service	873,801.22

Bond Component	Par Value	Price	Average Coupon	Average Life
Serial Bond	9,160,000.00	117.483	4.993%	14.658
	9,160,000.00			14.658

	TIC	All-In TIC	Arbitrage Yield
Par Value	9,160,000.00	9,160,000.00	9,160,000.00
+ Accrued Interest			
+ Premium (Discount)	1,601,448.00	1,601,448.00	1,601,448.00
- Underwriter's Discount	(73,280.00)	(73,280.00)	
- Cost of Issuance Expense		(41,002.69)	
- Other Amounts		(94,963.74)	(64,815.82)
Target Value	10,688,168.00	10,552,201.57	10,696,632.18
Target Date	04/05/2018	04/05/2018	04/05/2018
Yield	3.495220%	3.616038%	2.714502%

**BOND PRICING**

**Imperial County Local Transportation Authority  
Sales Tax Revenue Bonds, Series 2018A (City of Brawley)**

Bond Component	Maturity Date	Amount	Rate	Yield	Price	Yield to Maturity	Call Date	Call Price	Premium (-Discount)
Serial Bond:									
	06/01/2019	50,000	4.000%	1.420%	102.945				1,472.50
	06/01/2020	115,000	5.000%	1.590%	107.195				8,274.25
	06/01/2021	120,000	5.000%	1.650%	110.257				12,308.40
	06/01/2022	125,000	5.000%	1.700%	113.183				16,478.75
	06/01/2023	135,000	5.000%	1.760%	115.899				21,463.65
	06/01/2024	135,000	5.000%	1.870%	118.117				24,457.95
	06/01/2025	145,000	5.000%	1.960%	120.201				29,291.45
	06/01/2026	150,000	5.000%	2.050%	122.048				33,072.00
	06/01/2027	155,000	5.000%	2.170%	123.381				36,240.55
	06/01/2028	165,000	5.000%	2.290%	122.265 C	2.503%	06/01/2027	100.000	36,737.25
	06/01/2029	175,000	5.000%	2.370%	121.528 C	2.746%	06/01/2027	100.000	37,674.00
	06/01/2030	180,000	5.000%	2.440%	120.887 C	2.943%	06/01/2027	100.000	37,596.60
	06/01/2031	190,000	5.000%	2.530%	120.070 C	3.127%	06/01/2027	100.000	38,133.00
	06/01/2032	200,000	5.000%	2.600%	119.438 C	3.273%	06/01/2027	100.000	38,876.00
	06/01/2033	840,000	5.000%	2.650%	118.989 C	3.387%	06/01/2027	100.000	159,507.60
	06/01/2034	880,000	5.000%	2.690%	118.632 C	3.482%	06/01/2027	100.000	163,961.60
	06/01/2035	925,000	5.000%	2.720%	118.365 C	3.560%	06/01/2027	100.000	169,876.25
	06/01/2036	975,000	5.000%	2.750%	118.098 C	3.630%	06/01/2027	100.000	176,455.50
	06/01/2037	1,020,000	5.000%	2.780%	117.832 C	3.693%	06/01/2027	100.000	181,886.40
	06/01/2038	1,070,000	5.000%	2.800%	117.655 C	3.744%	06/01/2027	100.000	188,908.50
		7,750,000							1,412,672.20



**BOND PRICING**

**Imperial County Local Transportation Authority  
Sales Tax Revenue Bonds, Series 2018A (City of Brawley)**

Dated Date	04/05/2018	
Delivery Date	04/05/2018	
First Coupon	12/01/2018	
Par Amount	7,750,000.00	
Premium	1,412,672.20	
	<hr/>	
Production	9,162,672.20	118.228028%
Underwriter's Discount	(62,000.00)	(0.800000%)
	<hr/>	
Purchase Price	9,100,672.20	117.428028%
Accrued Interest		
	<hr/>	
Net Proceeds	9,100,672.20	

**BOND PRICING**

**Imperial County Local Transportation Authority  
Sales Tax Revenue Bonds, Series 2018B (City of Calexico)**

Bond Component	Maturity Date	Amount	Rate	Yield	Price	Yield to Maturity	Call Date	Call Price	Premium (-Discount)
Serial Bond:									
	06/01/2023	70,000	5.000%	1.760%	115.899				11,129.30
	06/01/2024	70,000	5.000%	1.870%	118.117				12,681.90
	06/01/2025	75,000	5.000%	1.960%	120.201				15,150.75
	06/01/2026	80,000	5.000%	2.050%	122.048				17,638.40
	06/01/2027	85,000	5.000%	2.170%	123.381				19,873.85
	06/01/2028	85,000	5.000%	2.290%	122.265 C	2.503%	06/01/2027	100.000	18,925.25
	06/01/2029	95,000	5.000%	2.370%	121.528 C	2.746%	06/01/2027	100.000	20,451.60
	06/01/2030	95,000	5.000%	2.440%	120.887 C	2.943%	06/01/2027	100.000	19,842.65
	06/01/2031	100,000	5.000%	2.530%	120.070 C	3.127%	06/01/2027	100.000	20,070.00
	06/01/2032	110,000	5.000%	2.600%	119.438 C	3.273%	06/01/2027	100.000	21,381.80
	06/01/2033	1,240,000	5.000%	2.650%	118.989 C	3.387%	06/01/2027	100.000	235,463.60
	06/01/2034	1,305,000	5.000%	2.690%	118.632 C	3.482%	06/01/2027	100.000	243,147.60
	06/01/2035	1,370,000	5.000%	2.720%	118.365 C	3.560%	06/01/2027	100.000	251,600.50
	06/01/2036	1,435,000	5.000%	2.750%	118.098 C	3.630%	06/01/2027	100.000	259,706.30
	06/01/2037	1,510,000	5.000%	2.780%	117.832 C	3.693%	06/01/2027	100.000	269,263.20
	06/01/2038	1,245,000	5.000%	2.800%	117.655 C	3.744%	06/01/2027	100.000	219,804.75
		8,970,000							1,656,131.45

**BOND PRICING**

**Imperial County Local Transportation Authority  
Sales Tax Revenue Bonds, Series 2018B (City of Calexico)**

Dated Date	04/05/2018	
Delivery Date	04/05/2018	
First Coupon	12/01/2018	
Par Amount	8,970,000.00	
Premium	1,656,131.45	
	<hr/>	
Production	10,626,131.45	118.463004%
Underwriter's Discount	(71,760.00)	(0.800000%)
	<hr/>	
Purchase Price	10,554,371.45	117.663004%
Accrued Interest		
	<hr/>	
Net Proceeds	10,554,371.45	

**BOND PRICING**

**Imperial County Local Transportation Authority  
Sales Tax Revenue Bonds, Series 2018C (City of Calipatria)**

Bond Component	Maturity Date	Amount	Rate	Yield	Price	Yield to Maturity	Call Date	Call Price	Premium (-Discount)
Serial Bond:									
	06/01/2023	10,000	5.000%	1.760%	115.899				1,589.90
	06/01/2024	10,000	5.000%	1.870%	118.117				1,811.70
	06/01/2025	10,000	5.000%	1.960%	120.201				2,020.10
	06/01/2026	15,000	5.000%	2.050%	122.048				3,307.20
	06/01/2027	15,000	5.000%	2.170%	123.381				3,507.15
	06/01/2028	10,000	5.000%	2.290%	122.265 C	2.503%	06/01/2027	100.000	2,226.50
	06/01/2029	15,000	5.000%	2.370%	121.528 C	2.746%	06/01/2027	100.000	3,229.20
	06/01/2030	15,000	5.000%	2.440%	120.887 C	2.943%	06/01/2027	100.000	3,133.05
	06/01/2031	15,000	5.000%	2.530%	120.070 C	3.127%	06/01/2027	100.000	3,010.50
	06/01/2032	15,000	5.000%	2.600%	119.438 C	3.273%	06/01/2027	100.000	2,915.70
	06/01/2033	195,000	5.000%	2.650%	118.989 C	3.387%	06/01/2027	100.000	37,028.55
	06/01/2034	205,000	5.000%	2.690%	118.632 C	3.482%	06/01/2027	100.000	38,195.60
	06/01/2035	215,000	5.000%	2.720%	118.365 C	3.560%	06/01/2027	100.000	39,484.75
	06/01/2036	225,000	5.000%	2.750%	118.098 C	3.630%	06/01/2027	100.000	40,720.50
	06/01/2037	235,000	5.000%	2.780%	117.832 C	3.693%	06/01/2027	100.000	41,905.20
	06/01/2038	70,000	5.000%	2.800%	117.655 C	3.744%	06/01/2027	100.000	12,358.50
		1,275,000							236,444.10

**BOND PRICING**

**Imperial County Local Transportation Authority  
Sales Tax Revenue Bonds, Series 2018C (City of Calipatria)**

Dated Date	04/05/2018	
Delivery Date	04/05/2018	
First Coupon	12/01/2018	
Par Amount	1,275,000.00	
Premium	236,444.10	
	<hr/>	
Production	1,511,444.10	118.544635%
Underwriter's Discount	(10,200.00)	(0.800000%)
	<hr/>	
Purchase Price	1,501,244.10	117.744635%
Accrued Interest		
	<hr/>	
Net Proceeds	1,501,244.10	

**BOND PRICING**

**Imperial County Local Transportation Authority  
Sales Tax Revenue Bonds, Series 2018D (City of Imperial)**

Bond Component	Maturity Date	Amount	Rate	Yield	Price	Yield to Maturity	Call Date	Call Price	Premium (-Discount)
Serial Bond:									
	06/01/2019	25,000	4.000%	1.420%	102.945				736.25
	06/01/2020	65,000	5.000%	1.590%	107.195				4,676.75
	06/01/2021	70,000	5.000%	1.650%	110.257				7,179.90
	06/01/2022	75,000	5.000%	1.700%	113.183				9,887.25
	06/01/2023	80,000	5.000%	1.760%	115.899				12,719.20
	06/01/2024	85,000	5.000%	1.870%	118.117				15,399.45
	06/01/2025	90,000	5.000%	1.960%	120.201				18,180.90
	06/01/2026	90,000	5.000%	2.050%	122.048				19,843.20
	06/01/2027	95,000	5.000%	2.170%	123.381				22,211.95
	06/01/2028	100,000	5.000%	2.290%	122.265	C 2.503%	06/01/2027	100.000	22,265.00
	06/01/2029	105,000	5.000%	2.370%	121.528	C 2.746%	06/01/2027	100.000	22,604.40
	06/01/2030	110,000	5.000%	2.440%	120.887	C 2.943%	06/01/2027	100.000	22,975.70
	06/01/2031	115,000	5.000%	2.530%	120.070	C 3.127%	06/01/2027	100.000	23,080.50
	06/01/2032	120,000	5.000%	2.600%	119.438	C 3.273%	06/01/2027	100.000	23,325.60
	06/01/2033	605,000	5.000%	2.650%	118.989	C 3.387%	06/01/2027	100.000	114,883.45
	06/01/2034	635,000	5.000%	2.690%	118.632	C 3.482%	06/01/2027	100.000	118,313.20
	06/01/2035	665,000	5.000%	2.720%	118.365	C 3.560%	06/01/2027	100.000	122,127.25
	06/01/2036	700,000	5.000%	2.750%	118.098	C 3.630%	06/01/2027	100.000	126,686.00
	06/01/2037	735,000	5.000%	2.780%	117.832	C 3.693%	06/01/2027	100.000	131,065.20
	06/01/2038	770,000	5.000%	2.800%	117.655	C 3.744%	06/01/2027	100.000	135,943.50
		5,335,000							974,104.65

**BOND PRICING**

**Imperial County Local Transportation Authority  
Sales Tax Revenue Bonds, Series 2018D (City of Imperial)**

Dated Date	04/05/2018	
Delivery Date	04/05/2018	
First Coupon	12/01/2018	
Par Amount	5,335,000.00	
Premium	974,104.65	
	<hr/>	
Production	6,309,104.65	118.258756%
Underwriter's Discount	(42,680.00)	(0.800000%)
	<hr/>	
Purchase Price	6,266,424.65	117.458756%
Accrued Interest		
	<hr/>	
Net Proceeds	6,266,424.65	

**BOND PRICING**

**Imperial County Local Transportation Authority  
Sales Tax Revenue Bonds, Series 2018E (County of Imperial)**

Bond Component	Maturity Date	Amount	Rate	Yield	Price	Yield to Maturity	Call Date	Call Price	Premium (-Discount)
Serial Bond:									
	06/01/2019	115,000	4.000%	1.420%	102.945				3,386.75
	06/01/2020	265,000	5.000%	1.590%	107.195				19,066.75
	06/01/2021	280,000	5.000%	1.650%	110.257				28,719.60
	06/01/2022	290,000	5.000%	1.700%	113.183				38,230.70
	06/01/2023	305,000	5.000%	1.760%	115.899				48,491.95
	06/01/2024	320,000	5.000%	1.870%	118.117				57,974.40
	06/01/2025	335,000	5.000%	1.960%	120.201				67,673.35
	06/01/2026	355,000	5.000%	2.050%	122.048				78,270.40
	06/01/2027	370,000	5.000%	2.170%	123.381				86,509.70
	06/01/2028	390,000	5.000%	2.290%	122.265 C	2.503%	06/01/2027	100.000	86,833.50
	06/01/2029	415,000	5.000%	2.370%	121.528 C	2.746%	06/01/2027	100.000	89,341.20
	06/01/2030	435,000	5.000%	2.440%	120.887 C	2.943%	06/01/2027	100.000	90,858.45
	06/01/2031	455,000	5.000%	2.530%	120.070 C	3.127%	06/01/2027	100.000	91,318.50
	06/01/2032	475,000	5.000%	2.600%	119.438 C	3.273%	06/01/2027	100.000	92,330.50
	06/01/2033	2,105,000	5.000%	2.650%	118.989 C	3.387%	06/01/2027	100.000	399,718.45
	06/01/2034	2,210,000	5.000%	2.690%	118.632 C	3.482%	06/01/2027	100.000	411,767.20
	06/01/2035	2,320,000	5.000%	2.720%	118.365 C	3.560%	06/01/2027	100.000	426,068.00
	06/01/2036	2,435,000	5.000%	2.750%	118.098 C	3.630%	06/01/2027	100.000	440,686.30
	06/01/2037	2,560,000	5.000%	2.780%	117.832 C	3.693%	06/01/2027	100.000	456,499.20
	06/01/2038	2,685,000	5.000%	2.800%	117.655 C	3.744%	06/01/2027	100.000	474,036.75
		19,120,000							3,487,781.65



**BOND PRICING**

**Imperial County Local Transportation Authority  
Sales Tax Revenue Bonds, Series 2018E (County of Imperial)**

Dated Date	04/05/2018	
Delivery Date	04/05/2018	
First Coupon	12/01/2018	
Par Amount	19,120,000.00	
Premium	3,487,781.65	
	<hr/>	
Production	22,607,781.65	118.241536%
Underwriter's Discount	(152,960.00)	(0.800000%)
	<hr/>	
Purchase Price	22,454,821.65	117.441536%
Accrued Interest		
	<hr/>	
Net Proceeds	22,454,821.65	

**BOND PRICING**

**Imperial County Local Transportation Authority  
Sales Tax Revenue Bonds, Series 2018A (City of Holtville)**

Bond Component	Maturity Date	Amount	Rate	Yield	Price	Yield to Maturity	Call Date	Call Price	Premium (-Discount)
Serial Bond:									
	06/01/2019	100,000	4.000%	1.420%	102.945				2,945.00
	06/01/2020	135,000	5.000%	1.590%	107.195				9,713.25
	06/01/2021	145,000	5.000%	1.650%	110.257				14,872.65
	06/01/2022	150,000	5.000%	1.700%	113.183				19,774.50
	06/01/2023	160,000	5.000%	1.760%	115.899				25,438.40
	06/01/2024	165,000	5.000%	1.870%	118.117				29,893.05
	06/01/2025	175,000	5.000%	1.960%	120.201				35,351.75
	06/01/2026	180,000	5.000%	2.050%	122.048				39,686.40
	06/01/2027	190,000	5.000%	2.170%	123.381				44,423.90
	06/01/2028	200,000	5.000%	2.290%	122.265 C	2.503%	06/01/2027	100.000	44,530.00
	06/01/2029	210,000	5.000%	2.370%	121.528 C	2.746%	06/01/2027	100.000	45,208.80
	06/01/2030	220,000	5.000%	2.440%	120.887 C	2.943%	06/01/2027	100.000	45,951.40
	06/01/2031	230,000	5.000%	2.530%	120.070 C	3.127%	06/01/2027	100.000	46,161.00
	06/01/2032	245,000	5.000%	2.600%	119.438 C	3.273%	06/01/2027	100.000	47,623.10
	06/01/2033	255,000	5.000%	2.650%	118.989 C	3.387%	06/01/2027	100.000	48,421.95
	06/01/2034	270,000	5.000%	2.690%	118.632 C	3.482%	06/01/2027	100.000	50,306.40
	06/01/2035	280,000	5.000%	2.720%	118.365 C	3.560%	06/01/2027	100.000	51,422.00
	06/01/2036	295,000	5.000%	2.750%	118.098 C	3.630%	06/01/2027	100.000	53,389.10
	06/01/2037	310,000	5.000%	2.780%	117.832 C	3.693%	06/01/2027	100.000	55,279.20
	06/01/2038	325,000	5.000%	2.800%	117.655 C	3.744%	06/01/2027	100.000	57,378.75
		4,240,000							767,770.60

**BOND PRICING**

**Imperial County Local Transportation Authority  
Sales Tax Revenue Bonds, Series 2018A (City of Holtville)**

Dated Date	04/05/2018	
Delivery Date	04/05/2018	
First Coupon	12/01/2018	
Par Amount	4,240,000.00	
Premium	767,770.60	
	<hr/>	
Production	5,007,770.60	118.107797%
Underwriter's Discount	(33,920.00)	(0.800000%)
	<hr/>	
Purchase Price	4,973,850.60	117.307797%
Accrued Interest		
	<hr/>	
Net Proceeds	4,973,850.60	

**BOND PRICING**

**Imperial County Local Transportation Authority  
Sales Tax Revenue Bonds, Series 2018G (City of El Centro)**

Bond Component	Maturity Date	Amount	Rate	Yield	Price	Yield to Maturity	Call Date	Call Price	Premium (-Discount)
Serial Bond:									
	06/01/2019	770,000	4.000%	1.420%	102.945				22,676.50
	06/01/2020	10,000	5.000%	1.590%	107.195				719.50
	06/01/2024	20,000	5.000%	1.870%	118.117				3,623.40
	06/01/2025	25,000	5.000%	1.960%	120.201				5,050.25
	06/01/2026	40,000	5.000%	2.050%	122.048				8,819.20
	06/01/2027	50,000	5.000%	2.170%	123.381				11,690.50
	06/01/2028	70,000	5.000%	2.290%	122.265 C	2.503%	06/01/2027	100.000	15,585.50
	06/01/2029	90,000	5.000%	2.370%	121.528 C	2.746%	06/01/2027	100.000	19,375.20
	06/01/2030	110,000	5.000%	2.440%	120.887 C	2.943%	06/01/2027	100.000	22,975.70
	06/01/2031	130,000	5.000%	2.530%	120.070 C	3.127%	06/01/2027	100.000	26,091.00
	06/01/2032	1,420,000	5.000%	2.600%	119.438 C	3.273%	06/01/2027	100.000	276,019.60
	06/01/2033	1,490,000	5.000%	2.650%	118.989 C	3.387%	06/01/2027	100.000	282,936.10
	06/01/2034	1,565,000	5.000%	2.690%	118.632 C	3.482%	06/01/2027	100.000	291,590.80
	06/01/2035	1,645,000	5.000%	2.720%	118.365 C	3.560%	06/01/2027	100.000	302,104.25
	06/01/2036	1,725,000	5.000%	2.750%	118.098 C	3.630%	06/01/2027	100.000	312,190.50
		9,160,000							1,601,448.00

**BOND PRICING**

**Imperial County Local Transportation Authority  
Sales Tax Revenue Bonds, Series 2018G (City of El Centro)**

Dated Date	04/05/2018	
Delivery Date	04/05/2018	
First Coupon	12/01/2018	
Par Amount	9,160,000.00	
Premium	1,601,448.00	
	<hr/>	
Production	10,761,448.00	117.483057%
Underwriter's Discount	(73,280.00)	(0.800000%)
	<hr/>	
Purchase Price	10,688,168.00	116.683057%
Accrued Interest		
	<hr/>	
Net Proceeds	10,688,168.00	

**AGGREGATE DEBT SERVICE**

**Imperial County Local Transportation Authority  
2018 Sales Tax Revenue Bonds  
Analysis is Preliminary and Subject to Change**

Date	Sales Tax Revenue Bonds, Series 2018A (City of Brawley)	Sales Tax Revenue Bonds, Series 2018B (City of Calexico)	Sales Tax Revenue Bonds, Series 2018C (City of Calipatria)	Sales Tax Revenue Bonds, Series 2018D (City of Imperial)	Sales Tax Revenue Bonds, Series 2018E (County of Imperial)	Sales Tax Revenue Bonds, Series 2018A (City of Holtville)	Sales Tax Revenue Bonds, Series 2018G (City of El Centro)	Aggregate Debt Service
12/01/2018	253,700	294,016.67	41,791.67	174,705.56	625,957.22	138,322.22	295,196.67	1,823,690.01
06/01/2019	243,500	224,250.00	31,875.00	158,250.00	592,425.00	205,500.00	995,150.00	2,450,950.00
12/01/2019	192,500	224,250.00	31,875.00	132,750.00	475,125.00	103,500.00	209,750.00	1,369,750.00
06/01/2020	307,500	224,250.00	31,875.00	197,750.00	740,125.00	238,500.00	219,750.00	1,959,750.00
12/01/2020	189,625	224,250.00	31,875.00	131,125.00	468,500.00	100,125.00	209,500.00	1,355,000.00
06/01/2021	309,625	224,250.00	31,875.00	201,125.00	748,500.00	245,125.00	209,500.00	1,970,000.00
12/01/2021	186,625	224,250.00	31,875.00	129,375.00	461,500.00	96,500.00	209,500.00	1,339,625.00
06/01/2022	311,625	224,250.00	31,875.00	204,375.00	751,500.00	246,500.00	209,500.00	1,979,625.00
12/01/2022	183,500	224,250.00	31,875.00	127,500.00	454,250.00	92,750.00	209,500.00	1,323,625.00
06/01/2023	318,500	294,250.00	41,875.00	207,500.00	759,250.00	252,750.00	209,500.00	2,083,625.00
12/01/2023	180,125	222,500.00	31,625.00	125,500.00	446,625.00	88,750.00	209,500.00	1,304,625.00
06/01/2024	315,125	292,500.00	41,625.00	210,500.00	766,625.00	253,750.00	229,500.00	2,109,625.00
12/01/2024	176,750	220,750.00	31,375.00	123,375.00	438,625.00	84,625.00	209,000.00	1,284,500.00
06/01/2025	321,750	295,750.00	41,375.00	213,375.00	773,625.00	259,625.00	234,000.00	2,139,500.00
12/01/2025	173,125	218,875.00	31,125.00	121,125.00	430,250.00	80,250.00	208,375.00	1,263,125.00
06/01/2026	323,125	298,875.00	46,125.00	211,125.00	785,250.00	260,250.00	248,375.00	2,173,125.00
12/01/2026	169,375	216,875.00	30,750.00	118,875.00	421,375.00	75,750.00	207,375.00	1,240,375.00
06/01/2027	324,375	301,875.00	45,750.00	213,875.00	791,375.00	265,750.00	257,375.00	2,200,375.00
12/01/2027	165,500	214,750.00	30,375.00	116,500.00	412,125.00	71,000.00	206,125.00	1,216,375.00
06/01/2028	330,500	299,750.00	40,375.00	216,500.00	802,125.00	271,000.00	276,125.00	2,236,375.00
12/01/2028	161,375	212,625.00	30,125.00	114,000.00	402,375.00	66,000.00	204,375.00	1,190,875.00
06/01/2029	336,375	307,625.00	45,125.00	219,000.00	817,375.00	276,000.00	294,375.00	2,295,875.00
12/01/2029	157,000	210,250.00	29,750.00	111,375.00	392,000.00	60,750.00	202,125.00	1,163,250.00
06/01/2030	337,000	305,250.00	44,750.00	221,375.00	827,000.00	280,750.00	312,125.00	2,328,250.00
12/01/2030	152,500	207,875.00	29,375.00	108,625.00	381,125.00	55,250.00	199,375.00	1,134,125.00
06/01/2031	342,500	307,875.00	44,375.00	223,625.00	836,125.00	285,250.00	329,375.00	2,369,125.00
12/01/2031	147,750	205,375.00	29,000.00	105,750.00	369,750.00	49,500.00	196,125.00	1,103,250.00

**AGGREGATE DEBT SERVICE**

**Imperial County Local Transportation Authority  
2018 Sales Tax Revenue Bonds  
Analysis is Preliminary and Subject to Change**

Date	Sales Tax Revenue Bonds, Series 2018A (City of Brawley)	Sales Tax Revenue Bonds, Series 2018B (City of Calexico)	Sales Tax Revenue Bonds, Series 2018C (City of Calipatria)	Sales Tax Revenue Bonds, Series 2018D (City of Imperial)	Sales Tax Revenue Bonds, Series 2018E (County of Imperial)	Sales Tax Revenue Bonds, Series 2018A (City of Holtville)	Sales Tax Revenue Bonds, Series 2018G (City of El Centro)	Aggregate Debt Service
06/01/2032	347,750	315,375.00	44,000.00	225,750.00	844,750.00	294,500.00	1,616,125.00	3,688,250.00
12/01/2032	142,750	202,625.00	28,625.00	102,750.00	357,875.00	43,375.00	160,625.00	1,038,625.00
06/01/2033	982,750	1,442,625.00	223,625.00	707,750.00	2,462,875.00	298,375.00	1,650,625.00	7,768,625.00
12/01/2033	121,750	171,625.00	23,750.00	87,625.00	305,250.00	37,000.00	123,375.00	870,375.00
06/01/2034	1,001,750	1,476,625.00	228,750.00	722,625.00	2,515,250.00	307,000.00	1,688,375.00	7,940,375.00
12/01/2034	99,750	139,000.00	18,625.00	71,750.00	250,000.00	30,250.00	84,250.00	693,625.00
06/01/2035	1,024,750	1,509,000.00	233,625.00	736,750.00	2,570,000.00	310,250.00	1,729,250.00	8,113,625.00
12/01/2035	76,625	104,750.00	13,250.00	55,125.00	192,000.00	23,250.00	43,125.00	508,125.00
06/01/2036	1,051,625	1,539,750.00	238,250.00	755,125.00	2,627,000.00	318,250.00	1,768,125.00	8,298,125.00
12/01/2036	52,250	68,875.00	7,625.00	37,625.00	131,125.00	15,875.00		313,375.00
06/01/2037	1,072,250	1,578,875.00	242,625.00	772,625.00	2,691,125.00	325,875.00		6,683,375.00
12/01/2037	26,750	31,125.00	1,750.00	19,250.00	67,125.00	8,125.00		154,125.00
06/01/2038	1,096,750	1,276,125.00	71,750.00	789,250.00	2,752,125.00	333,125.00		6,319,125.00
	13,708,450	16,578,016.67	2,337,916.67	9,522,955.56	33,937,382.22	6,849,072.22	15,864,346.67	98,798,140.01

**BOND SOLUTION**

**Imperial County Local Transportation Authority  
Sales Tax Revenue Bonds, Series 2018A (City of Brawley)**

Period Ending	Proposed Principal	Proposed Debt Service	Existing Debt Service	Total Adj Debt Service	Revenue Constraints	Unused Revenues	Debt Serv Coverage
06/30/2018			628,275	628,275	1,466,891	838,616	233.47921%
06/30/2019	50,000	497,200	628,225	1,125,425	1,466,891	341,466	130.341111%
06/30/2020	115,000	500,000	627,875	1,127,875	1,466,891	339,016	130.05798%
06/30/2021	120,000	499,250	628,675	1,127,925	1,466,891	338,966	130.05222%
06/30/2022	125,000	498,250	627,575	1,125,825	1,466,891	341,066	130.29481%
06/30/2023	135,000	502,000	626,175	1,128,175	1,466,891	338,716	130.02340%
06/30/2024	135,000	495,250	628,500	1,123,750	1,466,891	343,141	130.53539%
06/30/2025	145,000	498,500	628,250	1,126,750	1,466,891	340,141	130.18784%
06/30/2026	150,000	496,250	627,000	1,123,250	1,466,891	343,641	130.59350%
06/30/2027	155,000	493,750	629,750	1,123,500	1,466,891	343,391	130.56444%
06/30/2028	165,000	496,000	631,250	1,127,250	1,466,891	339,641	130.13009%
06/30/2029	175,000	497,750	626,500	1,124,250	1,466,891	342,641	130.47734%
06/30/2030	180,000	494,000	630,750	1,124,750	1,466,891	342,141	130.41934%
06/30/2031	190,000	495,000	628,500	1,123,500	1,466,891	343,391	130.56444%
06/30/2032	200,000	495,500	630,000	1,125,500	1,466,891	341,391	130.33243%
06/30/2033	840,000	1,125,500		1,125,500	1,466,891	341,391	130.33243%
06/30/2034	880,000	1,123,500		1,123,500	1,466,891	343,391	130.56444%
06/30/2035	925,000	1,124,500		1,124,500	1,466,891	342,391	130.44833%
06/30/2036	975,000	1,128,250		1,128,250	1,466,891	338,641	130.01476%
06/30/2037	1,020,000	1,124,500		1,124,500	1,466,891	342,391	130.44833%
06/30/2038	1,070,000	1,123,500		1,123,500	1,466,891	343,391	130.56444%
	7,750,000	13,708,450	9,427,300	23,135,750	30,804,721	7,668,971	



**BOND SOLUTION**

**Imperial County Local Transportation Authority  
Sales Tax Revenue Bonds, Series 2018B (City of Calexico)**

Period Ending	Proposed Principal	Proposed Debt Service	Existing Debt Service	Total Adj Debt Service	Revenue Constraints	Unused Revenues	Debt Serv Coverage
06/30/2018			1,131,300	1,131,300	2,144,167	1,012,867	189.53129%
06/30/2019		518,267	1,130,900	1,649,167	2,144,167	495,001	130.01521%
06/30/2020		448,500	1,129,500	1,578,000	2,144,167	566,167	135.87880%
06/30/2021		448,500	1,127,100	1,575,600	2,144,167	568,567	136.08577%
06/30/2022		448,500	1,130,800	1,579,300	2,144,167	564,867	135.76695%
06/30/2023	70,000	518,500	1,128,750	1,647,250	2,144,167	496,917	130.16649%
06/30/2024	70,000	515,000	1,131,000	1,646,000	2,144,167	498,167	130.26534%
06/30/2025	75,000	516,500	1,129,200	1,645,700	2,144,167	498,467	130.28908%
06/30/2026	80,000	517,750	1,131,200	1,648,950	2,144,167	495,217	130.03229%
06/30/2027	85,000	518,750	1,126,800	1,645,550	2,144,167	498,617	130.30096%
06/30/2028	85,000	514,500	1,131,200	1,645,700	2,144,167	498,467	130.28908%
06/30/2029	95,000	520,250	1,129,000	1,649,250	2,144,167	494,917	130.00864%
06/30/2030	95,000	515,500	1,130,400	1,645,900	2,144,167	498,267	130.27325%
06/30/2031	100,000	515,750	1,130,200	1,645,950	2,144,167	498,217	130.26929%
06/30/2032	110,000	520,750	1,128,400	1,649,150	2,144,167	495,017	130.01652%
06/30/2033	1,240,000	1,645,250		1,645,250	2,144,167	498,917	130.32472%
06/30/2034	1,305,000	1,648,250		1,648,250	2,144,167	495,917	130.08751%
06/30/2035	1,370,000	1,648,000		1,648,000	2,144,167	496,167	130.10725%
06/30/2036	1,435,000	1,644,500		1,644,500	2,144,167	499,667	130.38416%
06/30/2037	1,510,000	1,647,750		1,647,750	2,144,167	496,417	130.12699%
06/30/2038	1,245,000	1,307,250		1,307,250	2,144,167	836,917	164.02122%
	8,970,000	16,578,017	16,945,750	33,523,767	45,027,516	11,503,750	

**BOND SOLUTION**

**Imperial County Local Transportation Authority  
Sales Tax Revenue Bonds, Series 2018C (City of Calipatria)**

Period Ending	Proposed Principal	Proposed Debt Service	Existing Debt Service	Total Adj Debt Service	Revenue Constraints	Unused Revenues	Debt Serv Coverage
06/30/2018			177,725	177,725	329,957	152,232	185.65566%
06/30/2019		73,667	179,875	253,542	329,957	76,415	130.13897%
06/30/2020		63,750	176,875	240,625	329,957	89,332	137.12479%
06/30/2021		63,750	177,875	241,625	329,957	88,332	136.55728%
06/30/2022		63,750	174,725	238,475	329,957	91,482	138.36106%
06/30/2023	10,000	73,750	176,575	250,325	329,957	79,632	131.81126%
06/30/2024	10,000	73,250	178,000	251,250	329,957	78,707	131.32598%
06/30/2025	10,000	72,750	177,250	250,000	329,957	79,957	131.98261%
06/30/2026	15,000	77,250	176,250	253,500	329,957	76,457	130.16037%
06/30/2027	15,000	76,500	175,000	251,500	329,957	78,457	131.19544%
06/30/2028	10,000	70,750	178,500	249,250	329,957	80,707	132.37975%
06/30/2029	15,000	75,250	176,500	251,750	329,957	78,207	131.06516%
06/30/2030	15,000	74,500	179,250	253,750	329,957	76,207	130.03213%
06/30/2031	15,000	73,750	176,500	250,250	329,957	79,707	131.85076%
06/30/2032	15,000	73,000	178,500	251,500	329,957	78,457	131.19544%
06/30/2033	195,000	252,250		252,250	329,957	77,707	130.80536%
06/30/2034	205,000	252,500		252,500	329,957	77,457	130.67585%
06/30/2035	215,000	252,250		252,250	329,957	77,707	130.80536%
06/30/2036	225,000	251,500		251,500	329,957	78,457	131.19544%
06/30/2037	235,000	250,250		250,250	329,957	79,707	131.85076%
06/30/2038	70,000	73,500		73,500	329,957	256,457	448.92045%
	1,275,000	2,337,917	2,659,400	4,997,317	6,929,087	1,931,770	

**BOND SOLUTION**

**Imperial County Local Transportation Authority  
Sales Tax Revenue Bonds, Series 2018D (City of Imperial)**

Period Ending	Proposed Principal	Proposed Debt Service	Existing Debt Service	Total Adj Debt Service	Revenue Constraints	Unused Revenues	Debt Serv Coverage
06/30/2018			476,938	476,938	1,054,748	577,811	221.15021%
06/30/2019	25,000	332,956	474,288	807,243	1,054,748	247,505	130.66056%
06/30/2020	65,000	330,500	476,488	806,988	1,054,748	247,761	130.70193%
06/30/2021	70,000	332,250	475,688	807,938	1,054,748	246,811	130.54825%
06/30/2022	75,000	333,750	477,288	811,038	1,054,748	243,711	130.04926%
06/30/2023	80,000	335,000	473,588	808,588	1,054,748	246,161	130.44331%
06/30/2024	85,000	336,000	474,000	810,000	1,054,748	244,748	130.21584%
06/30/2025	90,000	336,750	473,750	810,500	1,054,748	244,248	130.13551%
06/30/2026	90,000	332,250	477,750	810,000	1,054,748	244,748	130.21584%
06/30/2027	95,000	332,750	475,750	808,500	1,054,748	246,248	130.45742%
06/30/2028	100,000	333,000	478,000	811,000	1,054,748	243,748	130.05527%
06/30/2029	105,000	333,000	474,250	807,250	1,054,748	247,498	130.65943%
06/30/2030	110,000	332,750	474,750	807,500	1,054,748	247,248	130.61898%
06/30/2031	115,000	332,250	474,250	806,500	1,054,748	248,248	130.78094%
06/30/2032	120,000	331,500	477,750	809,250	1,054,748	245,498	130.33652%
06/30/2033	605,000	810,500		810,500	1,054,748	244,248	130.13551%
06/30/2034	635,000	810,250		810,250	1,054,748	244,498	130.17566%
06/30/2035	665,000	808,500		808,500	1,054,748	246,248	130.45742%
06/30/2036	700,000	810,250		810,250	1,054,748	244,498	130.17566%
06/30/2037	735,000	810,250		810,250	1,054,748	244,498	130.17566%
06/30/2038	770,000	808,500		808,500	1,054,748	246,248	130.45742%
	5,335,000	9,522,956	7,134,525	16,657,481	22,149,714	5,492,233	

**BOND SOLUTION**

**Imperial County Local Transportation Authority  
Sales Tax Revenue Bonds, Series 2018E (County of Imperial)**

Period Ending	Proposed Principal	Proposed Debt Service	Existing Debt Service	Total Adj Debt Service	Revenue Constraints	Unused Revenues	Debt Serv Coverage
06/30/2018			1,606,650	1,606,650	3,671,109	2,064,459	228.49463%
06/30/2019	115,000	1,218,382	1,604,350	2,822,732	3,671,109	848,377	130.05516%
06/30/2020	265,000	1,215,250	1,606,300	2,821,550	3,671,109	849,559	130.10966%
06/30/2021	280,000	1,217,000	1,602,700	2,819,700	3,671,109	851,409	130.19502%
06/30/2022	290,000	1,213,000	1,607,700	2,820,700	3,671,109	850,409	130.14886%
06/30/2023	305,000	1,213,500	1,606,350	2,819,850	3,671,109	851,259	130.18809%
06/30/2024	320,000	1,213,250	1,607,600	2,820,850	3,671,109	850,259	130.14194%
06/30/2025	335,000	1,212,250	1,607,400	2,819,650	3,671,109	851,459	130.19733%
06/30/2026	355,000	1,215,500	1,605,400	2,820,900	3,671,109	850,209	130.13964%
06/30/2027	370,000	1,212,750	1,606,600	2,819,350	3,671,109	851,759	130.21118%
06/30/2028	390,000	1,214,250	1,605,800	2,820,050	3,671,109	851,059	130.17886%
06/30/2029	415,000	1,219,750	1,603,000	2,822,750	3,671,109	848,359	130.05434%
06/30/2030	435,000	1,219,000	1,603,200	2,822,200	3,671,109	848,909	130.07969%
06/30/2031	455,000	1,217,250	1,606,200	2,823,450	3,671,109	847,659	130.02210%
06/30/2032	475,000	1,214,500	1,606,800	2,821,300	3,671,109	849,809	130.12118%
06/30/2033	2,105,000	2,820,750		2,820,750	3,671,109	850,359	130.14656%
06/30/2034	2,210,000	2,820,500		2,820,500	3,671,109	850,609	130.15809%
06/30/2035	2,320,000	2,820,000		2,820,000	3,671,109	851,109	130.18117%
06/30/2036	2,435,000	2,819,000		2,819,000	3,671,109	852,109	130.22735%
06/30/2037	2,560,000	2,822,250		2,822,250	3,671,109	848,859	130.07738%
06/30/2038	2,685,000	2,819,250		2,819,250	3,671,109	851,859	130.21580%
	19,120,000	33,937,382	24,086,050	58,023,432	77,093,289	19,069,856	

**BOND SOLUTION**

**Imperial County Local Transportation Authority  
Sales Tax Revenue Bonds, Series 2018A (City of Holtville)**

Period Ending	Proposed Principal	Proposed Debt Service	Total Adj Debt Service	Revenue Constraints	Unused Revenues	Debt Serv Coverage
06/30/2018				449,326	449,326	
06/30/2019	100,000	343,822	343,822	449,326	105,504	130.68556%
06/30/2020	135,000	342,000	342,000	449,326	107,326	131.38187%
06/30/2021	145,000	345,250	345,250	449,326	104,076	130.14511%
06/30/2022	150,000	343,000	343,000	449,326	106,326	130.99883%
06/30/2023	160,000	345,500	345,500	449,326	103,826	130.05093%
06/30/2024	165,000	342,500	342,500	449,326	106,826	131.19007%
06/30/2025	175,000	344,250	344,250	449,326	105,076	130.52316%
06/30/2026	180,000	340,500	340,500	449,326	108,826	131.96064%
06/30/2027	190,000	341,500	341,500	449,326	107,826	131.57423%
06/30/2028	200,000	342,000	342,000	449,326	107,326	131.38187%
06/30/2029	210,000	342,000	342,000	449,326	107,326	131.38187%
06/30/2030	220,000	341,500	341,500	449,326	107,826	131.57423%
06/30/2031	230,000	340,500	340,500	449,326	108,826	131.96064%
06/30/2032	245,000	344,000	344,000	449,326	105,326	130.61802%
06/30/2033	255,000	341,750	341,750	449,326	107,576	131.47798%
06/30/2034	270,000	344,000	344,000	449,326	105,326	130.61802%
06/30/2035	280,000	340,500	340,500	449,326	108,826	131.96064%
06/30/2036	295,000	341,500	341,500	449,326	107,826	131.57423%
06/30/2037	310,000	341,750	341,750	449,326	107,576	131.47798%
06/30/2038	325,000	341,250	341,250	449,326	108,076	131.67062%
	4,240,000	6,849,072	6,849,072	9,435,846	2,586,773	

**BOND SOLUTION**

**Imperial County Local Transportation Authority  
Sales Tax Revenue Bonds, Series 2018G (City of El Centro)**

Period Ending	Proposed Principal	Proposed Debt Service	Existing Debt Service	Total Adj Debt Service	Revenue Constraints	Unused Revenues	Debt Serv Coverage
06/30/2018			503,365	503,365	2,359,568	1,856,203	468.75891%
06/30/2019	770,000	1,290,347	523,125	1,813,472	2,359,568	546,097	130.11332%
06/30/2020	10,000	429,500	1,385,313	1,814,813	2,359,568	544,756	130.01719%
06/30/2021		419,000	1,394,938	1,813,938	2,359,568	545,631	130.07991%
06/30/2022		419,000	1,390,025	1,809,025	2,359,568	550,543	130.43315%
06/30/2023		419,000	1,381,400	1,800,400	2,359,568	559,168	131.05800%
06/30/2024	20,000	439,000	1,374,063	1,813,063	2,359,568	546,506	130.14269%
06/30/2025	25,000	443,000	1,367,600	1,810,600	2,359,568	548,968	130.31969%
06/30/2026	40,000	456,750	1,356,600	1,813,350	2,359,568	546,218	130.12205%
06/30/2027	50,000	464,750	1,346,063	1,810,813	2,359,568	548,756	130.30440%
06/30/2028	70,000	482,250	1,330,575	1,812,825	2,359,568	546,743	130.15974%
06/30/2029	90,000	498,750	1,315,138	1,813,888	2,359,568	545,681	130.08350%
06/30/2030	110,000	514,250	1,299,338	1,813,588	2,359,568	545,981	130.10501%
06/30/2031	130,000	528,750	1,282,763	1,811,513	2,359,568	548,056	130.25404%
06/30/2032	1,420,000	1,812,250		1,812,250	2,359,568	547,318	130.20104%
06/30/2033	1,490,000	1,811,250		1,811,250	2,359,568	548,318	130.27292%
06/30/2034	1,565,000	1,811,750		1,811,750	2,359,568	547,818	130.23697%
06/30/2035	1,645,000	1,813,500		1,813,500	2,359,568	546,068	130.11129%
06/30/2036	1,725,000	1,811,250		1,811,250	2,359,568	548,318	130.27292%
06/30/2037					2,359,568	2,359,568	
06/30/2038					2,359,568	2,359,568	
	9,160,000	15,864,347	17,250,303	33,114,649	49,550,934	16,436,285	

# VI. INFORMATION CALENDAR

- B. 2016 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) – Amendment 3



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

January 5, 2018

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

**SUBJECT: 2016 Regional Transportation Plan/Sustainable Communities Strategy – Amendment 3**

Dear Committee Members:

The Southern California Association of Governments (SCAG) has approved the regional 2016 Regional Transportation Plan/Sustainable Communities Strategy (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 3 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 will be preparing to submit one project as part of Amendment 3.

Lead Agency	Project Description	Project Type
ICTC	Expansion of the Calexico East Port of Entry – Phase 1: widen bridge over the All American Canal. Phase 2: increase the number of Commercial Vehicle lanes from existing 3 to 6 lanes; add 6 new northbound Privately Owned Vehicle (POV) lanes; pedestrian pathway improvements including shaded sidewalks and transit lot (pick-up and drop-off area).	Existing project – amending project description

This is an information item only and does not require any action.

Sincerely,

MARK BAZA  
 Executive Director

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



# VI. INFORMATION CALENDAR

- C. Senate Bill 1 Trade Corridor Enhancement Program –  
Grant Applications



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

January 5, 2018

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

**SUBJECT: Senate Bill 1 Trade Corridor Enhancement Program – Grant Applications**

Dear Committee Members:

Senate Bill 1 (SB 1) provides an ongoing source of state funding dedicated to freight-related projects by establishing the new Trade Corridor Enhancement Program (TCEP). The objective of the TCEP is to fund infrastructure improvements on federally designated Trade Corridors of National and Regional Significance, on the Primary Freight Network, as identified in the California Freight Mobility Plan, and along other corridors that have a high volume of freight movement as determined by the California Transportation Commission.

Caltrans District 11 in partnership with the Imperial County Transportation Commission (ICTC) will be submitting the following two applications under the Trade Corridor Enhancement Program:

Project Description	Work Phase	Funding Amount
Expansion of the Calexico East Port of Entry – widen bridge over the All American Canal	Environmental & Design	\$3 Million
State Route 98 Widening Phase 1C between Ollie Avenue and Rockwood Avenue	Construction	\$7 Million

The projects submitted under this call of TCEP are part of Imperial County's freight network priority needs. If awarded, the projects would alleviate congestion, decrease cross border wait times, and enhance international trade and commerce for the Imperial Valley Region.

This is an information item only and does not require any action.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Mark Baza', is written over a white background.

MARK BAZA  
Executive Director

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

# VII. ACTION CALENDAR

## VII. ACTION CALENDAR

### A. Rotation of Chair and Vice-Chair Positions



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

January 5, 2018

ICTC Management Committee  
Imperial County Transportation Commission  
1503 N. Imperial Ave Suite 104  
El Centro, CA 92243

SUBJECT:      Rotation of Chair and Vice-Chair Positions

Dear Committee Members:

The ICTC Management Committee has historically rotated the Chair and Vice Chair positions from amongst the member agencies. Both of these positions serve for a period of approximately one year. Attached is a review of Chair positions since 2004.

It is requested that the Management Committee take any appropriate action in the consideration of the rotation and assignment of the two positions.

Sincerely,

  
MARK BAZA  
Executive Director

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

IVAG / ICTC CHAIR & VICE CHAIR positions (Management Committee)

	CHAIR	VICE CHAIR
calendar year		
2017	Calipatria	Calexico
2016	Imperial	Calipatria
2015	Brawley	Imperial
2014	Holtville	Brawley
2013	El Centro	Holtville
2012	County	Imperial
2011	Calipatria	County
2010	Calipatria	County
2009	Calexico	Calipatria
2008	Brawley	Calexico
2007	Holtville	Brawley
2006	County	Holtville
2005	El Centro	Calexico
2004	Calexico	Imperial

Frequency of Positions

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Brawley	2 Brawley	2
Calipatria	3 Calipatria	2
Calexico	2 Calexico	3
El Centro	2 El Centro	1
Holtville	2 Holtville	2
Imperial	1 Imperial	3
Westmorland	1 Westmorland	1
County	2 County	2
IID	0 IID	0

# VII. ACTION CALENDAR

## VII. ACTION CALENDAR

B. Draft Regional Collaboration (RC) Budget, FY 2017-2018



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

January 5, 2018

ICTC Management Committee  
Imperial County Transportation Commission  
1503 N. Imperial Avenue, Suite 104  
El Centro, CA 92243

SUBJECT: Draft Regional Collaboration (RC) Budget, FY 2017-2018

Dear Committee Members:

ICTC, in partnership with the Imperial Valley Economic Development Corp. (IVEDC) submitted a grant to the U.S. Environmental Protection Agency (EPA) and was awarded a grant for \$300,000 under the *Brownfields Assessment* program.

The identification and future cleanup of brownfields sites plays a key role in maximizing redevelopment opportunities to encourage private investment and transform blighted, vacant, and/or underutilized areas into thriving communities. ICTC and IVEDC's redevelopment strategy focuses on infill, mixed-use, and transit-oriented development designed to attract patrons to the City of Brawley's downtown corridor, while providing access to more retail and service oriented establishments.

The activities covered under this EPA grant include consultant conducted environmental site assessments which will help identify the presence or potential presence of hazardous substances and petroleum within the identified target area.

A Request for Proposal from qualified environmental engineering firms is also under development. A recommendation for contract award is scheduled to be brought to the Commission for award in March 2018.

A new budget unit entitled "Regional Collaboration" (7557001) has tentatively been created to track the grant revenues and expenditures. This budget unit is separate from other ICTC transit and transportation related projects.

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

This budget proposes expenditures for contract administration, grant reporting and related staffing expense, as well as, funding for consultant and other office related expenses.

The Draft Regional Collaboration Budget is hereby presented for your review and recommendation prior to finalization for approval to our ICTC Board. The RC Budget is balanced and provides for development and implementation of this specific project. It is anticipated that future non transit or non transportation related projects would also use this budget unit with amendments in the future.

Following review and input, it is requested that the ICTC Management Committee recommend that the Draft Regional Collaboration Budget for FY 2017-2018 be presented to the Commission for review and approval after public comment, if any.

Sincerely,



MARK BAZA  
Executive Director

MB/ksw/cl

Attachments



**IMPERIAL COUNTY TRANSPORTATION COMMISSION FY 2017-18 DRAFT**

**ICTC REGIONAL COLLABORATION 7577001**

	1	2	3	4	5	6	7
<b>REVENUES</b>							
A	430000	On hand balance/Interest revenue				\$	-
B	456040	Federal Revenues - EPA Brownfields Assessment - Brawley				\$	300,000

<b>C Total Revenues</b>						\$	300,000
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**EXPENDITURES**

<u>Administration and Operations</u>							
D	501000/525010	ICTC Administrative Staffing and Support				\$	9,360
E		- Contract admin, grant reporting and oversight					
F		- Interagency consultation, legislative affairs					
G	531040	Travel Expense (ICTC, IVEDC)				\$	16,000
H	522000	office exp, communications, IT, (ICTC, IVEDC )				\$	7,300

<b>I Administration and Operations Subtotal</b>						\$	32,660
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<u>Professional and Specialized Projects and Services</u>							
J	525010	Environmental Engineering and Investigator Consultant Services				\$	257,980
K	525010	IVEDC Administrative staffing and support				\$	9,360
		- Contract admin, grant reporting and oversight					
		- Interagency consultation, legislative affairs					
						\$	267,340

<b>L Total Projects, Services, Plans and Programs</b>						\$	267,340
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<b>M Total Expenditures</b>						\$	300,000
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# VII. ACTION CALENDAR

## VII. ACTION CALENDAR

### C. SCAG – ICTC Memorandum of Understanding (MOU)



1503 N. IMPERIAL AVE., SUITE 1  
EL CENTRO, CA 92243-2875  
PHONE: (760) 592-4494  
FAX: (760) 592-4410

January 4, 2018

ICTC Management Committee  
Imperial County Transportation Commission  
1503 N. Imperial Ave., Suite 104  
El Centro, CA 92243

SUBJECT: SCAG – ICTC Memorandum of Understanding (MOU)

Dear Committee Members:

SCAG seeks to enter into a Memorandum of Understanding (MOU) with ICTC to cooperatively determine their mutual responsibilities in carrying out the metropolitan transportation planning and programming processes, in accordance with 23 CFR 450.314

This MOU reflects the most recent metropolitan transportation planning regulations as set forth under 23 CFR Section 450.314, which requires that SCAG, the State and providers of public transportation to cooperatively determine their mutual responsibilities in carrying out the metropolitan transportation planning process, including specific provisions including but not limited to the development of financial plans that support the Regional Transportation Plan, Federal Transportation Improvement Program (FTIP), and the development of the annual listing of obligated projects.

An MOU between SCAG and the other subregions has been in effect for several years. This is the first opportunity for ICTC to enter into the same type of MOU.

ICTC staff forwards this request to the Management Committee and recommends that the Commission take the following actions, after the receipt of public comment, if any:

1. Authorize the Chairperson to sign the SCAG – ICTC Memorandum of Understanding (MOU) 2018.
2. Direct staff to forward the MOU to SCAG for further processing.

Sincerely,

A handwritten signature in blue ink that reads 'Mark Baza'.

MARK BAZA  
Executive Director

MB/ksw/cl

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

**Memorandum of Understanding (MOU)**  
**By and Between the Southern California Association of Governments (SCAG) and**  
**Imperial County Transportation Commission (ICTC)**

This Memorandum of Understanding (MOU), is entered into and effective this \_\_\_\_\_ day of \_\_\_\_\_, 2018, by and between the Southern California Association of Governments (SCAG) and Imperial County Transportation Commission (ICTC), to cooperatively determine their mutual responsibilities in carrying out the metropolitan transportation planning and programming processes, in accordance with 23 CFR 450.314. ICTC and SCAG are collectively referred to herein as the "Parties."

**RECITALS**

**WHEREAS**, SCAG is a Joint Powers Agency formed pursuant to Section 6502 of the California Government Code;

**WHEREAS**, SCAG is the designated Metropolitan Planning Organization (MPO) for the counties of Imperial, Los Angeles, Orange, Riverside, San Bernardino, and Ventura, pursuant to Title 23, United States Code Section 134(d);

**WHEREAS**, SCAG is responsible for maintaining a continuing, cooperative, and comprehensive transportation planning process which involves preparation, adoption and update of a Regional Transportation Plan (RTP), pursuant to Title 23, United States Code Section 134 *et seq.*, Title 49, United States Code Section 5303 *et seq.*, and Title 23, Code of Federal Regulations (CFR) Section 450 *et seq.*;

**WHEREAS**, SCAG is the multicounty designated transportation planning agency pursuant to Public Utilities Code Section 130004 and California Government Code Section 29532 and is responsible for preparation, adoption and update of the RTP every four years, pursuant to California Government Code Section 65080 *et seq.*;

**WHEREAS**, pursuant to Senate Bill (SB) 375 (Steinberg, 2008) as codified in Government Code Section 65080(b) *et seq.*, SCAG is also required to prepare a Sustainable Communities Strategy (SCS) for incorporation into the RTP that demonstrates how the region will meet its greenhouse gas (GHG) reduction targets as set forth by the California Air Resources Board (ARB);

**WHEREAS**, the SCAG Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) sets forth the long-range regional plans and strategies for transportation improvements and regional growth throughout the SCAG region;

**WHEREAS**, the RTP/SCS consists of a financially constrained plan and strategic plan. The constrained plan includes projects that have committed, available or reasonably available revenue sources, and are thus probable for implementation. The strategic plan is for information purposes only and identifies potential projects that require additional study,

consensus building, and identification of funding sources before making the decision as to whether to include these projects in a future RTP/SCS constrained plan;

**WHEREAS**, SCAG is further responsible for preparing and adopting the Federal Transportation Improvement Program (FTIP) (known as the regional transportation improvement program under state law) every two years pursuant to Government Code Sections 14527 and 65082, and Public Utilities Code Section 130301 *et seq.*;

**WHEREAS**, in non-attainment and maintenance areas for transportation-related criteria pollutants, the MPO, as well as the Federal Highway Administration (FHWA) and Federal Transit Administration (FTA), must make a conformity determination on any updated or amended RTP in accordance with the federal Clean Air Act to ensure that federally supported highway and transit project activities conform to the purpose of the State Implementation Plan (SIP);

**WHEREAS**, pursuant to Government Code Section 65080 (b)(2)(F) and federal public participation requirements including 23 CFR Section 450.316(b)(1)(iv), SCAG must prepare the RTP/SCS by providing adequate public notice of public involvement activities and time for public review. The SCAG Public Participation Plan, as amended and adopted on April 3, 2014, serves as a guide for SCAG's public involvement process, including the public involvement process to be used for the RTP/SCS and an enhanced outreach program that incorporates the public participation requirements under SB 375 and adds strategies to better serve the underrepresented segments of the region;

**WHEREAS**, in 2007, to coordinate metropolitan transportation planning in accordance with federal law, SCAG entered into Memoranda of Understanding with providers of public transportation in five other counties in the region, including County Transportation Commissions (CTCs) and transit operators;

**WHEREAS**, in 2009, the Imperial County Transportation Commission (ICTC) was established pursuant to Senate Bill 607 (Ducheny) and amended by Senate Bill 1318 (Lowenthal);

**WHEREAS**, SCAG now seeks to enter into a Memorandum of Understanding with ICTC to reflect most recent metropolitan transportation planning regulations as set forth under 23 CFR Section 450.314, which requires SCAG, the State and providers of public transportation to cooperatively determine their mutual responsibilities in carrying out the metropolitan transportation planning process, including specific provisions for the development of financial plans that support the RTP and FTIP, and development of the annual listing of obligated projects;

**WHEREAS**, SCAG has entered into a separate Memorandum of Understanding with the State of California Department of Transportation, updated and effective July 7, 2017, in accordance with 23 CFR Section 450.314;

**WHEREAS**, ICTC is a County Transportation Commission created pursuant to Public Utilities Code Section 132800 and is charged pursuant thereto for approval of all projects in Imperial County utilizing federal and state highway and transit funds and is responsible for transportation programming and long and short range transportation planning in Imperial County;

**WHEREAS**, ICTC, branded as Imperial Valley Transit, provides transit service within Imperial County; and

**WHEREAS**, the Parties desire to utilize this MOU to specify cooperative procedures for carrying out the metropolitan transportation planning process as required by 23 CFR 450.314 and any successors thereto, and as may be subject to any final rule-making.

**NOW, THEREFORE IN CONSIDERATION OF THE MUTUAL PROMISES AND COVENANTS PROVIDED FOR HEREIN, THE PARTIES HEREBY AGREE AS FOLLOWS:**

## Section I

### PLANNING AND COORDINATION PROCESS

- 1.1 **SCAG's Role:** SCAG is the agency with the overall responsibility for continuous, comprehensive and coordinated regional transportation planning in the six county SCAG region. In accordance with applicable federal and state laws these responsibilities primarily include but are not limited to preparation and adoption of the RTP/SCS and FTIP.
- 1.2 **ICTC's County Transportation Commission Role:** ICTC is responsible for continuous, comprehensive and coordinated transportation and transit planning, and project implementation within Imperial County. These responsibilities include but are not limited to the development and adoption of the County Transportation Improvement Program (TIP) for Imperial County, development of corridor and sub-regional studies, short and long range transit planning and allocation of transit funds in Imperial County. ICTC is also responsible for ensuring that the Imperial County transit projects, plans and programs identified in ICTC's Congestion Management Program (CMP) and through other activities and the County TIPs for Imperial County are recommended to SCAG for inclusion in the RTP, FTIP, and regional transportation studies.
- 1.3 **Certification and Assurances:** In carrying out their respective responsibilities under this MOU, each party shall comply with the requirements and any successors thereto, referenced in SCAG's annual Certifications and Assurances (FHWA and FTA "Metropolitan Transportation Planning Process Certification") submitted as part of SCAG's Overall Work Program, including but not limited to:

- a. Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. 2000d-1) and 49 CFR part 21 and related federal guidelines including but not limited to FTA Circular 4702.1;
- b. 49 U.S.C. 5332, prohibiting discrimination on the basis of race, color, creed, national origin, sex, or age in employment or business opportunity;
- c. Section 1101(b) of the FAST Act (Pub. L. 114-94) and 49 CFR part 26 regarding the involvement of disadvantaged business enterprises in USDOT funded projects;
- d. 23 CFR part 230, regarding the implementation of an equal employment opportunity program on Federal and Federal-aid highway construction contracts;
- e. The provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) and 49 CFR parts 27, 37, and 38;
- f. The Older Americans Act, as amended (42 U.S.C. 6101), prohibiting discrimination on the basis of age in programs or activities receiving Federal financial assistance;
- g. Section 324 of title 23 U.S.C. regarding the prohibition of discrimination based on gender; and
- h. Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and 49 CFR part 27 regarding discrimination against individuals with disabilities.

**1.4 Coordination Process:** SCAG shall engage in a consultative process with ICTC, in accordance with applicable federal and state laws and regulations, and successors thereto, pertaining to the roles and responsibilities of the Parties in metropolitan transportation planning.

- a. SCAG shall provide timely notice of the opportunity to comment on its Draft RTP and Draft FTIP to the parties and the opportunity to participate in Overall Work Program development.
- b. SCAG shall continue maintaining the Regional Transit Technical Advisory Committee or a successor group, to provide a forum for ICTC, other CTCs, and Transit Operators, to participate in the metropolitan transportation planning process.
- c. ICTC agrees to participate in SCAG's Technical Working Group or any successor group established to serve the same function which shall also serve as a forum to ensure that local transportation projects, plans and programs are effectively integrated into the RTP and FTIP updates.
- d. The Executive Officers of SCAG and the CTCs shall continue to meet regularly to ensure executive coordination of regional/county/local transportation issues, including issues regarding transit coordination.
- e. The Parties shall cooperatively develop an annual listing of projects for which funds under 23 U.S.C. or 49 U.S.C. Chapter 53 were obligated in the preceding program year, in accordance with 23 CFR 450.334.
- f. The Parties shall cooperatively develop estimates of funds that will be available to support RTP/SCS implementation, and reasonable financial principles and

- information that support revenue and cost estimates, to be used in the RTP and FTIP financial plan, in accordance with 23 CFR 450.324(f)(11).
- g. The Parties agree to collaborate to implement federal performance reporting and performance-based planning provisions in accordance with 23 CFR 450.306(d)(2)(iii), and subject to applicable final rulemaking. The Parties further agree to coordinate to the maximum extent practicable in the selection of performance targets, and will cooperatively develop and share information related to transportation performance data, the selection of performance targets, the reporting of performance targets, and the reporting of performance to be used in tracking progress toward attainment of critical outcomes for the SCAG region, in accordance with 23 CFR 450.314(h)(1).
  - h. To aid in the planning process, ICTC shall make available to SCAG their Transit Asset Management Plan and any supporting records or documents, performance targets, investment strategies, and annual condition assessment report, upon request of SCAG and in accordance with the RTP/SCS development schedule, in order to fulfill requirements of 49 CFR 625.53.
  - i. SCAG shall integrate in the metropolitan transportation planning process, directly or by reference, the goals, objectives, performance measures, and targets described in the Transit Asset Management Plans and Public Transportation Agency Safety Plans developed by providers of public transportation, in accordance with 23 CFR 450.306(d)(4).
  - j. ICTC may choose to rely on SCAG's public participation process associated with the FTIP development to satisfy the requirement for public participation in developing the FTA Section 5307 program of projects (POP). SCAG agrees to incorporate in the FTIP document(s) an explicit statements reflecting that public notice of public involvement activities and time established for public review and comment on the FTIP will satisfy the POP requirements of the Section 5307 Program.

## Section 2

### General Provisions

- 2.1 **Drafting:** This MOU has been prepared by all parties and has been reviewed and endorsed by each.
- 2.2 **Amendments:** This MOU may be amended only by the execution by all parties of a written amendment.
- 2.3 **Indemnity:** Each of the parties to this MOU is a public entity. Pursuant to Government Code Section 895.4, each party shall indemnify, defend and hold each of the other parties, and their respective officers, agents and employees harmless from and against any liability and expenses, including defense costs, any costs or liability on account of bodily injury, death or personal injury of any person or for damage to or loss of property,



any legal fees and any claims for damages attributable only to performance of the responsibilities as set forth in Section 1 (Planning and Coordination Process) of this MOU by the indemnifying party (Indemnitor) or its officers, agents employees, contractors and subcontractors under this MOU, except to the extent caused by the negligence or willful misconduct of an indemnified party (Indemnitee).

- 2.4 Termination:** Any party may terminate this MOU upon ninety (90) days written notice to each party, providing that the notice of termination set forth the effective date of termination and the reason for termination. Additionally, the notice of termination shall provide that the parties during the period prior to the effective date of termination shall meet to try to resolve any dispute. In the event that the termination is for cause, the termination shall not be effective if the party cures the default in its performance within the ninety day period.
- 2.5 Jurisdiction and Venue:** This MOU shall be deemed an Agreement under the laws of the State of California and for all purposes shall be interpreted in accordance with such laws. All parties hereby agree and consent to the exclusive jurisdiction of the courts of the State of California and that the venue of any action brought hereunder shall be in Los Angeles County, California.
- 2.6 Non-assignment:** No party may assign this MOU, or any part thereof, without the written consent of each party to this MOU.
- 2.7 Notice:** Any notice or notices required or permitted to be given pursuant to this MOU may be personally served on the other party by the party giving such notice, or may be served by certified mail, return receipt requested, to the following addresses:

Executive Director  
Southern California Association of Governments  
818 West 7th Street, 12th Floor  
Los Angeles, California 90017-3435

Executive Director  
Imperial County Transportation Commission  
1503 N. Imperial Ave., Suite 104  
El Centro, CA 92243

Each undersigned party agrees to notify the other party of any changes to the address for receipt of Notices.

- 2.8 Effective Date:** This MOU shall be effective on the date (meaning the last date indicated below) all parties have fully executed this MOU.
- 2.9 Execution of Agreement or Amendments:** This MOU, or any amendment related

thereto (Amendment), may be executed in multiple counterparts, each of which shall be deemed to be an original, but all of which shall constitute one and the same agreement. The signature page of this MOU or any Amendment may be executed by way of a manual or authorized digital signature. Delivery of an executed counterpart of a signature page to this MOU or an Amendment by electronic transmission scanned pages shall be deemed effective as a delivery of a manually or digitally executed counterpart to this MOU or any Amendment.

[SIGNATURE PAGE TO FOLLOW]

IN WITNESS WHEREOF, the Parties have caused this MOU to be executed by their duly authorized representatives on the dates set forth below.

**The Southern California Association of Governments (“SCAG”)**

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Hasan Ikhata  
Executive Director

Approved as to Form:

\_\_\_\_\_ Date: \_\_\_\_\_  
Joanna Africa  
Chief Counsel/Director of Legal Services

**Imperial County Transportation Commission (“ICTC”)**

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Mark Baza  
Executive Director

Approved as to Form:

\_\_\_\_\_ Date: \_\_\_\_\_  
Eric Havens, Deputy County Counsel

# VII. ACTION CALENDAR

- D. Memorandum of Agreement (MOA) between the Imperial County Transportation Commission (ICTC) and Imperial Valley Economic Development Corporation (IVEDC) – Brownsfield Assessment Project



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

January 5, 2018

ICTC Management Committee  
Imperial County Transportation Commission  
1503 N. Imperial Ave Suite 104  
El Centro, CA 92243

**SUBJECT:** Memorandum of Agreement (MOA) between the Imperial County Transportation Commission (ICTC) and Imperial Valley Economic Development Corporation (IVEDC) – Brownsfield Assessment Project

Dear Committee Members:

The Imperial County Transportation Commission (ICTC) was awarded a grant from the U.S. Environmental Protection Agency (EPA) to conduct Community Brownsfield Assessment focused on the City of Brawley’s downtown area and transit corridor. The grant award identifies IVEDC as a co-lead and project partner. ICTC will serve as the administrative agency handling the procurement of the project and IVEDC will work with the selected consultant to carry out the day to day work in cooperation with ICTC. The attached memorandum of agreement establishes the roles and responsibilities between ICTC and IVEDC required for administration and completion of the project. The funding summary for the project is as follows:

Grant Funds:	\$ 300,000
Consultant Services:	\$ 257,980
ICTC/IVEDC Staff Support & Travel:	\$ 42,020
Total Project Cost	\$ 300,000

The project will have additional in-kind contributions from ICTC, IVEDC and other coalition partners. The proposed Brownsfield Assessment project will identify site specific opportunities to assess and develop a plan for remediation. The assessment will provide grant opportunities to implement remediation and subsequent opportunities for redevelopment.

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

It is requested that the ICTC Management Committee forward this item to the ICTC Commission for their review and approval.

1. Authorize the Chairman to sign the Memorandum of Agreement between Imperial County Transportation Commission and Imperial Valley Economic Development Corporation (IVEDC) for the Brownsfield Assessment Project.

Sincerely,



MARK BAZA  
Executive Director

MB/cl

Attachments

1 **MEMORANDUM OF AGREEMENT**

2 THIS MEMORANDUM OF AGREEMENT (“MOA”), entered into this \_\_\_\_\_ day of  
3 \_\_\_\_\_, 2018, is by and between the IMPERIAL COUNTY TRANSPORTATION  
4 COMMISSION (“ICTC”), and the IMPERIAL VALLEY ECONOMIC DEVELOPMENT  
5 CORPORATION, a California corporation (“IVEDC”), (individually, “Party;” collectively, “Parties”).

6 **RECITALS**

7 **WHEREAS** the U.S. Environmental Protection Agency’s (“EPA”) Brownfields Program  
8 (“Program”) provides funds to empower states, communities, tribes, and nonprofits to prevent,  
9 inventory, assess, clean up, and reuse brownfields sites; and

10 **WHEREAS** a “brownfields site” is defined by the EPA as “real property, the expansion,  
11 redevelopment, or reuse of which may be complicated by the presence or potential presence of  
12 hazardous substances, pollutants, contaminants, controlled substances, petroleum or petroleum  
13 products, or is mine-scarred land”; and

14 **WHEREAS** ICTC has been selected to receive a Brownfields Assessment Grant award of three  
15 hundred thousand dollars (\$300,000) for three (3) years which will be used to identify, assess, and  
16 redevelop brownfields sites in Brawley, California; and

17 **WHEREAS** ICTC will be the Lead Coalition Member and IVEDC will be a Coalition Partner.

18 **NOW THEREFORE**, for and in consideration of the mutual promises set out herein, ICTC and  
19 IVEDC have and hereby agree as follows:

20 1. On \_\_\_\_\_, EPA awarded the Brownfields Assessment Grant to ICTC,  
21 the Lead Coalition Member. This MOA shall commence on \_\_\_\_\_ and shall  
22 remain in effect through \_\_\_\_\_.

23 2. ICTC is responsible to EPA for management of the Cooperative Agreement and  
24 compliance with the statutes, regulations, and terms and conditions of the award, and ensuring that all  
25 members of the coalition are in compliance with the terms and conditions.

26 3. It is the responsibility of ICTC and IVEDC to provide timely information to the other  
27 Coalition Members regarding the management of the Cooperative Agreement and any changes that may  
28 be made to the Cooperative Agreement over the period of performance.

1           4.       Activities funded through the Cooperative Agreement may include inventory preparation, site  
2 selection criteria development, assessments, planning (including cleanup planning) relating to brownfields sites,  
3 and outreach materials and implementation, and other eligible activities. ICTC may retain consultant(s) and  
4 contractors under 40 CFR 30.36 to undertake various activities funded through the cooperative agreement and  
5 may award subgrants to other coalition members under 40 CFR 31.37 for assessment projects in their geographic  
6 areas. Subgrantees are accountable to ICTC for proper expenditure of funds.

7           5.       ICTC will procure the consultant(s) in compliance with 40 CFR 31.36 requirements. ICTC  
8 will issue the Request for Proposals or Request for Qualifications and will be the entity responsible for  
9 receipt of the submitted proposals and selection and award of contracts. ICTC will consult with IVEDC  
10 and other coalition members in making selections of consultants and contractors and negotiating the terms  
11 of agreements.

12           6.       ICTC, in consultation with IVEDC and the Coalition Partners, will work to develop a site  
13 selection process based on agreed upon factors and will ensure that a minimum of five sites are assessed  
14 over the life of the cooperative agreement. Selected sites will be submitted to EPA for prior approval to  
15 ensure eligibility.

16           7.       Upon designation of the specific sites, it will be the responsibility of ICTC and IVEDC to  
17 work with the appropriate coalition member in whose geographic area the site is located to finalize the  
18 scope of work for the consultant or contractor. It will be the responsibility of this member and consultant or  
19 contractor to obtain all required permits, easements, and/or access agreements as may be necessary to  
20 undertake assessments at the selected site(s). If this member does not have the capacity to perform these  
21 activities, then ICTC, IVEDC, or consultant may assist in securing necessary site access agreements and  
22 permits with support from the consultant or contractor team.

23           8.       ICTC and IVEDC are responsible for ensuring that other activities as negotiated in the  
24 workplan, such as community outreach and involvement, are implemented in accordance with a schedule  
25 agreed upon by ICTC, IVEDC, and the coalition member in whose geographic area the site to be assessed is  
26 located.

27           9.       Anything to the contrary herein notwithstanding, IVEDC understands and agrees that all  
28 EPA-mandated terms shall be deemed to control in the event of a conflict with other provisions



1 contained in this MOA. IVEDC shall not perform any act, fail to perform any act, or refuse to comply  
2 with any ICTC requests which would cause ICTC to be in violation of EPA's terms and conditions.

3 10. Parties agree to comply with all guidelines, requirements, and conditions associated with  
4 the grant of EPA funds as specified in the FY17 Guidelines for Brownfields Assessment Grants  
5 (attached hereto as **Exhibit "A"** and incorporated herein by this reference). Parties also understand and  
6 agree to comply with all Federal, State, and Local rules and regulations with respect to their roles in the  
7 Program.

8 11. Parties agree that they are entering into this MOA with the understanding that funding  
9 for the Program will be provided by the EPA's Brownfields Program. Should circumstances change  
10 such that funding is not provided, then this MOA shall become null and void.

11 12. Parties, on their own behalf and the behalf of its agents and employees, agree that each  
12 is acting in an independent capacity and not as an agent, officer, or employee of either of the other  
13 Parties.

14 13. IVEDC shall allow ICTC or its designated agent(s) to audit its books and records  
15 relating to its use of the grant funds, provided ICTC gives IVEDC ten (10) working days notice of its  
16 intent to conduct such an audit. IVEDC shall also direct a Certified Public Accountant to prepare  
17 audits both annually and when the Program is completed for submission to ICTC at IVEDC's expense.

18 14. Parties represent and warrant that the people executing this MOA on their respective  
19 behalf have the authority to sign this MOA and bind all Parties to the performance of all duties and  
20 obligations assumed herein.

21 15. It is understood and agreed that IVEDC and ICTC maintain insurance policies or  
22 self-insurance programs to fund their respective liabilities. Parties agree that such respective programs  
23 or policy coverage for Workers' Compensation shall contain a waiver of subrogation as to the other  
24 Party and each of its members, board members, officers, officials, employees and agents. Evidence of  
25 Insurance, e.g., Certificates of Insurance or other similar documentation, shall not be required of either  
26 Party under this MOA.

27 16. IVEDC shall indemnify, hold harmless and defend ICTC and each of its members, board  
28 members, officers, officials, employees and agents from any and all loss, liability, fines, penalties,

1 forfeitures, costs and damages (whether in contract, tort or strict liability, including but not limited to  
2 personal injury, death at any time and property damage) incurred by IVEDC, ICTC or any other person,  
3 and from any and all claims, demands and actions in law or equity (including attorney's fees and  
4 litigation expenses), arising or alleged to have arisen directly or indirectly from the negligent or  
5 intentional acts or omissions, or willful misconduct of IVEDC or any of its members, board members,  
6 officers, officials, employees or agents in the performance of this MOA.

7 ICTC shall indemnify, hold harmless and defend IVEDC and each of its members, board  
8 members, officers, officials, employees and agents from any and all loss, liability, fines, penalties,  
9 forfeitures, costs and damages (whether in contract, tort or strict liability, including but not limited to  
10 personal injury, death at any time and property damage) incurred by ICTC, IVEDC or any other person,  
11 and from any and all claims, demands and actions in law or equity (including attorney's fees and  
12 litigation expenses), arising or alleged to have arisen directly or indirectly from the negligent or  
13 intentional acts or omissions, or willful misconduct of ICTC or any of its members, board members,  
14 officers, officials, employees or agents in the performance of this MOA.

15 In the event of concurrent negligence on the part of IVEDC and any of its members, board  
16 members, officers, officials, employees and agents, and ICTC or any of its members, board members,  
17 officers, officials, employees and agents, the liability for any and all such claims, demands and actions  
18 in law or equity for such losses, fines, penalties, forfeitures, costs and damages shall be apportioned  
19 under the State of California's theory of comparative negligence as presently established or as may be  
20 modified hereafter.

21 This section shall survive termination or expiration of this MOA.

22 17. Both Parties retain the right to terminate this MOA with or without cause by notifying  
23 the other Party in writing thirty (30) days prior to termination.

24 18. Nothing herein contained shall be construed to create, and the Parties hereto expressly  
25 disclaim any intent to create, any form of agency relationship, joint venture, or partnership.

26 19. If any term or provision of this MOA, or the application of such provision to a particular  
27 situation, is held by a court of competent jurisdiction to be void, invalid or otherwise unenforceable, the  
28 remaining terms and provisions shall continue in full force and effect.

1           20.     This MOA is made and entered into in Imperial County, California. This MOA shall be  
2 construed and enforced in accordance with the laws of the State of California, except that the Parties  
3 agree that any action brought by either Party regarding this MOA shall be brought in a court of  
4 competent jurisdiction in Imperial County.

5           21.     The Parties hereto agree to act in good faith and deal fairly with the other Party in the  
6 performance of this MOA.

7           22.     Notices required hereunder shall be in writing and may be given either personally or by  
8 registered or certified mail, postage prepaid, return receipt requested. If given by registered or certified  
9 mail, such notice shall be addressed as indicated below and shall be deemed given and received upon  
10 the earlier of actual receipt by the Party to whom the notice was sent or return of the requested receipt  
11 to the Party giving notice. Notice personally given shall be deemed given when delivered to the Party  
12 to whom the notice is addressed. Any Party may upon ten (10) days written notice to the other Parties,  
13 change the address where notices are to be sent.

14                     NOTICES TO ICTC

14   NOTICES TO IVEDC

15                     Imperial County Transportation Commission  
16                     Attn: ICTC Project Coordinator  
17                     1503 N. Imperial Avenue, Suite 104  
18                     El Centro, CA 92243  
19                     Telephone: (760) 592-4494  
                      Facsimile: (760) 592-4410



20           23.     This MOA constitutes the full and complete agreement between the Parties. All prior  
21 agreements and understandings with respect to the subject matter of this MOA are merged herein. This  
22 MOA may be executed in counterparts.

23           24.     Any modifications within the scope of the MOA shall be made by mutual consent of the  
24 Parties, by the issuance of a written modification, signed and dated by both Parties, prior to any  
25 changes being made.

26 ///

27 ///

28 ///

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

3 **IMPERIAL COUNTY**  
4 **TRANSPORTATION COMMISSION:**

**IMPERIAL VALLEY ECONOMIC**  
**DEVELOPMENT CORPORATION:**

5  
6 By: \_\_\_\_\_

7  
8       Chairman

By: \_\_\_\_\_

Timothy Kelley  
Chief Executive Officer

9 **ATTEST:**

10  
11  
12 By: \_\_\_\_\_

13       CRISTI LERMA  
14       Secretary to the Commission

15 **APPROVED AS TO FORM:**

16  
17 KATHERINE TURNER  
18 County Counsel

19  
20 By: \_\_\_\_\_

21       SARAH SAUER  
22       Deputy County Counsel

# EXHIBIT A

## OVERVIEW

**AGENCY:** ENVIRONMENTAL PROTECTION AGENCY (EPA)

**TITLE:** FY17 Guidelines for Brownfields Assessment Grants

**ACTION:** Request for Proposals (RFP)

**RFP NO:** EPA-OLEM-OBLR-16-08

**CATALOG OF FEDERAL DOMESTIC ASSISTANCE (CFDA) NO.:** 66.818

**DATES:** The closing date and time for receipt of proposals is December 22, 2016, 11:59 p.m. Eastern Time (ET). Proposals must be submitted through [www.grants.gov](http://www.grants.gov). Proposals received after 11:59 ET on December 22, 2016 will not be considered. Please refer to Section IV.B., *Due Date and Submission Instructions*, for further instructions.

**SUMMARY:** The Small Business Liability Relief and Brownfields Revitalization Act (“Brownfields Law”, P.L. 107-118) requires the U.S. Environmental Protection Agency (EPA) to publish guidance for grants to assess and clean up brownfield sites. EPA’s Brownfields Program provides funds to empower states, communities, tribes, and nonprofits to prevent, inventory, assess, clean up, and reuse brownfield sites.

Under these guidelines, EPA is seeking proposals for **Assessment Grants only**. If you are interested in requesting funding for Cleanup Grants, please refer to announcement EPA-OLEM-OBLR-16-09 (Cleanup Grant Guidelines) posted separately on [www.grants.gov](http://www.grants.gov) and [www.epa.gov/brownfields/apply-brownfields-grant-funding](http://www.epa.gov/brownfields/apply-brownfields-grant-funding).

Note: A solicitation for new Revolving Loan Fund (RLF) Grants will not be issued in FY17. EPA expects to solicit requests from existing, high-performing RLF grantees for supplemental funding through a Federal Register notice in early 2017.

For the purposes of these guidelines, the term “grant” refers to the cooperative agreement that EPA will award to a successful applicant. Please refer to Section II.C. for a description of EPA’s anticipated substantial involvement in the cooperative agreements awarded under these guidelines.

EPA urges applicants to review the Frequently Asked Questions, which can be found at [www.epa.gov/sites/production/files/2016-08/documents/fy17\\_faqs.pdf](http://www.epa.gov/sites/production/files/2016-08/documents/fy17_faqs.pdf).

In addition, prior to naming a contractor or subawardee in your proposal, please carefully review Section IV.E. of these guidelines.

**FUNDING/AWARDS:** The total funding available under the national competitions for Assessment and Cleanup Grants is estimated at \$54 million subject to the availability of funds and other applicable considerations. EPA may expend up to 25 percent of the amount

appropriated for Brownfields Grants on sites contaminated with petroleum. EPA anticipates awarding an estimated 294 grants among assessment and cleanup grant types. Under this competitive opportunity, EPA anticipates awarding an estimated 234 Assessment Grants for an estimated \$42 million.

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## **SECTION I. - FUNDING OPPORTUNITY DESCRIPTION**

The Comprehensive Environmental Response, Compensation and Liability Act (CERCLA or the Superfund Law) was amended by the Small Business Liability Relief and Brownfields Revitalization Act (Brownfields Law) to include section 104(k), which provides federal financial assistance for brownfields revitalization, including grants for assessment, cleanup, and revolving loan funds.

A **brownfield site is defined** as real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of hazardous substances, pollutants, contaminants, controlled substances, petroleum or petroleum products, or is mine-scarred land.

A critical part of EPA's assessment and cleanup efforts is to ensure that residents living in communities historically affected by economic disinvestment, health disparities, and environmental contamination have an opportunity to reap the benefits from brownfields redevelopment. EPA's Brownfields Program has a rich history rooted in environmental justice and is committed to helping communities revitalize brownfield properties, mitigate potential health risks, and restore economic vitality.

As described in Section V. of this announcement, proposals will be evaluated based, among other factors, on the extent to which the applicant demonstrates: economic and environmental needs of the target communities; a vision for the reuse and redevelopment of brownfield sites and the capability to achieve that vision; reasonable and eligible tasks and use of grant funding; incorporation of equitable and sustainable approaches; community engagement, partnerships and leveraged resources to complete the project; and economic, environmental, health, and social benefits associated with the reuse and redevelopment of brownfield sites.

### **I.A. Description of Grant**

Assessment Grants provide funding for developing inventories of brownfields, prioritizing sites, conducting community involvement activities, conducting site assessments and cleanup planning related to brownfield sites. Assessment Grant funds may not be used to conduct cleanups. Assessment grants for individual applicants can be either community-wide or site-specific. Community-wide proposals are appropriate when a specific site is not identified and the applicant plans to spend grant funds on more than one brownfield in its community. Site-specific proposals are appropriate when a specific site has been identified and the applicant plans to spend grant funds on this one site only. The performance period for Assessment Grants is three years. Refer to Section VI. for a list of certain grant and programmatic requirements.

Applicants that exceed the maximum number of proposals allowable for Assessment Grants will be contacted, prior to review of any of the proposals by EPA, to determine which proposals the applicant will withdraw from the competition.

**Assessment Grant Option Summary**

<b>1. Community-Wide</b>	<b>2. Site-Specific</b>	<b>3. Coalition</b>
<p><b>NEW:</b> Up to \$200,000 for hazardous substances OR \$200,000 for petroleum</p> <p>Up to \$300,000 for hazardous substances AND petroleum; where the amount of hazardous substances or petroleum does not exceed \$200,000 for any individual type of grant funding</p>	<p>Up to \$200,000 for hazardous substances, or petroleum, or combination of both types of funding</p>	<p>Up to \$600,000 for hazardous substances, or petroleum, or combination of both types of funding</p>
No waiver of funding limit	May request a waiver for up to \$350,000	No waiver of funding limit
<p>Maximum amount for hazardous substances OR petroleum: \$200,000</p> <p>Maximum amount for hazardous substances AND petroleum: \$300,000; not exceed \$200,000 for any individual type of grant funding</p>	<p>Maximum amount: \$350,000</p>	<p>Maximum amount: \$600,000</p>
May also apply for a Site-specific Grant; may not apply as a member of a coalition	May also apply for a Community-wide Grant; may not apply as a member of a coalition	May not apply for an individual Community-wide or Site-specific Grant or as part of another coalition

1. **Community-Wide Assessment Grants**

For Community-wide proposals, applicants may request hazardous substances funding<sup>1</sup> for sites with potential contamination of hazardous substances, pollutants, or contaminants and petroleum funding<sup>2</sup> for sites with potential petroleum contamination. Applicants may apply for up to \$200,000 in hazardous substances funding **or** up to \$200,000 in petroleum funding.

<sup>1</sup> Sites eligible for hazardous substances funding are those sites with the presence or potential presence of hazardous substances, pollutants, contaminants, sites that are contaminated with controlled substances or that are mine-scarred lands. For more information on sites eligible for hazardous substances funding, please refer to the Brownfields FAQs at [www.epa.gov/sites/production/files/2016-08/documents/fy17\\_faqs.pdf](http://www.epa.gov/sites/production/files/2016-08/documents/fy17_faqs.pdf).

<sup>2</sup> Sites eligible for petroleum funding are those sites that meet the definition set forth in CERCLA § 101(39)(D)(ii)(II), as further described in Appendix 1, Section 1.3.2.

Applicants applying for both hazardous substances funding **and** petroleum funding may request a combined total up to \$300,000; however, the request for hazardous substances funding or petroleum funding cannot exceed \$200,000 for any one individual type of grant funding. For example, an applicant may apply for \$200,000 in hazardous substances funding and \$100,000 in petroleum funding. Applicants may either combine requests for hazardous substances funding and petroleum funding into one proposal for up to \$300,000 or applicants may submit separate proposals for a combined total up to \$300,000. An applicant that submits a combined Community-wide Assessment Grant proposal or two separate Community-wide Assessment Grant proposals may also apply for a Site-specific Assessment Grant.

## 2. Site-Specific Assessment Grants

For Site-specific proposals, applicants may request up to \$200,000 to address hazardous substances<sup>1</sup> or petroleum contamination<sup>2</sup> at a specified site. Applicants can apply for only one Site-specific Assessment Grant. Site-specific Assessment proposals must respond to the site eligibility threshold criteria in Section III.C. appropriate to the contamination at the site.

If the site is co-mingled with both hazardous substances and petroleum contamination and the hazardous substances and petroleum-contaminated areas of the site are distinguishable, the proposal must address both eligibility criteria and indicate the dollar amount of funding requested for each type of contamination. If the petroleum and hazardous substances are not easily distinguishable, the applicant must indicate which contaminant is predominant based on available information and respond to the appropriate site eligibility criteria. (Contact your Regional Brownfields Contact listed in Section VII. for more information.) Note that an applicant cannot propose an alternate site if the site identified in the proposal is determined by EPA to be ineligible for brownfields funding.

Applicants may request a waiver of the \$200,000 limit and request up to \$350,000 for a single site based on the anticipated level of contamination, size, or status of ownership of the site. Applicants requesting a waiver must attach a **one-page** justification for the waiver request. Further pages will not be considered. The justification should include a description of the extent of contamination at the site, the size of the site, and the reasons for requesting additional funding. For more information on the site-specific waiver justification, please refer to the Brownfields Frequently Asked Questions (FAQs) at [www.epa.gov/sites/production/files/2016-08/documents/fy17\\_faqs.pdf](http://www.epa.gov/sites/production/files/2016-08/documents/fy17_faqs.pdf)

## 3. Assessment Coalition Grants

Assessment Coalition proposals may be submitted by one “lead” eligible entity on behalf of a coalition of eligible entities to create a “pool” of grant funds (see Section III.A. for a list of entities eligible to apply for an Assessment Grant). A coalition is a group of three or more eligible entities that submits one grant proposal, requesting funding up to \$600,000, under the name of one of the coalition participants who will be the grant recipient, if selected. Coalition members may not have the same jurisdiction (for example, different departments in the same county) unless they are separate legal entities (for example, a city and a redevelopment

agency). The grant recipient must administer the grant, be accountable to EPA for proper expenditure of the funds, and be the point of contact for the other coalition members. All Assessment Coalition Grant proposals must be community-wide proposals; therefore, the applicant does not need to respond to the site eligibility threshold criteria in Section III.C. Site eligibility will be determined after grant award and prior to expending grant funds at any site. Coalitions will be required to assess a minimum of five sites.

Please note that once the “lead” eligible entity submits the proposal it becomes the applicant and the coalition members may not substitute another eligible entity as the lead eligible entity after the deadline for submitting proposals has passed.

A Memorandum of Agreement (MOA) documenting the coalition’s site selection process must be in place prior to the expenditure of any funds that have been awarded to the coalition. The coalition members should identify and establish relationships necessary to achieve the project’s goal. A process for successful execution of the project’s goal, to include a description and role of each coalition member, should be established along with the MOA. The purpose of the MOA is for coalition members to agree internally on the distribution of funds and the mechanisms for implementing the assessment work. MOAs do not need to be included as part of your proposal.

**Coalition members may not be members of other coalitions or apply for their own assessment funding.** A coalition member wishing to apply as part of a different coalition or as a separate applicant must withdraw from the coalition to be eligible for individual assessment funds.

For more information on a range of brownfields topics, please refer to the Brownfields FAQs at [www.epa.gov/sites/production/files/2016-08/documents/fy17\\_faqs.pdf](http://www.epa.gov/sites/production/files/2016-08/documents/fy17_faqs.pdf). If you do not have access to the Internet, you can contact your Regional Brownfields Contact listed in Section VII.

## **I.B. Uses of Grant Funds**

In addition to direct costs associated with the inventory, assessment, and cleanup planning for brownfield sites, grant funds also may be used for the following activities:

1. Grant funds may be used for direct costs associated with programmatic management of the grant, such as required performance reporting and environmental oversight.

All costs charged to Assessment Grants must be consistent with the applicable OMB Cost Circular 2 CFR 200 Subpart E.

2. A local government (as defined in 2 CFR 200.64, *Local Government*, and summarized in Section III.A. of these guidelines) may use up to 10 percent of its grant funds for any of the following activities:
  - a. health monitoring of populations exposed to hazardous substances, pollutants, or contaminants from a brownfield site; and

- b. monitoring and enforcement of any institutional control used to prevent human exposure to any hazardous substance, pollutant, or contaminant from a brownfield site.
3. A portion of the brownfields grant may be used to purchase environmental insurance.

See the Brownfields FAQs at [www.epa.gov/sites/production/files/2016-08/documents/fy17\\_faqs.pdf](http://www.epa.gov/sites/production/files/2016-08/documents/fy17_faqs.pdf) for additional information on purchasing environmental insurance.

**Grant funds cannot be used for the payment of:**

1. proposal preparation costs;
2. a penalty or fine;
3. a federal cost-share requirement (for example, a cost share required by other federal funds);
4. administrative costs, such as indirect costs of grant administration with the exception of financial and performance reporting costs;
5. a response cost at a brownfield site for which the recipient of the grant or loan is potentially liable under CERCLA §107;
6. a cost of compliance with any federal law, excluding the cost of compliance with laws applicable to the cleanup; or
7. unallowable costs (e.g., lobbying and fundraising) under OMB Circulars A-21, A-87, or A-122, as applicable.

See the Brownfields FAQs at [www.epa.gov/sites/production/files/2016-08/documents/fy17\\_faqs.pdf](http://www.epa.gov/sites/production/files/2016-08/documents/fy17_faqs.pdf) for additional information on ineligible grant activities and ineligible costs.

**I.C. EPA Strategic Plan Linkage**

EPA's 2014-2018 Strategic Plan defines goals, objectives and sub-objectives for protecting human health and the environment. Brownfields Assessment Grants will support progress toward Goal 3 (Cleaning Up Communities and Advancing Sustainable Development), Objective 3.1 (Promote Sustainable and Livable Communities). Specifically, these grants will help sustain, clean up and restore communities and the ecological systems that support them by providing funds to assess and clean up brownfield sites. EPA will negotiate work plans with recipients to collect information about the hazardous substances, pollutants and petroleum contaminants addressed and the amount of land made safe for communities' economic and ecological use. View EPA's Strategic Plan at <http://www.epa.gov/planandbudget/strategicplan>.

#### **I.D. Measuring Environmental Results: Anticipated Outputs/Outcomes**

Pursuant to EPA Order 5700.7, “Environmental Results under EPA Assistance Agreements,” EPA requires that all grant applicants and recipients adequately address environmental outputs and outcomes. View EPA’s Order 5700.7A1 at <https://www.epa.gov/sites/production/files/documents/common-elem-ref.pdf>.

EPA must report on the success of its Brownfields Program through measurable outputs and outcomes, such as the number of sites assessed, number of jobs created and amount of funding leveraged. Applicants are required to describe how funding will help EPA achieve environmental outputs and outcomes in their responses to the ranking criteria (Sections IV.C.3.2., *Project Description and Feasibility of Success* and IV.C.3.4., *Project Benefits*). Outputs and outcomes specific to each project will be identified as deliverables in the negotiated work plan if the proposal is selected for award. Grantees will be expected to report progress toward the attainment of expected project outputs and outcomes during the project performance period.

Outputs and Outcomes are defined as follows.

1. **Outputs:** The term “outputs” refers to an environmental activity, effort and/or associated work products related to an environmental goal or objective that will be produced or provided over a period of time or by a specified date. Outputs may be quantitative or qualitative but must be measurable during the project period. The expected outputs for the grants awarded under these guidelines may include but are not limited to the number of brownfield sites identified, development of an area-wide plan, number of Phase I and Phase II site assessments, and number of community meetings held.
2. **Outcomes:** The term “outcomes” refers to the result, effect, or consequence that will occur from carrying out the activities under the grant. Outcomes may be environmental, behavioral, health-related, or programmatic; must be qualitative or quantitative; and may not necessarily be achievable during the project period. Expected outcomes of Brownfields Grants include the number of jobs created and funding leveraged through the economic reuse of sites; the number of acres made ready for reuse or acres of greenspace created for communities; and whether the project will minimize exposure to hazardous substances and other contamination.

#### **I.E. Linking to HUD-DOT-EPA Partnership for Sustainable Communities, Sustainable and Equitable Development Outcomes, and Supporting Environmental Justice**

Under the Project Benefits ranking criterion in Section IV.C.3.4., applicants will be evaluated on how their proposed Brownfield Assessment project will advance and incorporate sustainable practices such as the HUD-DOT-EPA Livability Principles discussed below. In addition, the proposal will be evaluated on the extent to which it will lead to sustainable and equitable development outcomes and will address environmental justice challenges as discussed below. EPA encourages applicants to provide specific examples of how the proposed Brownfield Assessment projects will work to remove economic, environmental and social barriers to make sustainable and equitable brownfields reuse of the highest priority.

### Linking to the HUD-DOT-EPA Partnership for Sustainable Communities

EPA's Brownfields Assessment Program is being carried out consistent with the principles of the Partnership for Sustainable Communities (PSC) among the U.S. Department of Housing and Urban Development (HUD), U.S. Department of Transportation (DOT), and U.S. EPA. The Partnership was conceived to advance coordinated infrastructure investment to improve economic prosperity and build healthy, environmentally sustainable, and opportunity-rich communities for all Americans, regardless of race or income. Recognizing the fundamental role that public investment plays in achieving these outcomes, the Administration charged three agencies whose programs impact the physical form of communities - HUD, DOT, and EPA - to coordinate and incorporate the Livability Principles into their policies and funding programs to the maximum degree possible. The Livability Principles can be found at [www.sustainablecommunities.gov](http://www.sustainablecommunities.gov) and include: (1) Providing more transportation choices; (2) Promoting equitable, affordable housing; (3) Increasing economic competitiveness; (4) Supporting existing communities; (5) Leveraging federal investment; and (6) Valuing communities and neighborhoods.

### Linking Brownfield Assessment Approaches to Sustainable and Equitable Development Outcomes

Applicants should incorporate sustainable and equitable reuse approaches into their proposed Brownfield Assessment projects. The Agency may also consider how well an applicant's proposed project is coordinated with HUD, DOT, EPA programs and programs available from other potential federal and non-federal partners. Sustainable and equitable approaches can ensure brownfields are reused in ways that:

- contribute to greener and healthier homes, buildings, and neighborhoods;
- mitigate environmental conditions through effective deconstruction and remediation strategies which address solid and hazardous waste, and improve air and water quality;
- improve access by residents to greenspace, recreational property, transit, schools, other nonprofit uses (e.g., libraries, health clinics, youth centers, etc.), and healthy and affordable food;
- improve employment and affordable housing opportunities for local residents;
- reduce toxicity, illegal dumping, and blighted vacant parcels; and
- retain residents who have historically lived within the area affected by brownfields.

*Sustainable development* practices facilitate environmentally-sensitive brownfields cleanup and redevelopment while also helping to make communities more attractive, economically stronger, and more socially diverse. While ensuring consistency with community-identified priorities, sustainable development approaches encourage brownfield site reuse in ways that provide new jobs, commercial opportunities, open-space amenities, and/or social services to an existing neighborhood. Brownfields site preparation strategies that prevent contaminant exposure through green building design, materials recycling, enable urban agricultural reuse, promote walkability to/around the site and contribute to community walkability, and on-site stormwater management through green infrastructure, among other approaches, can contribute to sustainable development outcomes.

*Equitable development* outcomes come about when intentional strategies are put in place to ensure that low-income and minority communities not only participate in but also benefit from,

decisions that shape their neighborhoods and regions. There are many different approaches that promote equitable development, such as ensuring a mix of housing types across a range of incomes; access to fresh food; access to jobs; and access to local capital. Programs or policies can be put in place to help ensure creation or integration of affordable housing; local or first-source hiring; minority contracting; inclusionary zoning (where a percentage of new housing is designated as affordable housing); healthy food retailers in places where they do not exist (e.g. food deserts); co-operative ownership models where local residents come together to run a community-owned, jointly owned business enterprise; rent control or community land trusts (to help keep property affordable for residents); supportive local entrepreneurial activities; and adherence to equal lending opportunities.

Linking Brownfield Assessment Approaches to Environmental Justice

*Environmental justice* can be supported through sustainable and equitable development approaches. EPA defines environmental justice as the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies. EPA has this goal for all communities and persons across the nation. Environmental justice will be achieved when everyone enjoys the same degree of protection from environmental and health hazards and equal access to the decision-making process to have a healthy environment in which to live, learn, and work.<sup>3</sup>

**I.F. Regional Priorities**

In the narrative proposal, applicants must include information on how their proposed Brownfields Assessment project will advance the regional priorities identified in the list below that apply to the region where the project will be performed. This information may be considered by the Selection Official as an “other factor,” as described in Sections V.B. and V.C. of the guidelines, during the selection process. If more than one priority is listed for a region then the applicant may include information on one or both of the priorities; although addressing both does not necessarily mean it will benefit them more than if they only address one. The information provided should clearly indicate how the project addresses the applicable priority for the region in which the project is located. For example, if applying to perform a project in US EPA Region 1, then describe how the project will address a regional priority listed for Region 1. Please see Section VII. to identify the region where your project is located.

**Proposed projects must be for activities which inventory, characterize, assess and conduct planning relating to one or more brownfields sites.**

Region	Regional Priority(ies)
1	<ul style="list-style-type: none"> <li data-bbox="354 1602 1365 1772">▪ <b>Assistance to Communities That Have Limited In-House Capacity to Manage Brownfields Projects</b> – This regional priority includes proposed projects that provide support to communities that have limited capacity or administrative infrastructure to effectively manage brownfields programs. Proposals that include partnerships among governmental entities having shared</li> </ul>

<sup>3</sup> For more information please visit [www.epa.gov/environmentaljustice](http://www.epa.gov/environmentaljustice).



	<p>jurisdiction over the target sites (e.g. state, regional authorities, local governments) relate to this priority.</p> <p><b><u>OR</u></b></p> <ul style="list-style-type: none"> <li>▪ <b>Coordinated Public Funding for Brownfields</b> – This regional priority includes proposed projects that complement other brownfield efforts receiving federal, state or local funding or where the community is working with federal, state, or local governments to address their brownfields. EPA Region 1 is particularly interested in projects where the applicant has already been working with federal, state, or local agencies, or where funding has been received and the EPA grant would “fill the gaps” to establish a comprehensive approach to Brownfields site characterization, assessment, cleanup and redevelopment.</li> </ul>
2	<ul style="list-style-type: none"> <li>▪ <b>Assistance to Communities That Have Limited In-House Capacity to Manage Brownfields Projects</b> – This regional priority includes proposed projects that provide support to communities that have limited capacity or administrative infrastructure to effectively manage brownfields programs. Proposals that include partnerships among governmental entities having shared jurisdiction over the target sites (e.g. state, regional authorities, local governments) relate to this priority.</li> </ul> <p><b><u>OR</u></b></p> <ul style="list-style-type: none"> <li>▪ <b>Climate Change Resiliency</b> – This regional priority includes proposed projects which will advance or contribute to community climate change resiliency through the “green” use or reuse of existing infrastructure, protection of greenfields, or similar activities to address flooding due to sea level rise, stormwater runoff, or an extreme weather event.</li> </ul>
3	<ul style="list-style-type: none"> <li>▪ <b>Climate Change Resiliency</b> – This regional priority includes proposed projects which will advance or contribute to community climate change resiliency through the “green” use or reuse of existing infrastructure, protection of greenfields, or similar activities to address flooding due to sea level rise, stormwater runoff, or an extreme weather event.</li> </ul> <p><b><u>OR</u></b></p> <ul style="list-style-type: none"> <li>▪ <b>Coordinated Public Funding for Brownfields</b> – This regional priority includes proposed projects that complement other brownfield efforts receiving federal, state or local funding or where the community is working with federal, state, or local governments to address their brownfields. EPA Region 3 is particularly interested in projects where the applicant has already been working with federal, state, or local agencies, or where funding has been received and the EPA grant would “fill the gaps” to establish a comprehensive approach to Brownfields site characterization, assessment, cleanup and redevelopment.</li> </ul>
4	<ul style="list-style-type: none"> <li>▪ <b>Assistance to Communities That Have Limited In-House Capacity to Manage Brownfields Projects</b> – This regional priority includes proposed projects that provide support to communities that have limited capacity or</li> </ul>

	<p>administrative infrastructure to effectively manage brownfields programs. Proposals that include partnerships among governmental entities having shared jurisdiction over the target sites (e.g. state, regional authorities, local governments) relate to this priority.</p>
5	<ul style="list-style-type: none"> <li>▪ <b>Coordinated Public Funding for Brownfields</b> – This regional priority includes proposed projects that complement other efforts receiving federal, state or local funding or assistance. EPA Region 5 is particularly interested in projects that supplement publicly funded site characterization and remediation projects in Great Lakes Areas of Concern, projects that serve areas where there are already coordinated federal agency partnerships investing in brownfields, or similar sources of public funding that can be leveraged for brownfields purposes, or where funding has been received and the EPA grant would “fill the gaps” to establish a comprehensive approach to Brownfields site characterization, assessment, cleanup and redevelopment.</li> </ul>
6	<ul style="list-style-type: none"> <li>▪ <b>Assistance to Communities That Have Limited In-House Capacity to Manage Brownfields Projects</b> – This regional priority includes proposed projects that provide support to communities that have limited capacity or administrative infrastructure to effectively manage brownfields programs. Proposals that include partnerships among governmental entities having shared jurisdiction over the target sites (e.g. state, regional authorities, local governments) relate to this priority.</li> </ul> <p><b><u>OR</u></b></p> <ul style="list-style-type: none"> <li>▪ <b>Improving Air Quality</b> – This regional priority includes proposed projects which will reduce threats to human health (e.g. asthma and cancer) and the environment including assessment activities that support efforts to improve air quality in non-attainment areas affected by pollutants and contaminants such as ozone, particulate matter, sulfur-dioxide, oxides of nitrogen, lead, and carbon monoxide.</li> </ul>
7	<ul style="list-style-type: none"> <li>▪ <b>Assistance to Communities That Have Limited In-House Capacity to Manage Brownfields Projects</b> – This regional priority includes proposed projects that provide support to communities that have limited capacity or administrative infrastructure to effectively manage brownfields programs. Proposals that include partnerships among governmental entities having shared jurisdiction over the target sites (e.g. state, regional authorities, local governments) relate to this priority.</li> </ul> <p><b><u>OR</u></b></p> <ul style="list-style-type: none"> <li>▪ <b>Coordinated Public Funding for Brownfields</b> – This regional priority includes proposed projects that complement other brownfield efforts receiving federal, state or local funding or where the community is working with federal, state, or local governments to address their brownfields. EPA Region 7 is particularly interested in projects where the applicant has already been working with federal, state, or local agencies, or where funding has been received and</li> </ul>

	<p>the EPA grant would “fill the gaps” to establish a comprehensive approach to Brownfields site characterization, assessment, cleanup and redevelopment.</p>
8	<ul style="list-style-type: none"> <li>▪ <b>Protect/Enhance Water</b> – This regional priority includes proposed projects which will reduce threats to human health and the environment from the release of hazardous substances, pollutants or contaminants, by supporting efforts to protect or enhance water supplies, including surface water, ground water and/or storm water infrastructure. EPA Region 8 is particularly interested in projects that improve or protect the quality of water associated with brownfield sites or whereby addressing the brownfield site it will reduce threats to nearby residents.</li> </ul> <p><b><u>OR</u></b></p> <ul style="list-style-type: none"> <li>▪ <b>Assistance to Small and Underserved Communities</b> – This regional priority includes proposed projects that target the majority of the work at brownfield sites in small, rural and/or low-income communities unable to draw on other public or private sources of funds for environmental remediation. EPA Region 8 is particularly interested in projects that serve the needs of communities with populations of less than 50,000.</li> </ul>
9	<ul style="list-style-type: none"> <li>▪ <b>Leveraging New/Expanded Transit Investments to Reduce Air Pollution</b> – This regional priority includes proposed projects that will reduce threats to human health (e.g. asthma and cancer) and the environment and support efforts to improve air quality through transit investments (e.g., site assessments that assist efforts to clear the right of way for transit infrastructure and transit-oriented redevelopment of Brownfield sites). Note: Examples of transit investments include, light rail, high-speed rail, bus rapid transit, new bus service, and bicycle infrastructure. EPA Region 9 is particularly interested in projects that reduce air pollution through the use of new or expanded transportation investments to use or reuse existing infrastructure or otherwise reduce vehicle miles traveled, and create walkable communities.</li> </ul> <p><b><u>OR</u></b></p> <ul style="list-style-type: none"> <li>▪ <b>Climate Change - Drought-Stricken Communities</b> – This regional priority includes proposed projects which address climate change impacts caused by drought. EPA Region 9 is particularly interested in projects where the brownfield assessment, cleanup and reuse activities will reduce, prevent, or address climate change issues related to drought in order to reduce the threats to the health and welfare of vulnerable populations and lessen environmental impacts to communities.</li> </ul>
10	<ul style="list-style-type: none"> <li>▪ <b>Protect/Enhance Water</b> – This regional priority includes proposed projects which will reduce threats to human health and the environment from the release of hazardous substances, pollutants or contaminants, by supporting efforts to protect or enhance water supplies, including surface water, ground water and/or</li> </ul>

	<p>storm water infrastructure. EPA Region 10 is particularly interested in projects that improve or protect the quality of water associated with brownfield sites or whereby addressing the brownfield site it will reduce threats to nearby residents.</p> <p><b><u>OR</u></b></p> <ul style="list-style-type: none"> <li>▪ <b>Threatened and Endangered Species</b> – This regional priority includes proposed projects which facilitate the creation, addition or preservation of the habitats (e.g. state, tribal or local parks, greenways, recreational or undeveloped property dedicated to nonprofit use) of federal and state listed threatened and endangered species.</li> </ul>
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## **SECTION II. - AWARD INFORMATION**

### **II.A. What is the Amount of Available Funding?**

The total estimated funding available under the national competition for Assessment and Cleanup Grants is estimated at \$54 million subject to the availability of funds, quality of proposals, and other applicable considerations. A separate announcement is posted for the Cleanup Grant competition. EPA may expend up to 25 percent of the amount appropriated for Brownfields Grants on sites contaminated with petroleum. EPA anticipates awarding an estimated 294 grants among assessment and cleanup grant types. Under this announcement, EPA anticipates awarding an estimated 234 Assessment Grants for a total amount of approximately \$42 million in funding.

In addition, EPA reserves the right to award additional grants under this competition should additional funding become available. Any additional selections for awards will be made no later than six months from the date of the original selection decision. EPA reserves the right to reject all proposals and make no awards under this announcement or make fewer awards than anticipated.

In appropriate circumstances, EPA reserves the right to partially fund proposals by funding discrete portions or phases of proposed projects. To maintain the integrity of the competition and selection process, EPA, if it decides to partially fund a proposal, will do so in a manner that does not prejudice any applicants or affect the basis upon which the proposal, or portion thereof, was evaluated and selected for award.

### **II.B. What is the Project Period for Awards Resulting from this Solicitation?**

The project period for Assessment Grants is up to three years.

### **II.C. Substantial Involvement**

The Brownfield Assessment Grant will be awarded in the form of a cooperative agreement. Cooperative agreements permit the EPA Project Officer to be substantially involved in overseeing the work performed by the selected recipients. Although EPA will negotiate precise

terms and conditions relating to substantial involvement as part of the award process, the anticipated substantial federal involvement for this project may include:

- close monitoring of the recipient's performance to verify the results;
- collaborating during the performance of the scope of work;
- reviewing substantive terms of proposed contracts;
- reviewing qualifications of key personnel (EPA will not select employees or contractors employed by the award recipient);
- reviewing and commenting on reports prepared under the cooperative agreement (the final decision on the content of reports rests with the recipient); and
- reviewing sites to verify they meet applicable site eligibility criteria.

### **SECTION III. – ELIGIBILITY INFORMATION and THRESHOLD CRITERIA**

#### **III.A. Who Can Apply?**

The following information indicates which entities are eligible to apply for an Assessment Grant. Nonprofit organizations are not eligible to apply for an Assessment Grant unless the entity is included as a “General Purpose Unit of Local Government” as defined below.

- General Purpose Unit of Local Government. (For purposes of the EPA Brownfields Grant Program, a “local government” is defined as stated under 2 CFR 200.64.: Local government means a county, municipality, city, town, township, local public authority (including any public and Indian housing agency under the United States Housing Act of 1937), school district, special district, intrastate district, council of governments (whether or not incorporated as a nonprofit corporation under state law), any other regional or interstate government entity, or any agency or instrumentality of a local government.)
- Land Clearance Authority or other quasi-governmental entity that operates under the supervision and control of, or as an agent of, a general purpose unit of local government.
- Government Entity Created by State Legislature.
- Regional Council or group of General Purpose Units of Local Government.
- Redevelopment Agency that is chartered or otherwise sanctioned by a state.
- State.
- Indian tribe other than in Alaska. (The exclusion of Alaskan tribes from Brownfields Grant eligibility is statutory at CERCLA §104(k)(1). Intertribal Consortia, comprised of eligible Indian tribes, are eligible for funding in accordance with EPA's policy for funding intertribal consortia published in the *Federal Register* on November 4, 2002, at 67 Fed. Reg. 67181. This policy also may be obtained from your Regional Brownfields Contact listed in Section VII.)
- Alaska Native Regional Corporation, Alaska Native Village Corporation, and Metlakatla Indian Community. (Alaska Native Regional Corporations and Alaska Native Village Corporations are defined in the Alaska Native Claims Settlement Act (43 U.S.C. 1601 and following)). For more information, please refer to Brownfields FAQs at [www.epa.gov/sites/production/files/2016-08/documents/fy17\\_faqs.pdf](http://www.epa.gov/sites/production/files/2016-08/documents/fy17_faqs.pdf).)

### **III.B. Threshold Criteria for Assessment Grants**

This section contains the threshold eligibility criteria that ensure applicants are eligible to receive Assessment Grants. Threshold criteria are pass/fail and include certain requests for information identified below. The information you submit will be used by EPA solely to make site eligibility determinations for Brownfields grants and is not legally binding for other purposes including federal, state, or tribal enforcement actions. Only those proposals that pass all the threshold criteria will be evaluated against the ranking criteria in Section IV.C.3. of this announcement.

**Applicants deemed ineligible for funding consideration as a result of the threshold eligibility review will be notified within 15 calendar days of the ineligibility determination.**

If a proposal is submitted that includes any ineligible tasks or activities, that portion of the proposal will be ineligible for funding and may, depending on the extent to which it affects the proposal, render the entire proposal ineligible for funding.

Your responses to these items are required and must be included as an attachment to the Narrative Proposal you submit to EPA. Section IV.C. for a complete list of required documents that must be submitted.

In order to maintain the integrity of the competition process, EPA staff cannot meet with individual applicants to discuss draft proposals, provide informal comments on draft proposals, or provide advice to applicants on how to respond to ranking criteria. EPA's limitations on staff involvement with grant applicants are described in EPA's Assistance Agreement Competition Policy (EPA Order 5700.5A1). However, EPA staff will respond to questions regarding threshold eligibility criteria, administrative issues related to the submission of the proposal, and requests for clarification about this announcement.

For purposes of the threshold eligibility review, EPA, if necessary, may seek clarification of applicant information and/or consider information from other sources, including EPA files.

Proposals must substantially comply with the proposal submission instructions and requirements set forth in Section IV. of this announcement or they will be rejected. Pages in excess of the page limits described in Section IV. for the Cover Letter and Narrative Proposal, and attachments not specifically required, will not be reviewed.

In addition, initial proposals must be submitted through www.grants.gov as stated in Section IV. of this announcement (except in the limited circumstances where another mode of submission is specifically allowed for as explained in Appendix 2) on or before the proposal submission deadline. Applicants are responsible for following the submission instructions in Section IV. of this announcement to ensure that their proposal is submitted in a timely manner.

Proposals received after the submission deadline will be considered late and deemed ineligible without further consideration unless the applicant can clearly demonstrate that it was late due to EPA mishandling or because of technical problems associated with www.grants.gov or relevant www.sam.gov system issues. An applicant's failure to timely submit their proposal through

[www.grants.gov](http://www.grants.gov) because they did not timely or properly register in [www.sam.gov](http://www.sam.gov) or [www.grants.gov](http://www.grants.gov) will not be considered an acceptable reason to consider a late submission.

EPA will verify the Data Universal Number System (DUNS) number listed on the application is the correct DUNS number for the applicant's organization. If the correct DUNS number is not included on the application, the application may be deemed ineligible.

1. **Applicant Eligibility**

Describe how you are an eligible entity for an Assessment Grant as specified in Section III.A., *Who Can Apply?* For entities other than cities, counties, tribes, or states, please attach documentation of your eligibility (e.g., resolutions, statutes, etc.).

Assessment Coalitions must document how all coalition members are eligible entities. All coalition members must submit a letter to the grant applicant (lead coalition member) in which they agree to be part of the coalition. Attach these letters to your proposal.

2. **Community Involvement**

Describe how you intend to inform and involve the community and other stakeholders during the planning, implementation and other brownfield assessment activities described in your proposal.

**III.C. Additional Threshold Criteria for Site-Specific Proposals Only**

The following items provide important information related to determining if a proposed brownfield site is eligible for funding.

1. **Basic Site Information**

Identify: (a) the name of the site; (b) the address of the site, including zip code; and (c) the current owner of the site.

2. **Status and History of Contamination at the Site**

Identify: (a) whether this site is contaminated by petroleum or hazardous substances; (b) the operational history and current use(s) of the site; (c) environmental concerns, if known, at the site; and (d) how the site became contaminated, and to the extent possible, describe the nature and extent of the contamination.

3. **Brownfields Site Definition**

To be eligible for a grant, sites must meet the definition of a brownfield as described in Appendix 1. The following types of properties are not eligible for brownfields funding:

- facilities listed (or proposed for listing) on the National Priorities List (NPL);
- facilities subject to unilateral administrative orders, court orders, administrative orders on consent, or judicial consent decrees issued to or entered into by parties under CERCLA; and
- facilities that are subject to the jurisdiction, custody, or control of the U.S. government. (Note: Land held in trust by the U.S. government for an Indian tribe is eligible for brownfields funding.)

Affirm that the site is: (a) not listed or proposed for listing on the National Priorities List; (b) not subject to unilateral administrative orders, court orders, administrative orders on consent, or judicial consent decrees issued to or entered into by parties under CERCLA; and (c) not subject to the jurisdiction, custody, or control of the U.S. government. (Note: Land held in trust by the U.S. government for an Indian tribe is eligible for brownfields funding.) Please refer to CERCLA §§ 101(39)(B)(ii), (iii), and (vii) and Appendix 1.

4. **Enforcement or Other Actions**

Identify known ongoing or anticipated environmental enforcement or other actions related to the brownfield site for which funding is sought. Describe any inquiries, or orders from federal, state, or local government entities that the applicant is aware of regarding the responsibility of any party (including the applicant) for the contamination, or hazardous substances at the site, including any liens. The information provided in this section may be verified, and EPA may conduct an independent review of information related to the applicant's responsibility for the contamination or hazardous substances at the site.

5. **Sites Requiring a Property-Specific Determination**

Certain types of sites require a property-specific determination in order to be eligible for funding. Please refer to Appendix 1, Section 1.5. and the information below to determine whether your site requires a property-specific determination. If your site requires a property-specific determination, then you must attach the information requested in the Brownfields FAQs, [www.epa.gov/sites/production/files/2016-08/documents/fy17\\_faqs.pdf](http://www.epa.gov/sites/production/files/2016-08/documents/fy17_faqs.pdf). **If not required, affirm that the site does not need a Property-Specific Determination.**

The following special classes of property require a "Property-Specific Determination" from EPA to be eligible for brownfields funding:

- properties subject to planned or ongoing removal actions under CERCLA;
- properties with facilities that have been issued or entered into a unilateral administrative order, a court order, an administrative order on consent, or judicial consent decree or to which a permit has been issued by the United States or an authorized state under the Resource Conservation and Recovery Act (RCRA), the Federal Water Pollution Control Act (FWPCA), the Toxic Substances Control Act (TSCA), or the Safe Drinking Water Act (SDWA);
- properties with facilities subject to RCRA corrective action (§3004(u) or §3008(h)) to which a corrective action permit or order has been issued or modified to require the implementation of corrective measures;
- properties that are land disposal units that have submitted a RCRA closure notification or that are subject to closure requirements specified in a closure plan or permit;
- properties where there has been a release of PCBs and all or part of the property is subject to TSCA remediation; and
- properties that include facilities receiving monies for cleanup from the Leaking Underground Storage Tank (LUST) Trust Fund (see Appendix 1 for a definition of LUST Trust Fund sites).

EPA's approval of Property-Specific Determinations will be based on whether or not awarding a grant will protect human health and the environment and either promote



economic development or enable the property to be used for parks, greenways, and similar recreational or nonprofit purposes. Property-Specific Determination requests must be attached to your proposal and do not count toward the 15-page limit for Narrative Proposals. (See Appendix 1 for more information or contact your Regional Brownfields Contact listed in Section VII. if you think your site requires a Property-Specific Determination.)

**6. Site Eligibility and Property Ownership Eligibility**

Applicants eligible for brownfields grant funds cannot be liable for contamination on the site. Site eligibility related to liability is determined differently at sites contaminated with hazardous substances than for sites contaminated by petroleum or petroleum product. If the site is a hazardous substance site, **please respond to all the items under (a).**

If the site is a petroleum site, **please respond to all the items under (b),** including the requirement to provide a petroleum determination letter.

If the site is co-mingled with hazardous substances and petroleum contaminants, determine whether the predominant contaminant is hazardous substances or petroleum, and respond to the corresponding items (as noted above).

If applying for hazardous substances and petroleum funding at the same site, and the hazardous substances and petroleum contaminated areas of the site are distinguishable, the proposal **must respond to all the items under (a) and (b),** including the requirement to provide a petroleum determination letter.

**(a) Property Ownership Eligibility – Hazardous Substance Sites**

For sites contaminated by hazardous substances, persons, including government entities, who may be found liable for the contamination under CERCLA (the Superfund Law) §107 are not eligible for grants. Liable parties may include all current owners and operators, former owners and operators of the site at the time of disposal of hazardous substances, and parties that arranged for, or contributed to, the disposal or treatment of hazardous substances on the site. Therefore, even owners who did not cause or contribute to the contamination may be held liable.

To be eligible for a Site-specific Brownfields Grant to address contamination at a brownfields property, eligible entities who fall within one of the categories of potentially liable parties must demonstrate that they meet one of the liability protections or defenses set forth in CERCLA by establishing that they are: (1) an innocent landowner; (2) a bona fide prospective purchaser (BFPP); (3) a contiguous property owner; or (4) a local or state government entity that acquired the property involuntarily through bankruptcy, tax delinquency, or abandonment, or by exercising its power of eminent domain. To claim protection from liability as an innocent landowner, bona fide prospective purchaser, or contiguous property owner, property owners, including state and local governments, must conduct all appropriate inquiries prior to acquiring the property. (Please note that these requirements apply to all property acquisitions, including properties acquired by donation or title transfer at zero cost.)

Because current owners of contaminated property are potentially liable under CERCLA, all Site-specific Assessment Grant applicants must demonstrate in their proposals that they are not a liable party by establishing that they meet the requirements of one of the liability protections or defenses set forth in CERCLA. For more information on these liability protections, please refer to the Brownfields Law, the April 2009 Fact Sheet entitled: “EPA Brownfields Grants, CERCLA Liability and All Appropriate Inquiries,” at <http://www.epa.gov/sites/production/files/2014-08/documents/aaifs.pdf> and the March 6, 2003 EPA guidance entitled *Interim Guidance Regarding Criteria Landowners Must Meet in Order to Qualify for Bona Fide Prospective Purchaser, Contiguous Property Owner, or Innocent Landowner Limitations on CERCLA* (“Common Elements”) at <http://www.epa.gov/sites/production/files/documents/common-elem-guide.pdf>. Applicants may also call the Regional Brownfields Contact listed in Section VII. with questions about eligibility.

The most common liability protection asserted by applicants is the bona fide prospective purchaser protection (BFPP). Although the statute limits eligibility for BFPP liability protection to entities that purchase property after January 11, 2002, a brownfields grant applicant can take advantage of this protection, for grant purposes only, even if it acquired a site prior to January 11, 2002. Applicants must demonstrate that they complied with all the other BFPP requirements listed below. For further information, please see FAQs on All Appropriate Inquiries for more information at [www.epa.gov/sites/production/files/2016-08/documents/fy17\\_faqs.pdf](http://www.epa.gov/sites/production/files/2016-08/documents/fy17_faqs.pdf).

- All disposal of hazardous substances at the site occurred before the person acquired the site.
- The owner must not be liable in any way for contamination at the site or affiliated with a responsible party. Affiliations include familial, contractual, financial, or corporate relationships that are the result of a reorganization of a business entity with potential liability.
- The owner must have conducted all appropriate inquiries (AAI) prior to acquiring the property. AAI, typically met by conducting a Phase 1 environmental site assessment using the ASTM E1527-13 standard practice, must be conducted or updated within one year prior to the date the property is acquired (i.e., the date on which the entity takes title to the property). In addition, certain aspects of the AAI or Phase I site assessment must be updated, prior to property acquisition, if the activities were conducted more than six months prior to the date of acquisition. Please see the fact sheet “EPA Brownfields Grants, CERCLA Liability and All Appropriate Inquiries,” or EPA’s AAI Final Rule (70 FR 66070) at [www.epa.gov/brownfields/brownfields-all-appropriate-inquiries](http://www.epa.gov/brownfields/brownfields-all-appropriate-inquiries).
- The owner must take appropriate care regarding any hazardous substances found at the site, including preventing future releases and exposures to hazardous substances on the site.
- The owner must provide all legally required notices and cooperate with authorized response persons in the event of discovery or release of any hazardous substances at the site.

- The owner must comply with any land-use restrictions associated with response actions at the site.

EPA grant funding may not be used to pay for response costs at a brownfield site for which the recipient of the grant is potentially liable under CERCLA §107. The following items are intended to help EPA ensure that you are not liable under CERCLA for response costs at the site designated in your proposal, or determine, if necessary, that your site is eligible for funding as a petroleum site. Please respond to the following items fully and in the order that they appear. Note, based on your responses, EPA may need to obtain additional information to make this determination.

**(1) CERCLA § 107 Liability**

Affirm that you are not potentially liable for contamination at the site under CERCLA §107 (e.g., as a current owner or operator of a facility, an owner or operator of a facility at the time of disposal of a hazardous substance, a party that arranged for the treatment or disposal of hazardous substances, or a party that accepted hazardous substances for transport to disposal or treatment facilities at the site) by establishing that you are eligible for one of the CERCLA liability protections or defenses (see Section III.C.6.) **and explain why.**

**(2) Information on Liability and Defense Protections**

*Applicant Does NOT Own the Site*

If you, the applicant, do not own the site to be assessed, please:

- affirm that you did not arrange for the disposal of hazardous substances at the site or transport hazardous substances to the site, and that you did not cause or contribute to any releases of hazardous substances at the site;
- describe your relationship with the owner and the owner's role in the work to be performed; and
- indicate how you will gain access to the site.

*Applicant Owns the Site or Will Own the Site During the Performance of the Grant*

If you, the applicant, own the site to be assessed or will own the site at some point during the performance of the grant, please respond to the following:

- Information on the Property Acquisition To save space, you may combine responses to the following into one response, though please be sure to answer each item fully. Describe:
  - how you acquired or will acquire ownership (e.g., by negotiated purchase from a private individual, by purchase or transfer from another governmental unit, by foreclosure of real property taxes, by eminent domain, or other (describe));
  - the date you acquired or will acquire the property;
  - the name and identity of the party from whom you acquired or will acquire ownership (i.e., the transferor); and

- iv) all familial, contractual, corporate, or financial relationships or affiliations you have or had with all prior owners or operators (or other potentially responsible parties) of the property (including the person or entity from which you acquired the property).
- b. Timing and/or Contribution Toward Hazardous Substances Disposal Identify whether all disposal of hazardous substances at the site occurred before you acquired (or will acquire) the property and whether you caused or contributed to any release of hazardous substances at the site. Affirm that you have not, at any time, arranged for the disposal of hazardous substances at the site or transported hazardous substances to the site.
- c. Pre-Purchase Inquiry Describe any inquiry by you or others into the previous ownership, uses of the property, and environmental conditions conducted prior to taking ownership. Please include the items below in your description.
  - i) The types of site assessments performed (e.g., ASTM E1527-13 Phase I), the dates of each assessment, and the entity for which they were performed (state whether the assessment was performed specifically for you, or if not, the name of the party that had the assessment performed and that party's relationship to you). Please note that to be eligible for a Brownfields Grant, parties who may be potentially liable under CERCLA (which includes current owners of the property) must demonstrate they are not liable for contamination at the property. In most cases, this demonstration must include evidence that an AAI investigation, or Phase I Environmental Site Assessment in compliance with ASTM E1527-13 (or ASTM E2247-08) was conducted prior to property acquisition.
  - ii) Who performed the AAI investigation or Phase I environmental site assessments and identify his/her qualifications to perform such work.
  - iii) If the original AAI investigation or Phase I environmental site assessment was conducted more than 180 days prior to the date you acquired the property, affirm that you conducted the appropriate updates of the original assessment within 180 days prior to your acquisition of the property in order to take advantage of the bona fide prospective purchaser, innocent landowner, or contiguous property owner provision.
- d. Post-Acquisition Uses Describe all uses to which the property has been put since you acquired ownership (or the uses that you anticipate once you acquire the property) through the present, including any uses by persons, or entities other than you. Please provide a timeline with the names of all current and prior users during the time of your ownership; the dates of all uses; the details of each use, including the rights or other reason pursuant to which the use was claimed or taken (e.g., lease, license, trespass); and your relationship to the current and prior users.

- e. Continuing Obligations<sup>3</sup> Describe in detail the specific appropriate care that you exercised (or if you have yet to acquire the property, that you will exercise upon acquiring the property) with respect to hazardous substances found at the site by taking **reasonable steps**<sup>4</sup> to:
- i) stop any continuing releases;
  - ii) prevent any threatened future release; and
  - iii) prevent or limit exposure to any previously released hazardous substance.

Please confirm your commitment to:

- i) comply with all land-use restrictions and institutional controls;
- ii) assist and cooperate with those performing the assessment and provide access to the property;
- iii) comply with all information requests and administrative subpoenas that have or may be issued in connection with the property; and
- iv) provide all legally required notices.

**(b) Property Ownership Eligibility - Petroleum Sites**  
(Disregard this item if you do not have a petroleum site.)

The Brownfields Law outlines specific criteria by which petroleum sites may be eligible for Brownfields Grant funding. In addition to the basic brownfields eligibility criteria, eligibility for petroleum sites is determined by applying the criteria established by Congress: the site must be of “relatively low risk,” there can be no viable responsible party, the applicant cannot be potentially liable for cleaning up the site, and the site must not be subject to a RCRA corrective action order. If a party is identified as being responsible for the site and that party is financially viable, then the site is not eligible for brownfields grant funds (refer to Appendix 1, Section 1.3.2. for more information). Generally, petroleum site eligibility will be determined by EPA or the state, as appropriate. Where the state is unable to make the eligibility determination, EPA will make the determination. EPA will make the determination for tribes.

**Non-tribal applicants** must provide the information required for a petroleum site eligibility determination (listed below) to your state, so that the state can make the necessary determination on petroleum site eligibility. You must provide EPA with a copy

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<sup>3</sup> Applicants that own contaminated land should be aware that some CERCLA liability protections require that the site owner meet certain continuing obligations. For example, grantees must comply with land-use restrictions and institutional controls; take reasonable steps with respect to the hazardous substances on the property; cooperate with, assist, and allow access to authorized representatives; and comply with CERCLA information requests and subpoenas and provide legally required notices. For more information on the obligations of owners of contaminated property, see EPA’s “*Common Elements Reference Sheet*” at <https://www.epa.gov/sites/production/files/documents/common-elem-ref.pdf>.

<sup>4</sup> Please note that reasonable steps may include actions such as limiting access to the property, monitoring known contaminants and complying with state and/or local requirements. The steps taken to prevent or limit exposure to previously released hazardous substances may depend, for example, on such things as the location of the site in relation to the public and whether the public has been known to use (or even trespass on) the site.

of the state determination letter as an attachment to your proposal. If the state does not make the determination before the proposal due date or is unable to make the determination, please attach a copy of the request you sent to the state. (**Note:** You must provide EPA with the date you requested your state to make the petroleum site determination. EPA will make the petroleum site eligibility determination if a state is unable to do so following a request from an applicant.) Also in your letter to the state, please request that the state provides information regarding whether it applied EPA's guidelines in making the petroleum determination, or if not, what standard it applied.

**Tribal applicants** must submit the information required for a petroleum site eligibility determination (listed below) as an attachment to your proposal. EPA will make the petroleum site eligibility determinations for tribes.

**(1) Information Required for a Petroleum Site Eligibility Determination**

- a. Current and Immediate Past Owners Identify the current and immediate past owner of the site. For purposes of petroleum eligibility determinations in these guidelines only, the current owner is the entity that will own the site at time of proposal submission.
- b. Acquisition of Site Identify when and by what method the current owner acquired the property (e.g., purchase, tax foreclosure, donation, eminent domain).
- c. No Responsible Party for the Site Identify whether the current and immediate past owner (which includes, if applicable, the applicant): (i) dispensed or disposed of petroleum or petroleum product contamination, or exacerbated the existing petroleum contamination at the site; and (ii) owned the site when any dispensing or disposal of petroleum (by others) took place; and (iii) took reasonable steps with regard to the contamination at the site.
- d. Assessed by a Person Not Potentially Liable Identify whether you (the applicant) dispensed or disposed of petroleum or petroleum product, or exacerbated the existing petroleum contamination at the site, and whether you took reasonable steps with regard to the contamination at the site.
- e. Relatively Low Risk Identify whether the site is "relatively low risk" compared to other petroleum or petroleum product-only contaminated sites in the state in which the site is located, including whether the site is receiving or using Leaking Underground Storage Tank (LUST) Trust Fund monies.
- f. Judgments, Orders, or Third Party Suits Provide information that no responsible party (including the applicant) is identified for the site through, either:
  - i) a judgment rendered in a court of law or an administrative order that would require any person to assess, investigate, or clean up the site; or
  - ii) an enforcement action by federal or state authorities against any party that would require any person to assess, investigate, or clean up the site; or

- iii) a citizen suit, contribution action, or other third-party claim brought against the current or immediate past owner, that would, if successful, require the assessment, investigation, or cleanup of the site.
- g. Subject to RCRA Identify whether the site is subject to any order under section 9003(h) of the Solid Waste Disposal Act.
- h. Financial Viability of Responsible Parties For any current or immediate past owners identified as responsible for the contamination at the site, provide information regarding whether they have the financial capability to satisfy their obligations under federal or state law to assess, investigate, or clean up the site. **Note:** If no responsible party is identified in c) or f) above, then the petroleum-contaminated site may be eligible for funding. If a responsible party is identified above, EPA or the state must next determine whether that party is viable. If any such party is determined to be viable, then the petroleum-contaminated site may not be eligible for funding. For more information, see Appendix 1.

## SECTION IV. - PROPOSAL SUBMISSION INFORMATION

### IV.A. How to Obtain a Proposal Package

Electronic copies of these guidelines can be obtained from the EPA Brownfields Program website at [www.epa.gov/brownfields/apply-brownfields-grant-funding](http://www.epa.gov/brownfields/apply-brownfields-grant-funding) or through [www.grants.gov](http://www.grants.gov).

### IV.B. Due Date and Submission Instructions

Your organization's Authorized Organization Representative (AOR) must submit your complete application package electronically to EPA through [www.grants.gov](http://www.grants.gov). Proposals must be received no later than 11:59 p.m. ET on December 22, 2016. Please allow enough time to successfully submit your application package and allow for unexpected errors that may require you to resubmit.

Proposals received after 11:59 p.m. ET December 22, 2016, will not be considered for funding.

In order to submit a proposal<sup>4</sup> through [www.grants.gov](http://www.grants.gov), you must:

1. Have an active DUNS number,
2. Have an active System for Award Management (SAM) account in [www.sam.gov](http://www.sam.gov),
3. Be registered in [www.grants.gov](http://www.grants.gov), and
4. Be designated as your organization's AOR.

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<sup>4</sup> Note that the terms "proposal" and "application" mean the same thing for the purposes of this competition. The files that you submit through [www.grants.gov](http://www.grants.gov) as your Brownfields proposal is what is known as an application package in [www.grants.gov](http://www.grants.gov).

The registration process for all of the above items **may take a month or more to complete.** Occasionally, technical and other issues arise when using [www.grants.gov](http://www.grants.gov).

The electronic submission of your application must be made by the official representative (AOR) of your institution who is registered with [www.grants.gov](http://www.grants.gov) and is authorized to sign applications for federal assistance. Refer to Appendix 2 for specific instructions on the use of [www.grants.gov](http://www.grants.gov).

After signing and successfully submitting the application package, within 24 to 48 hours the AOR should receive notification emails from [www.grants.gov](http://www.grants.gov) with the following subject lines:

1. GRANT##### Grants.gov Submission Receipt
2. GRANT##### Grants.gov Submission Validation Receipt for Application

If the AOR did not receive either notification emails listed above, contact the [www.grants.gov](http://www.grants.gov) Help Desk at 1-800-518-4726. The Help Desk is open 24/7 (except federal holidays).

After the application package is retrieved out of the [www.grants.gov](http://www.grants.gov) system by EPA, the AOR should receive the following notification emails from [www.grants.gov](http://www.grants.gov):

3. GRANT##### Grants.gov Grantor Agency Retrieval Receipt for Application
4. GRANT##### Grants.gov Agency Tracking Number Assignment for Application

In the event that you experience difficulties transmitting the proposal through [www.grants.gov](http://www.grants.gov), please refer to the procedures in Appendix 2.

If you do not have the technical capability to apply electronically through [www.grants.gov](http://www.grants.gov) because of limited or no Internet access which prevents you from being able to upload the required application materials to [www.grants.gov](http://www.grants.gov), please refer to the procedures in Appendix 2.

#### **IV.C. Content and Form of Proposal**

Refer to Section I.A. for information on the number of Assessment Grants and amount of funding that may be requested. Applicants must submit separate proposals for Community-wide and Site-specific Assessment Grants. Each proposal must stand on its own merits based on the responses given to the relevant criteria for the type of grant submitted and must not reference responses to criteria in another proposal.

All proposal materials must be in English. The Cover Letter and Narrative Proposal must be typed, on letter-sized (8.5 x 11-inch) paper, and **use standard Times New Roman, Arial, or Calibri fonts with a 12-point font size and 1-inch margins.** While these guidelines establish the font and minimum type size requirements, applicants are advised that readability is very important.

The following checklist reflects the documents required for proposals. All proposals must contain a completed and signed SF-424; a Cover Letter; a Narrative Proposal, limited to 15 typed pages; and required attachments, as listed below. Extraneous materials will not be considered.



<input checked="" type="checkbox"/> Standard Form 424, Application for Federal Assistance, with original signature (no page limit (see Section IV.C.1.)	
<input checked="" type="checkbox"/> Cover Letter (2-page limit) (see Section IV.C.2.)	
<input checked="" type="checkbox"/> Cover Letter Attachments: <ul style="list-style-type: none"> <li>○ Regional Priorities Form (located in Appendix 3), if applicable (see Section IV.C.2.g.)</li> <li>○ Other Factors Checklist (located in Appendix 3), if applicable (see Section IV.C.2.g.)</li> <li>○ Letter from the state or tribal environmental authority (see Section IV.C.2.h.)</li> </ul>	
<input checked="" type="checkbox"/> The Narrative Proposal, which includes the responses to ranking criteria (15-page limit) (see Section IV.C.3.)	
<input checked="" type="checkbox"/> Narrative Proposal Attachments: <ul style="list-style-type: none"> <li>○ Documentation indicating committed firm leveraged resources, if applicable (see Section IV.C.3.2.c.)</li> <li>○ Letters of commitment from all community organizations identified in the <i>Partnerships with Community Organizations</i> ranking criterion (see Section IV.C.3.3.c.ii.)</li> </ul>	
<input checked="" type="checkbox"/> Documentation of all applicable threshold criteria (see Section III.B.) <ul style="list-style-type: none"> <li>○ Documentation of applicant eligibility if other than city, county, state, or tribe (see Section III.B.1.)</li> <li>○ Letters of commitment from assessment coalition members, if applicable (see Section III.B.1.)</li> <li>○ Property-Specific Determination request, if applicable (see Section III.C.5.)</li> <li>○ Petroleum eligibility determination information, if applicable (see Section III.C.6.(b))</li> <li>○ Justification for requested waiver of the \$200,000 limit for a Site-specific Assessment, if applicable (see Section 1.A.2.)</li> </ul>	

1. **Standard Form (SF) - 424, Application for Federal Assistance** (with original signature) [www.grants.gov](http://www.grants.gov) will automatically prompt applicants to submit the SF-424 form.

2. **Cover Letter**

The cover letter shall identify the applicant and a contact for communication with EPA. The cover letter, including the applicant identification information, shall not exceed two single-spaced pages. Any pages submitted over the page limit will not be considered. The cover letter must be on the applicant's official letterhead, and signed by an official with the authority to commit your organization to the proposed project. Applicants are to submit separate cover letters for each proposal they submit. EPA does not consider information in cover letters to be responses to the ranking criteria. Each cover letter should be addressed to the Regional Brownfields Contact listed in Section VII. and include the items listed below.

- a. Applicant Identification Provide the name and full address of the entity applying for funds. This is the agency or organization that will be receiving the grant and will be accountable to EPA for the proper expenditure of funds.

- b. Funding Requested
- i) Grant Type Indicate “Assessment.”
  - ii) Assessment Grant Type Indicate “Community-wide,” “Site-specific” or “Coalition.”
  - iii) Federal Funds Requested \$\_\_\_\_\_ and whether you are requesting a waiver for a Site-specific proposal (please refer to funding limitations for each grant type).
  - iv) Contamination Indicate “Hazardous Substances,” “Petroleum” or both.  
**Note:** If both, provide a breakdown of the amount of funding you are requesting by contaminant type (e.g., \$150,000 hazardous substances and \$150,000 petroleum).
- c. Location City, county, and state or reservation, tribally owned lands, tribal fee lands, etc., of the brownfields community(ies) that you propose to serve. For Assessment Coalition Grants, list all jurisdictions covered under the proposal.
- d. Property Information for Site-Specific Proposals Please provide the property name and complete site address, including zip code.
- e. Contacts
- i) Project Director Provide name, phone number, email address, and mailing address of the Project Director assigned to this proposed project. This person should be the main point of contact for the project, and should be the person responsible for the project’s day-to-day operations. The Project Director may be contacted if other information is needed.
  - ii) Chief Executive/Highest Ranking Elected Official Provide the name, phone number, email address, and mailing address of the applicant’s Chief Executive or highest ranking elected official. For example, if your organization is a municipal form of government, provide this information for the Mayor or County Commissioner. Otherwise, provide this information for your organization’s Executive Director or President. These individuals may be contacted if other information is needed.
- f. Population
- i) Provide the general population of your jurisdiction and the jurisdictions of any coalition partners, if applicable.
  - ii) If you are not a municipal form of government, provide the population of the municipality of the identified target area(s). Tribes must provide the number of tribal/non-tribal members affected. Your jurisdiction’s population can be found at [www.census.gov/](http://www.census.gov/).
  - iii) Affirm whether or not your jurisdiction is located within, or includes, a county experiencing “persistent poverty” where 20% or more of its population has lived in poverty over the past 30 years, as measured by the 1990 and 2000 decennial censuses and the most recent Small Area Income and Poverty Estimates.

- g. Regional Priorities Form/Other Factors Checklist Attach the Regional Priority Form/Other Factors Checklist in Appendix 3 to the Cover Letter identifying which, if any, of the items are applicable to your proposal. The Regional Priority Form/Other Factors Checklist does not count towards the two-page limit for this section.
- h. Letter from the State or Tribal Environmental Authority  
For an applicant other than a state or tribal environmental authority, attach a current letter from the appropriate state or tribal environmental authority acknowledging that the applicant plans to conduct assessment activities and is planning to apply for federal grant funds. Letters regarding proposals from prior years are not acceptable.

If you are applying for multiple types of grants, you need to receive only one letter acknowledging the relevant grant activities. However, you must provide a copy of this letter as an attachment to each proposal. Please note that general correspondence and documents evidencing state involvement with the project (i.e., state enforcement orders or state notice letters) are not acceptable. Coordinate early with your state or tribal environmental authority in order to allow adequate time for you to obtain the acknowledgment letter and attach it to your proposal.

The letter from the state or tribal authority does not count towards the two-page limit for this section.

### 3. **The Narrative Proposal/Ranking Criteria**

The narrative proposal (including citations) shall not exceed 15 single-spaced pages. Any pages submitted over the page limit will not be evaluated.

The narrative proposal must include clear, concise, and factual responses to all ranking criteria and sub-criteria and address, if applicable, the Regional Priority(ies) (see Section I.F.) for the region in which the project is located. Proposals must provide sufficient detail to allow for an evaluation of the merits of the proposal. **Any criterion left unanswered may result in zero points given for that criterion.** Responses to the criteria should include the criteria number and title but need not restate the entire text of the criteria.

#### 1. **COMMUNITY NEED**

This section of your proposal provides the context for your project. The needs defined in this section should provide the foundation for your later discussion of the brownfields project, planned community engagement and partnerships, and the ways the project will ultimately benefit your community.

##### a. **Target Area and Brownfields**

###### i. Community and Target Area Descriptions

Include a brief description of your city, town, or geographic area to provide the reader some background on its cultural and industrial history that establishes the context for your brownfield challenges.

Within this larger geographic area, identify and describe a specific area where you plan to perform assessment activities; such as a neighborhood, district, corridor, census tract, or other locality. Depending on the scope and design of your project, one or more target areas may be presented.

ii. Demographic Information and Indicators of Need

Provide and compare census-based demographic data as requested in the table below. Use additional rows or text, as needed, to include other data or information, which provide a compelling explanation for why you selected the target area. Responses should clearly identify sources of information used.

Sample Format for Demographic Information (supplement as appropriate)

	Target Area (e.g., Census Tract)	City/Town or County	Statewide	National
Population:				314,107,084 <sup>1</sup>
Unemployment:				5.0% <sup>2</sup>
Poverty Rate:				15.6 % <sup>3</sup>
Percent Minority:				37.2% <sup>1</sup>
Median Household Income:				\$53,482 <sup>3</sup>
Other: <i>Include other relevant data as needed in additional rows</i>				
<sup>1</sup> Data are from the 2014 American Community Survey data profile and are available on American FactFinder at <a href="http://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ACS_14_5YR_DP05&amp;src=pt">http://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ACS_14_5YR_DP05&amp;src=pt</a> <sup>2</sup> Data are from the Bureau of Labor Statistics (The Employment Situation – March 2016) and are available at <a href="http://www.bls.gov/news.release/pdf/empst.pdf">http://www.bls.gov/news.release/pdf/empst.pdf</a> <sup>3</sup> Data are from the 2014 American Community Survey data profile and are available on American FactFinder at <a href="http://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ACS_14_5YR_DP03&amp;src=pt">http://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ACS_14_5YR_DP03&amp;src=pt</a>				

For resources to gather demographic information, please go the FAQs at [www.epa.gov/sites/production/files/2016-08/documents/fy17\\_faqs.pdf](http://www.epa.gov/sites/production/files/2016-08/documents/fy17_faqs.pdf).

iii. Brownfields and Their Impacts

Describe the actual brownfields sites in your target area(s) and highlight sites that are a priority. Include information on the:

- brownfields’ proximity to residents in the target area;
- nature and extent of your brownfields (such as past land uses and site activities, potentially related environmental issues or contaminants, and current conditions); and
- real or perceived negative environmental impacts associated with the brownfields.

**b. Welfare, Environmental, and Public Health Impacts**

*Please provide information on the welfare impacts in your target area(s).*

i. Welfare Impacts

Discuss the welfare issues experienced by the target area. (For example: blight, safety

concerns, lack of access to community services, lack of transportation services, etc.)

*Please provide information on the environmental and public health impacts in your community(ies).*

ii. Cumulative Environmental Issues

In addition to the presence of brownfield sites discussed earlier, provide a summary (using available information) of other various cumulative environmental issues (e.g. siting of power plants, incinerators, industry, landfills, congested highways, or other sources of air, water and land pollution) or other environmental justice concerns (such as overburdening from existing sources of pollution) which may be present.

iii. Cumulative Public Health Impacts

- Discuss the public health impacts from cumulative sources and brownfield sites discussed earlier.
- Provide information describing the threats to sensitive populations who are potentially subject to environmental exposures, including from brownfields. (Please refer to FAQs for information on sensitive populations at [www.epa.gov/sites/production/files/2016-08/documents/fy17\\_faqs.pdf](http://www.epa.gov/sites/production/files/2016-08/documents/fy17_faqs.pdf).)

**c. Financial Need**

i. Economic Conditions

Describe why you, as the applicant, need this funding and are unable to draw on other sources of funding. Explain how a small population, low income or other factors of the target area prevent you from funding this work.

Describe how local economic conditions may have been made worse due to industrial decline, plant closures, natural disasters, or other significant economic disruptions.

ii. Economic Effects of Brownfields

Describe the key economic effects of the brownfields discussed earlier on the target area (e.g. reduced tax base, lost business opportunities, depressed property values, burden on municipal services, etc.). To the extent that this discussion may include quantitative estimates and statistics, clearly cite the sources of such data.

**2. PROJECT DESCRIPTION AND FEASIBILITY OF SUCCESS**

This section of your proposal describes your project and how it will be implemented. This section should demonstrate the feasibility of the project you will fund with this grant and the extent to which the grant will stimulate the availability of other funds for environmental assessment or remediation, and the subsequent reuse of the target area in which the brownfield site(s) is located.

Refer to Section VI.D., *Brownfields Programmatic Requirements*, to read EPA expectations of projects funded with Brownfields Assessment Grants.

**a. Project Description, Timing and Implementation**

i. Project Description and Alignment with Revitalization Plans

Describe the project that will be funded by this grant, how it aligns with the target area's land use and revitalization plans, and how you will incorporate equitable development practices or sustainable practices, such as the HUD-DOT-EPA Livability Principles as described in Section I.E. of these guidelines.

Describe the redevelopment strategy, or projected redevelopment, for the property(ies) that will be assessed under this grant and how you will make use of existing infrastructure (water, sewer, transportation, etc.).

ii. Timing and Implementation

Describe the timing and implementation of the key activities listed below to ensure that all grant funding will be expended within three years, and describe who will be responsible for implementing and completing the activities.

(a) Contractor procurement (including the internal steps that must be taken within your organization and approvals from departments or elected officials).

(b) For *Community-wide proposals* and *Assessment Coalition proposals*, discuss the development of site inventory or site identification process, and site prioritization and selection process.

For *Assessment Coalition proposals*, describe the proposed governance structure among your coalition partners which will be implemented to prioritize and select sites to assess.

For *Site-specific proposals*, describe existing conditions of the property you plan to assess with this funding.

(c) Obtaining and securing site access.

**b. Task Descriptions and Budget Table**

i. Task Descriptions

List the tasks required to implement the proposed project, distinguishing between the work you and your contractors will be performing, under each grant-funded task. If any additional work or services are necessary to carry out the project that will be funded by sources other than this grant, such as in-kind staff hours, please discuss how those tasks will be funded.

Describe and enumerate specific outputs from the project, which may include, but are not limited to, site inventories, Phase I environmental site assessments, Phase II environmental site assessments, site cleanup plans, area-wide plans or community meetings. (Refer to Section I.D.1. for an explanation of outputs.)

Provide a cost estimate for each **grant-funded** task. Describe the basis for how each line item cost estimate was developed under each budget category shown in the table below. Applicants requesting hazardous substances and petroleum funding in the same proposal must distinguish hazardous substances related tasks from petroleum related tasks. Where appropriate, present unit costs and quantify work products (e.g., Contractual Costs: Conduct Phase I assessments on five sites at a cost of \$2,500 each for a total of \$12,500). Explain any costs that appear to be atypical (i.e., unusually high or low).

Do not include tasks for activities that are ineligible uses of funds under EPA’s Assessment Grant (e.g., land acquisition; building demolition that is not necessary to assess contamination at the site; building or site preparation; or administrative costs, such as indirect costs). Please refer to the Brownfields FAQs at [www.epa.gov/sites/production/files/2016-08/documents/fy17\\_faqs.pdf](http://www.epa.gov/sites/production/files/2016-08/documents/fy17_faqs.pdf) for additional examples of ineligible uses of funds. For questions not covered by the FAQs, contact your Regional Brownfields Contact listed in Section VII.

ii. Budget Table

The table format below can be used to present the allocation of EPA grant funds to the specific tasks described above. Specify the costs by budget category. **INCLUDE ONLY EPA GRANT FUNDS IN THIS TABLE.** Activities not supported by the grant (i.e. in-kind contributions) **should not** be included in the budget table.

Applicants requesting hazardous substances and petroleum funding in the same proposal must provide either two separate budget tables, or two separate line items within one budget table, which distinguish hazardous substances funds from petroleum funds.

*Note:* EPA encourages the use of the table format below and replacing the task number outlined in the table with the actual title of the task.

**Sample Format for Budget**

Budget Categories	Project Tasks (\$) (programmatic costs only)				Total
	(Task 1)	(Task 2)	(Task 3)	(Task 4)	
Personnel					
Fringe Benefits					
Travel <sup>1</sup>					
Equipment <sup>2</sup>					
Supplies					
Contractual					
Other (specify) _____					

<b>Total Budget</b>					
<sup>1</sup> Travel to brownfields-related training conferences is an acceptable use of these grant funds. <sup>2</sup> EPA defines equipment as items that cost \$5,000 or more with a useful life of more than one year. Items costing less than \$5,000 are considered supplies. Generally, equipment is not required for Assessment Grants. Reminder: Administrative costs, such as indirect costs, of grant administration with the exception of financial and performance reporting costs are ineligible grant activities.					

**c. Ability to Leverage**

Describe other sources of funding or resources that you have, or may be seeking, to ensure the successful revitalization of brownfields sites assessed with this grant. This should include public or private resources (beyond this grant) you expect to utilize to achieve the assessment, cleanup, and/or redevelopment needs of the brownfields sites. Attach copies of any letters or documentation that substantiate firm commitments of leveraged funding.

If you are not yet able to identify sources of leveraged funding needed for this project, then provide a recent example where you, or your project partners, have successfully leveraged resources to achieve an environmental or revitalization goal of your community (not necessarily on a brownfields site). See the Brownfields FAQs at [www.epa.gov/sites/production/files/2016-08/documents/fy17\\_faqs.pdf](http://www.epa.gov/sites/production/files/2016-08/documents/fy17_faqs.pdf) for more information on how to demonstrate leveraging commitments.

**3. COMMUNITY ENGAGEMENT AND PARTNERSHIPS**

This section of your proposal explains how your proposed community engagement plan will meet the needs of the community in the target area identified in the Community Need (Section IV.C.3.1.) portion of your proposal and identifies the stakeholders and partners necessary to achieve the benefits discussed in the Project Benefits section (Section IV.C.3.4.).

**a. Engaging the Community**

**i. Community Involvement Plan**

Discuss your plan for involving the community in the target area and other stakeholders (such as neighborhood organizations, citizen groups, property owners, lenders, business organizations and developers) in the planning and implementation of your project (which may include project planning, site selection for assessments, cleanup decisions, and reuse planning).

**ii. Communicating Progress**

Describe your plans for communicating the progress of your project to community members. Also, describe how the identified communication plans are appropriate and effective for the community(ies) in the target area(s).



**Note:** Applicants may address this criterion by various means that show meaningful public engagement where information is shared and views and input are actively solicited, including public meetings, webinars, use of media, and Internet forums. Applicants must demonstrate how they will engage the community in the target area in meaningful ways to ensure the success of the proposed project.

**b. Partnerships with Government Agencies**

i. Local/State/Tribal Environmental Authority

Identify and provide information on the agency which runs the relevant brownfields, voluntary cleanup or another similar program at the local/state/tribal level (i.e., the environmental agency and/or health agency), and describe the role they may play to ensure your brownfields project is successful.

ii. Other Governmental Partnerships

Identify and provide information on other relevant federal, state, and/or local governmental agencies with which you will partner during your assessment project (e.g., DOT, HUD, a health agency), and describe the role they may play to ensure your brownfields project is successful.

**c. Partnerships with Community Organizations**

i. Community Organization Description & Role

Include a description of each community organization involved in your project, as well as their role in and commitments to the planning and implementation of the project.

If there are no community organizations in your community, then state this and discuss how the community is engaged and will continue to be involved in your project.

**Note:** Community organizations do **not** include local government departments, the local planning department/district/office, local contractors, the mayor's office, or other elected officials. See FAQs at [www.epa.gov/sites/production/files/2016-08/documents/fy17\\_faqs.pdf](http://www.epa.gov/sites/production/files/2016-08/documents/fy17_faqs.pdf) for more information about community organizations.

**Note:** The numbers of partners is not as important as the contributions and the relevance of their organization.

**Note:** EPA may conduct reference checks to ensure that organizations identified are supportive and involved with the brownfields project.

ii. Letters of Commitment

Attach to the proposal current letters from all of the community organizations you have discussed. These letters should discuss their support for the project, and describe

and affirm their roles and commitments to the planning and implementation of the project.

If there are no community organizations in your community, then provide documentation to demonstrate that the community is engaged and will continue to be involved in your project. This can be done by attaching support or commitment letters from residents, letters from residents to the editors of local newspapers, attendance lists at public meetings concerning the project, comments from local citizens received on the plans and implementation of the project, etc.

*Note:* Letters of commitment and supporting documentation must be addressed to the applicant and be included with the applicant's proposal package. Letters should not be sent directly to EPA.

**d. Partnerships with Workforce Development Programs**

Describe planned efforts to promote local hiring and procurement or link members of the community to potential employment opportunities in brownfields assessment, cleanup, or redevelopment related to your proposed projects. Such efforts may include, but are not limited to, partnering with local workforce development entities or Brownfields job training grantees. A list of Brownfields job training grantees can be found at [cfpub.epa.gov/bf\\_factsheets/#\\_ga=1.179644452.1468935873.1432832844](http://cfpub.epa.gov/bf_factsheets/#_ga=1.179644452.1468935873.1432832844).

**4. PROJECT BENEFITS**

This section of your proposal describes the anticipated outcomes and benefits expected from your project in the context of the needs you discussed in the Community Need section (Section IV.C.3.1.).

**a. Welfare, Environmental, and Public Health Benefits**

Describe the future welfare, environmental, and public health benefits anticipated from this grant (or broader project), and how these benefits will address the challenges and sensitive populations discussed in the Community Need section of your narrative (Section IV.C.3.1.).

**b. Economic and Community Benefits**

Relative to challenges identified in the Community Need section and your project proposed in the Project Description section, discuss potential outcomes and the economic benefits, non-economic benefits, and other community benefits (be specific and provide quantitative estimates when possible), which may be achieved through the redevelopment of sites assessed under this grant, and how these benefits align with community revitalization plans.

*Economic benefits may include: increased employment and expanded tax base. Non-economic and community benefits may include: areas redeveloped for uses such as*

*parks, recreation areas, greenways, environmental buffers and other not-for-profit, governmental or charitable organization spaces.*

**5. PROGRAMMATIC CAPABILITY AND PAST PERFORMANCE**

This section of your proposal demonstrates that your organization (“the applicant”/lead coalition member) has programmatic capability (experience, knowledge and resources, or ability to obtain them) and a reasonable approach necessary to ensure successful completion of all required aspects of this project and grant as discussed in the previous section of your proposal and Section VI. of these guidelines.

**a. Audit Findings**

Describe any adverse audit findings. If you have had problems with the administration of any grants (e.g., compliance reporting, expenditure of funds), please describe how you have corrected, or are correcting, the problems. If you have not, please affirm that you have not had any adverse audit findings. Respond to this criterion regardless of whether or not you have had a federal or non-federal assistance agreement. *(Failure to address this section may result in zero points for this factor.)*

**b. Programmatic Capability**

Describe the organizational structure you will utilize to ensure the timely and successful expenditure of funds and completion of all technical, administrative and financial requirements of the project and grant. Include a brief discussion of the key staff including their roles, expertise, qualifications and experience.

Describe the system(s) you have in place to appropriately acquire any additional expertise and resources (e.g. contractors or subawardees) required to successfully complete the project. Please refer to Section IV.E. regarding contractors and subawards.

**c. Measuring Environmental Results: Anticipated Outputs/Outcomes**

Discuss how you plan to track, measure and evaluate your progress in achieving project outcomes, outputs and project results. (Refer to Section I.D.1. for an explanation of outputs.)

**d. Past Performance and Accomplishments**

If you have ever received an EPA Brownfields Grant (including Assessment, Cleanup, Revolving Loan Fund, and 128(a) grants; but excluding Targeted Brownfields Assessments, Area-Wide Planning grants, Environmental Workforce Development & Job Training grants, and subawards from another Brownfields grantee), please respond to **item i.** below.

If you have never received an EPA Brownfields Grant, but have received other federal or non-federal assistance agreements (such as a grant or cooperative agreement), please respond to **item ii.** below.

If you have never received any type of federal or non-federal assistance agreements, please indicate this in response to **item iii.** below.

**i. Currently or Has Ever Received an EPA Brownfields Grant**

Identify and provide information regarding each of your current and most recent EPA brownfields grant(s) (but no more than five). Demonstrate how you successfully managed the grant(s), and successfully performed all phases of work under each grant by providing information on the items listed below.

1. Accomplishments

Describe the accomplishments (including specific outputs and outcomes) of your grant funded program, including at minimum, the number of sites assessed and/or cleaned up. Discuss whether these outputs and outcomes were accurately reflected in the Assessment, Cleanup and Redevelopment Exchange System (ACRES) at the time of this proposal submission, and if not, please explain why.

2. Compliance with Grant Requirements

Discuss your compliance with the work plan, schedule and terms and conditions. Include whether you have made, or are making, progress towards achieving the expected results of the grant in a timely manner. If not, discuss what corrective measures you took, or are taking, and how the corrective measures were effective, documented and communicated.

Discuss your history of timely and acceptable quarterly performance and grant deliverables, as well as, ongoing ACRES reporting.

Please explain your need for additional funding. Additionally, for all open EPA Brownfields grant(s) indicate the grant period (start and end date), if there are funds remaining, and the plan to expend funds by the end of the grant period.

For all closed EPA Brownfields grant(s), indicate if there were funds remaining at the time of closure, the amount of remaining funds, and a brief explanation of why the funds were not expended.

– OR –

**ii. Has Not Received an EPA Brownfields Grant but has Received Other Federal or Non-Federal Assistance Agreements**

Identify and describe each of your current and/or most recent federally and non-federally funded grants (no more than five) that are most similar in size, scope, and relevance to the proposed project. Demonstrate how you successfully managed the grant(s), and successfully performed all phases of work under each grant by providing the following information.

1. Purpose and Accomplishments

Describe the awarding agency/organization, amount of funding, and purpose of the grant(s) you have received.

Discuss the accomplishments (including specific outputs and outcomes) of the project supported by these grants, including specific measures of success for the project supported by each type of grant received.

2. Compliance with Grant Requirements

Describe your compliance with the work plan, schedule and terms and conditions. Include whether you made, or are making, progress towards achieving the expected results of the grant in a timely manner. If not, discuss what corrective measures you took, or are taking, and how the corrective measures effective, were documented and communicated.

Discuss your history of timely and acceptable reporting, as required by the awarding agency/organization.

– OR –

iii. Has Never Received Any Type of Federal or Non-Federal Assistance Agreements

Affirm that your organization has never received any type of federal or non-federal assistance agreement (grant). (*Failure to indicate anything in response may result in zero points for this factor.*)

#### IV.D. Intergovernmental Review

The State Intergovernmental Review process will be needed if you are selected to receive a grant. As appropriate for your state, applicants are encouraged to contact their State Intergovernmental Review Office early to start the required intergovernmental review process. This effort is separate from the required state environmental letter attachment (see Section IV.C.2.h.). Contact your Regional Brownfields Contact listed in Section VII. for assistance.

#### IV.E. Voluntary Cost Share/Leveraging

**Matching funds are not required under this competition.** Although cost sharing or matching is not required as a condition of eligibility under this competition, under Section V.A.2.c. of this announcement, EPA will evaluate proposals' responses to the *Ability to Leveraging* criterion. Leveraging is generally when an applicant proposes to provide its own additional funds/resources or those from third-party sources to support or complement the project they are awarded under the competition which are above and beyond the EPA grant funds awarded. Any leveraged funds/resources, and their source, must be identified in the proposal. Leveraged funds and resources may take various forms as noted below.

**Voluntary cost share is a form of leveraging.** Voluntary cost sharing is when an applicant voluntarily proposes to legally commit to provide costs or contributions to support the project when a cost share is not required. Applicants who propose to use a voluntary cost share must

include the costs or contributions for the voluntary cost share in the project budget on the SF-424. If an applicant proposes a voluntary cost share, the following apply:

- A voluntary cost share is subject to the match provisions in the grant regulations (2 CFR 200.306, as applicable).
- A voluntary cost share may only be met with eligible and allowable costs.
- The recipient may not use other sources of federal funds to meet a voluntary cost share unless the statute authorizing the other federal funding provides that the federal funds may be used to meet a cost share requirement on a federal grant.
- The recipient is legally obligated to meet any proposed voluntary cost share that is included in the approved project budget. If the proposed voluntary cost share does not materialize during grant performance, then EPA may reconsider the legitimacy of the award and/or take other appropriate action as authorized by 2 CFR 200.338.

**Other leveraged funding/resources that are not identified as a voluntary cost share.** This form of leveraging may be met by funding from another federal grant, from an applicant's own resources, or resources from other third party sources. This form of leveraging should not be included in the budget and the costs need not be eligible and allowable project costs under the EPA assistance agreement. While this form of leveraging should not be included in the budget, the grant work plan should include a statement indicating that the applicant is expected to produce the proposed leveraging consistent with the terms of the announcement and the applicant's proposal. If applicants propose to provide this form of leveraging, EPA expects them to make the effort to secure the leveraged resources described in their proposals. If the proposed leveraging does not materialize during grant performance, then EPA may reconsider the legitimacy of the award and/or take other appropriate action as authorized by 2 CFR Parts 200 or 1500.

#### **IV.F. Additional Provisions for Applicants Incorporated Into the Solicitation**

Additional provisions that apply to this solicitation and/or awards made under this solicitation, including but not limited to those related to confidential business information, contracts and subawards under grants, and proposal assistance and communications, can be found at [EPA Solicitation Clauses](#). These, and the other provisions that can be found at the website link, are important, and applicants must review them when preparing proposals for this solicitation. If you are unable to access these provisions electronically at the website above, please communicate with the EPA contact listed in this solicitation to obtain the provisions.

### **SECTION V. - PROPOSAL REVIEW INFORMATION**

#### **V.A. Evaluation Criteria**

If your proposal passes the threshold eligibility review (see Section III.B.), your responses and the information you provide in response to the ranking criteria below will be evaluated and scored by a national evaluation panel. Your proposal may be assigned up to 200 points.

**Criteria (Maximum Points per Criterion)**

**1. COMMUNITY NEED (45 Points)**

Your proposal will be evaluated on the quality and extent to which it:

- demonstrates a compelling picture of need in the community, and specifically, the identified target area; and
- makes a connection between the public health, welfare, environmental, and/or economic challenges faced by the community and/or target area and the presence of brownfield sites and other cumulative environmental issues.

EPA anticipates selecting proposals from communities experiencing significant socio-economic challenges (e.g., high percent low-income, high percent poverty, increased health disparities).

**Assessment Coalition proposals** should demonstrate how the grant will serve coalition partners and communities that would otherwise not have access to resources to address brownfields. For example, a state or county may put together a coalition that includes small communities that do not have the capacity to apply for brownfields funding on their own.

Specifically, this criterion will evaluate the quality and extent to which you clearly, concisely and realistically address the following in the proposal:

**1.a. Target Area and Brownfields (15 points)**

**1.a.i. Community and Target Area Descriptions (5 points)**

The depth and degree of brownfield challenges confronting your city/town/geographic area and the specific area where you plan to perform assessment activities.

**1.a.ii. Demographic Information and Indicators of Need (5 points)**

How well the information provided supports and demonstrates the compelling need of the community based on demographic information on your target area(s) as compared to larger geographic areas (e.g. city, county, state, and national), and the validity of source(s) of information used.

**1.a.iii. Brownfields and Their Impacts (5 points)**

The impact of actual brownfields sites in your target area(s), identification of prioritized sites, and how well you connected the impact of the brownfield sites' proximity to residents in the target area, the nature and extent of the brownfields, and real or perceived negative environmental impacts associated with the brownfields to the community.

**1.b. Welfare, Environmental, and Public Health Impacts (15 points)**

**1.b.i. Welfare Impacts (5 points)**

The amount or impact of welfare issues experienced by the target area.

1.b.ii. Cumulative Environmental Issues (5 points)

The amount or impact of other various cumulative environmental issues or other environmental justice concerns which may be present.

1.b.iii. Cumulative Public Health Impacts (5 points)

The amount or effect of public health impacts from cumulative sources, including brownfield sites including threats to sensitive populations who are potentially subject to environmental exposures, including those from brownfields.

**1.c. Financial Need (15 points)**

1.c.i. Economic Conditions (5 points)

The demonstrated need of the applicant for this funding and their inability to draw on other sources of funding and how the local economic conditions may have been made worse due to significant economic disruptions.

1.c.ii. Economic Effects of Brownfields (10 points)

The demonstrated economic effects of the brownfields on the target area and the identification/validity of data sources used.

**2. PROJECT DESCRIPTION AND FEASIBILITY OF SUCCESS (55 Points)**

Your proposal will be evaluated, as further described below, on the quality and extent to which it demonstrates:

- how your project will further the target community's land use and revitalization plans or vision;
- how your project will incorporate equitable or sustainable practices;
- a reasonable approach and methodology to achieve project goals, and expend funds in a timely and effective manner;
- a realistic basis for project costs; and
- the availability of, and access to, sufficient resources to bring the site(s) assessed under this grant to reuse.

Specifically, this criterion will evaluate the quality and extent to which you clearly, concisely and realistically address the following in the proposal:

**2.a. Project Description, Project Timing and Site Selection (30 points)**

2.a.i. Project Description and Alignment with Revitalization Plans (17 points)

The merits of the project that will be funded under this grant, how well it aligns with the target area's land use and revitalization plans, and how well it incorporates equitable development practices or sustainable practices in a meaningful way.



The redevelopment strategy, or projected redevelopment, for the property(ies) that will be assessed under this grant and how you will make use of existing infrastructure.

**2.a.ii. Timing and Implementation (13 points)**

The quality and reasonableness of your plan for the timely implementation of the key activities listed below to ensure that all grant funding will be expended within three years, and who will be responsible for implementing and completing the activities.

(a) Contractor procurement (including the internal steps that must be taken within your organization and approvals from departments or elected officials). (3 points)

(b) For *Community-wide proposals* and *Assessment Coalition proposals*, the development of site inventory or site identification process, and site prioritization and selection process. (5 points)

For *Assessment Coalition proposals*, a clear governance structure among your coalition partners which will be implemented to prioritize and select sites to assess. (5 points)

For *Site-specific proposals*, the existing conditions of the property you plan to assess with this funding. (5 points)

(c) Obtaining and securing site access. (5 points)

**2.b. Task Descriptions and Budget Table (20 points)**

**2.b.i. Task Descriptions (15 points)**

*All proposals* will be evaluated on the extent to which the majority of grant funds are allocated for tasks directly associated with environmental site assessments.

*Site-specific proposals* will be evaluated on whether the amount of funding requested is needed for the proposed site.

*Assessment Coalition proposals* will be evaluated to the extent the grant funds will address a minimum of five sites as well as sites located in each coalition member's jurisdiction.

How clearly you demonstrate the activities and tasks support the overall narrative proposal and are eligible under EPA's Assessment Grant Program, are a reasonable approach to implementing the proposed project, and clearly explain and distinguish between the work you and your contractors will be performing under each grant-funded task. If any additional work or services are necessary to carry out the project that will be funded by sources other than this grant, how clearly you identify and discuss how those tasks will be funded.

The quality of the specific project outputs, how closely the outputs correlate with the described project, and how likely the outputs will be achieved.

How good your budget is and how efficiently you plan to use the grant funds. To the extent you present a realistic cost estimate for each **grant-funded** task, include a clear and reasonable basis for how each line item cost estimate was developed under each budget category shown in the budget table, clearly distinguish between hazardous substances and petroleum funding when requested in the same proposal (where appropriate), present unit costs and quantify work products, and explain any costs that appear to be atypical.

**2.b.ii. Budget Table (5 points)**

The budget table only includes eligible and allowable EPA Assessment Grant funds, clearly distinguishes any hazardous substances funds from petroleum funds (when appropriate), totals add up correctly, and correlates with work discussed in the Task Descriptions section.

**2.c. Ability to Leverage (5 points)**

The amount and relevancy to the assessment project of any leveraged funding. (Note, firm leveraged funding that is very relevant to the assessment project will be evaluated more favorably than potential leveraged funding or leveraged funding less relevant to the assessment project.)

**3. COMMUNITY ENGAGEMENT AND PARTNERSHIPS (35 Points)**

Your proposal will be evaluated on the quality and extent to which it:

- demonstrates actions or plans to effectively involve and inform the target community and relevant stakeholders;
- identifies the relevancy of the local/state/tribal environmental authority to the project;
- identifies roles of other relevant governmental partnerships; and
- identifies the relevant roles of community organizations and affirms their involvement in the project through commitment letters.

This criterion will evaluate the quality and extent to which you clearly, concisely and realistically address the following in the proposal:

**3.a. Engaging the Community (15 points)**

**3.a.i. Community Involvement Plan (10 points)**

***Community-wide proposals*** should demonstrate how the community in the target area has provided input from the project inception and will be engaged throughout the project.

***Site-specific proposals*** should discuss and demonstrate meaningful efforts to involve and inform community groups or representatives directly affected by the site, in addition to the broader community.

***Assessment Coalition proposals*** should demonstrate how all communities addressed through this project have provided input from the beginning of the project, and will be engaged and

informed throughout the project. Assessment Coalition proposals should demonstrate that the grant recipient will ensure that community engagement is tailored specifically to the needs of each target community and coalition member.

The quality of your plan for involving the community and other stakeholders in the target area in the planning and implementation of your project and how effective it will be in achieving meaningful community engagement.

**3.a.ii. Communicating Progress (5 points)**

The effectiveness and appropriateness of your plan and outreach methods in ensuring the community(ies) in the target area are aware and involved in the progress of the project.

**3.b. Partnerships with Government Agencies (9 points)**

**3.b.i. Local/State/Tribal Environmental Authority (5 points)**

Whether or not you are engaging and partnering with the agency which runs the relevant brownfields, voluntary cleanup or another similar program at the local/state/tribal level, what that engagement looks like including their role and how the partnership will contribute to the success of your brownfields project.

**3.b.ii. Other Governmental Partnerships (4 points)**

Whether or not you are engaging and partnering with federal, state, and/or local governmental agencies that may be relevant to your assessment project, what that engagement looks like, including their roles, and how these partnerships will contribute to the success of your brownfields project.

**3.c. Partnerships with Community Organizations (9 points)**

**3.c.i. Community Organization Description & Role (5 points)**

Whether or not you are engaging with community organizations that are relevant to the proposed project, how varied and specific their roles in and commitments to the planning and implementation of the project, and how these partnerships will contribute to the success of your brownfields project.

If there are no community organizations in your community, whether or not the community is engaged and will continue to be involved in your project in a meaningful way.

**3.c.ii. Letters of Commitment (4 points)**

Whether or not you attach current letters from all of the relevant community organizations, which discuss the organization's support and affirm their roles in and commitments to the planning and implementation of the project.

If there are no community organizations in your community, whether or not you clearly demonstrate how the community is engaged and will continue to be involved in your project by attaching documentation such as support letters from residents, letters from residents to the editors of local newspapers, attendance lists at public meetings concerning the project,

comments from local citizens received on the plans and implementation of the project, etc. that clearly indicate their participation/engagement.

**3.d. Partnerships with Workforce Development Programs (2 points)**

Whether or not you have a meaningful plan to promote local hiring and procurement or link members of the community to potential employment opportunities in brownfields assessment, cleanup, or redevelopment related to your proposed projects.

**4. PROJECT BENEFITS (25 Points)**

Your proposal will be evaluated on the quality and extent to which it:

- demonstrates the potential of the project, or the development plan for the project area, to realize significant outcomes and benefits to the public health, welfare and environment of the community;
- contributes to the community plan for the revitalization of brownfields sites; and
- stimulates economic or non-economic benefits.

Specifically, this criterion will evaluate the quality and extent to which you clearly, concisely and realistically address the following in the proposal:

**4.a. Welfare, Environmental, and Public Health Benefits (13 points)**

The quality and extent of future welfare, environmental, and public health benefits anticipated from this grant (or broader project), including how the benefits address challenges and sensitive populations you discussed in the Community Need section of your narrative.

**4.b. Economic and Community Benefits (12 points)**

The quality of the specific project outcomes, whether they include quantitative and qualitative measures, how well they address the challenges identified in the Community Need section, how closely the outcomes correlate with the described project, and how likely the outcomes identified will be achieved through the redevelopment of sites assessed under this grant.

**5. PROGRAMMATIC CAPABILITY AND PAST PERFORMANCE (40 Points)**

In evaluating an applicant's response to this criterion, in addition to the information provided by the applicant, EPA may consider relevant information from other sources including information from EPA files and/or from other federal or non-federal grantors to verify or supplement information provided by the applicant.

Your proposal will be evaluated on the quality and extent to which it demonstrates:

- resolution of any audit findings;

- the ability of your organization (as the applicant/lead coalition member) to successfully manage and complete the project, considering your programmatic and administrative capacity;
- a reasonable plan to track and measure project progress; and
- successful performance under past and/or current federally and/or non-federally funded assistance agreements.

Specifically, this criterion will evaluate the quality and extent to which you clearly, concisely and realistically address the following in the proposal:

**5.a. Audit Findings (2 points)**

Whether the applicant has any adverse audit findings and how they have corrected, or are correcting, the problems.

**5.b. Programmatic Capability (23 points)**

How efficient and effective the organizational structure is you will utilize to ensure the timely and successful expenditure of funds, your ability to complete all technical, administrative and financial requirements of the project and grant and the roles, expertise, qualifications, and experience of key staff.

How good and efficient is the system(s) you have in place to appropriately acquire any additional expertise and resources (e.g. contractors or sub-awardees) required to successfully complete the project.

**5.c. Measuring Environmental Results: Anticipated Outputs and Outcomes (5 points)**

Whether you have a reasonable plan to track, measure and evaluate your progress in achieving project outcomes, outputs and project results.

**5.d. Past Performance and Accomplishments (10 points)**

**5.d.i. Currently or Has Ever Received an EPA Brownfields Grant (10 points)**

Demonstrated ability to successfully manage past EPA Brownfield Grant(s) and the successful performance of all phases of work under each grant.

**5.d.i.1. Accomplishments (5 points)**

The quality of the accomplishments (including specific outputs and outcomes) of your grant funded program, including at minimum, the number of sites assessed and/or cleaned up, and whether these outputs and outcomes were accurately reflected in the Assessment, Cleanup and Redevelopment Exchange System (ACRES) at the time of this proposal submission, and if not, why.

**5.d.i.2. Compliance with Grant Requirements (5 points)**

Your compliance with the work plan, schedule and terms and conditions, and whether you have made, or are making, progress towards achieving the expected results of the grant in a timely manner. If you did not achieve expected results, whether or not your explanation was reasonable and appropriate corrective measures were taken to correct the situation.

Demonstrated history of timely and acceptable quarterly performance and grant deliverables, as well as, ongoing ACRES reporting.

Demonstrated need for additional funding and a reasonable plan to expend any existing EPA Brownfield grant funds by the end of the grant period.

For all closed EPA Brownfields grant(s), how accurately you indicate if there were funds remaining at the time of closure, the amount of remaining funds and whether or not you provided a reasonable explanation of why the funds were not expended.

– OR –

**5.d.ii. Has Not Received an EPA Brownfields Grant but has Received Other Federal or Non-Federal Assistance Agreements (10 points)**

Demonstrated ability to successfully manage federal or non-federal grant(s), and the performance of all phases of work under each grant.

**5.d.ii.1. Purpose and Accomplishments (5 points)**

How similar in size, scope and relevance the past federal or non-federal grants identified are and whether sufficient information was provided to make that determination.

The quality of the accomplishments (including specific outputs and outcomes) of the project supported by these grants, including specific measures of success for the project supported by each type of grant received.

**5.d.ii.2. Compliance with Grant Requirements (5 points)**

Your compliance with the work plan, schedule and terms and conditions, and whether you have made, or are making, progress towards achieving the expected results of the grant in a timely manner. If you did not achieve expected results, whether or not your explanation was reasonable and appropriate corrective measures were taken to correct the situation.

Demonstrated history of timely and acceptable reporting, as required by the awarding agency/organization.

– OR –

**5.d.iii. Has Never Received Any Type of Federal or Non-Federal Assistance Agreements (5 points)**

Whether you affirm that your organization has never received any type of federal or non-federal assistance agreement (grant).

## **V.B. Considerations and Other Factors**

In making final selection recommendations from among the most highly ranked applicants on each of the lists discussed in Section V.C., EPA's Selection Official may consider the following factors if appropriate. In their proposals, applicants should provide a summary on whether and how any of these potentially applicable other factors apply:

- the proposed assessment project advances the applicable region's regional priority(ies);
- fair distribution of funds between urban and non-urban areas, including an equitable distribution to "micro" communities (those communities with populations of 10,000 or less). EPA strongly encourages non-urban communities, including "micro" communities, to apply;
- the distribution of funds among EPA's ten Regions and among the states and territories;
- compliance with the 25 percent statutory petroleum funding allocation;
- whether the applicant is a federally-recognized Indian tribe or United States territory or whether the project is assisting a tribe or territory;
- whether target brownfield sites are impacted by mine-scarred land;
- whether the project primarily focuses on Phase II assessments;
- demonstrated firm leveraging commitments for facilitating brownfield project completion by identifying amounts and contributors of funding in the proposal and have included documentation that tie directly to the project;
- whether a natural disaster(s) (2012 or later) occurred within the community, causing significant community economic and environmental distress;
- recent (2008 or later) significant economic disruption has occurred within the community, resulting in a significant percentage loss of community jobs and tax base;
- whether the applicant is one of the 24 recipients or a core partner/implementation strategy party of a "manufacturing community" designation provided by the Economic Development Administration (EDA) under the Investing in Manufacturing Communities Partnership. Applicants must clearly demonstrate there is a nexus between their IMCP designation and the proposed Brownfields activities;
- whether the applicant is a recipient or a core partner of HUD-DOT-EPA Partnership for Sustainable Communities (PSC) grant funding or technical assistance that is directly tied to the proposed Brownfields project, and can demonstrate that funding from a PSC grant/technical assistance has or will benefit the project area; and/or
- whether the applicant is a recipient of an EPA Brownfields Area-Wide Planning grant.

## **V.C. Review and Selection Process**

Timely submitted proposals will initially be reviewed by the appropriate EPA Regional Office to determine compliance with the applicable threshold criteria for Assessment Grants (Section III.B.). All proposals that pass the threshold criteria review will be evaluated by national evaluation panels chosen for their expertise in the range of activities associated with the brownfield assessment. The national evaluation panels will be composed of EPA staff and potentially other federal agency representatives. Eligible proposals will be evaluated based on the criteria described in Section V.A. and ranking lists of applicants will be developed. For selection purposes, EPA's Office of Brownfields and Land Revitalization (OBLR) will prepare two ranked lists of eligible proposals.

One list will be comprised of “new applicants” for brownfield agreements defined as:

- applicants who have never received an EPA Brownfields Grant, or
- applicants who were awarded a Brownfields Grant that closed in 2008 or earlier.

A second list will be comprised of “existing and recent recipients” defined as:

- applicants who have a current Brownfields Grant, or
- applicants who were awarded a Brownfields Grant that closed in 2009 or later.

The Agency expects to select approximately 234 of the highest ranked proposals for award. Of these selections, the Agency expects to select at least two high ranking proposals from each region that address the Regional Priorities identified by the region in Section I.F. If among the highest approximately 234 ranked proposals that are selected there are not at least two grants from each region that address the regional priorities identified by the Region in Section I.F., then the Agency intends to make additional awards until this requirement is satisfied, depending on the number of proposals received, funding availability, the quality of proposals, and other applicable considerations. In addition, the Agency intends to use approximately 50% of the total amount of funding available under this announcement for grants to “new applicants.” This percentage is an estimate and is subject to change based on funding levels, the quality of proposals received and other applicable considerations.

The Office of Brownfields and Land Revitalization (OBLR) will provide both lists to the Selection Official, who is responsible for further consideration of the proposals and final selection of grant recipients. Proposals will be selected for award based on their evaluated point scores, the regional priority issue described above, the availability of funds, and, if and as appropriate, the other factors described in Section V.B.

#### **V.D. Additional Provisions For Applicants Incorporated Into the Solicitation**

Additional provisions that apply to this solicitation and/or awards made under this solicitation including the clause on Reporting and Use of Information Concerning Recipient Integrity and Performance can be found in the EPA Solicitation Clauses at <http://www.epa.gov/grants/epa-solicitation-clauses>. These, and the other provisions that can be found at the website link, are important, and applicants must review them when preparing proposals for this solicitation. If you are unable to access these provisions electronically at the website above, please communicate with the EPA contact listed in this solicitation to obtain the provisions.

### **SECTION VI. - AWARD ADMINISTRATION INFORMATION**

#### **VI.A. Award Notices**

EPA Regions will notify applicants who fail threshold eligibility requirements within 15 calendar days of the Agency’s determination of ineligibility. EPA will notify applicants who have not been selected for award based on the ranking criteria and other factors within 15 calendar days of EPA’s final decision on selections for this competition.

EPA anticipates notification to successful applicants will be made via telephone or electronic or postal mail by Spring 2017. The notification will be sent to the original signer of the proposal or



the project contact listed in the proposal. This notification, which informs the applicant that its proposal has been selected and is being recommended for award, is not an authorization to begin work. The official notification of an award will be made by Regional Grants Management Official for regional awards. Applicants are cautioned that only a grants officer is authorized to bind the Government to the expenditure of funds; selection does not guarantee an award will be made. For example, statutory authorization, funding or other issues discovered during the award process may affect the ability of EPA to make an award to an applicant. The award notice, signed by an EPA grants officer, is the authorizing document and will be provided through electronic or postal mail. The successful applicant may need to prepare and submit additional documents and forms (e.g., work plan), which must be approved by EPA, before the grant can officially be awarded. The time between notification of selection and award of a grant can take up to 90 days or longer.

#### **VI.B. Administrative and National Policy Requirements**

1. Funding will be awarded as a cooperative agreement. The applicants whose proposals are selected will be asked to submit a cooperative agreement application package to their EPA Regional Office. This package will include the application (Standard Form 424), a proposed work plan, a proposed budget, and other required forms. An EPA Project Officer will work with you to finalize the budget and work plan. It is EPA's expectation that the selected applicants will complete the award process within six months of the announcement.
2. Approved cooperative agreements will include terms and conditions that will be binding on the grant recipient. Terms and conditions specify what grantees must do to ensure that grant-related and Brownfields Program-related requirements are met. Applicants also will be required to submit progress reports in accordance with grant regulations found in 2 CFR 200.328.

#### **VI.C. Reporting Requirements**

During the life of the cooperative agreement, recipients are required to submit progress reports to the EPA Project Officer within 30 days after each reporting period. The reporting period (i.e., quarterly, annually) is identified in the terms and conditions of the cooperative agreement. These reports cover work status, work progress, difficulties encountered, an accounting of financial expenditures, preliminary data results, anticipated activities, and any changes of key personnel involved with the project. Site-specific accomplishments are reported on Property Profile Forms and can be submitted electronically to EPA's ACRES reporting system. Information provided in the quarterly reports and submitted in ACRES helps EPA monitor the community's progress with implementing their project and also directly supports the continuation of the Brownfields Program by highlighting measurable site-specific accomplishments to the public and Congress.

At the end of the cooperative agreement, a final project report also is required. The final report will summarize accomplishments, expenditures, outcomes, outputs, lessons learned, and any other resources leveraged during the project and how they were used.

## VI.D. Brownfields Programmatic Requirements

Brownfields grantees must comply with all applicable federal and state laws to ensure that the assessment and cleanup protects human health and the environment. Brownfields grantees also must comply with the program's technical requirements, which may include, but are not limited to, the following requirements below.

### 1. Quality Assurance (QA) Requirements

When environmental samples are collected as part of any brownfields cooperative agreement (e.g., assessment and site characterization, cleanup verification sampling, post-cleanup confirmation sampling), recipients shall submit to EPA for approval a Quality Assurance Project Plan (QAPP) prior to the collection of environmental samples. The QAPP must document quality assurance practices sufficient to produce data adequate to meet project objectives and minimize data loss. Compliance with the Quality Assurance requirements is an eligible use of grant funds for Assessment Grants.

### 2. Historic Properties or Threatened and Endangered Species

If historic properties or threatened or endangered (T&E) species may be impacted by the assessment or cleanup of a site, the requirements of the National Historic Preservation Act (NHPA) or the Endangered Species Act (ESA) may apply, respectively. Grantees are required to consult with EPA prior to conducting any on-site activity (such as invasive sampling or cleanup) that may affect historic properties or T&E species to ensure that the requirements of Section 106 of NHPA and Section 7(a)(2) of the ESA are met. Assessment grantees should plan for these consultation requirements.

### 3. All Appropriate Inquiries

All Appropriate Inquiries (AAI) must comply with 40 CFR Part 312 and must, at a minimum, include the information below. All AAI reports submitted to EPA Project Officers as deliverables under this assessment cooperative agreement must be accompanied by a completed "Reporting Requirements Checklist" that EPA's Project Officer will provide to the recipient. The checklist also is available to grantees on the EPA website at [www.epa.gov/brownfields/brownfields-all-appropriate-inquiries](http://www.epa.gov/brownfields/brownfields-all-appropriate-inquiries). They must include the information below.

- a. An *opinion* as to whether the inquiry has identified conditions indicative of releases or threatened releases of hazardous substances, and as applicable, pollutants and contaminants, petroleum or petroleum products, or controlled substances, on, at, in, or to the subject property.
- b. An identification of "*significant*" *data gaps* (as defined in 40 CFR 312.10), if any, in the information collected for the inquiry. Significant data gaps include missing or unattainable information that affects the ability of the environmental professional to identify conditions indicative of releases or threatened releases of hazardous substances, and as applicable, pollutants and contaminants, petroleum or petroleum products, or controlled substances, on, at, in, or to the subject property. The documentation of significant data gaps must include information regarding the significance of these data gaps.

- c. **Qualifications and signature** of the environmental professional(s). The environmental professional must place the statements below in the document and sign the document.
- *“(I, We) declare that, to the best of (my, our) professional knowledge and belief, (I, we) meet the definition of Environmental Professional as defined in §312.10 of this part.”*
  - *“(I, We) have the specific qualifications based on education, training, and experience to assess a property of the nature, history, and setting of the subject property. (I, We) have developed and performed the all appropriate inquiries in conformance with the standards and practices set forth in 40 CFR Part 312.”*
- Note: Please use either “I” or “We.”**
- d. In compliance with §312.31(b), the environmental professional must include in the final report an ***opinion regarding additional appropriate investigation***, if the environmental professional has such an opinion.

EPA may review checklists and AAI final reports for compliance with the AAI regulation documentation requirements at 40 CFR Part 312 (or comparable requirements for those using ASTM Standard 1527-13). Any deficiencies identified during an EPA review of these documents must be corrected by the recipient within 30 days of notification. Failure to correct any identified deficiencies may result in EPA disallowing the costs for the entire AAI report as authorized by 2 CFR 200.338 (b). If a recipient willfully fails to correct the deficiencies, the Agency may consider other available remedies under 2 CFR 200.338 – 2 CFR 200.342 and 2 CFR Part 180.

#### 4. Sufficient Progress

EPA will evaluate whether the recipient has made sufficient progress 18 months from the date of award. For purposes of Assessment Grants, the recipient demonstrates “sufficient progress” when 35% of funds have been drawn down and obligated to eligible activities; for Assessment Coalition Grants “sufficient progress” is demonstrated when a solicitation for services has been released, sites are prioritized or an inventory has been initiated if necessary, community involvement activities have been initiated and a Memorandum of Agreement is in place. If EPA determines that the recipient has not made sufficient progress, the recipient must implement a corrective action plan approved by EPA. Failure to comply with the reporting requirements may result in an early termination of the grant and return of grant funds to EPA.

#### 5. Collection of Post-Grant Information

Under the Government Performance and Results Act, EPA reports on the many benefits of brownfields funding. One such measure provides information on additional resources leveraged as a result of using brownfields grant funds. These leveraged, non-EPA funds may include additional cleanup funds or redevelopment funding from other federal agencies, state, tribal, and local governments, or private organizations. As many of these activities occur beyond the grant period, please note that EPA may contact you well after the grant period of performance to collect this information.

6. Protection of Nearby and Sensitive Populations

Grantees are required to protect all nearby populations, including sensitive populations in the target community from contaminants during assessment work conducted on brownfield sites under this grant. Activities include implementing procedures necessary to mitigate any potential exposure from the contamination.

**VI.E. Use of Funds**

An applicant that receives an award under this announcement is expected to manage assistance agreement funds efficiently and effectively and make sufficient progress towards completing the project activities described in the workplan in a timely manner. The assistance agreement will include terms and conditions implementing this requirement.

**VI.F. Disputes**

Assistance agreement competition-related disputes will be resolved in accordance with the dispute resolution procedures published in 70 FR (Federal Register) 3629, 3630 (January 26, 2005) which can be found in the EPA Solicitation Clauses at [www.epa.gov/grants/epa-solicitation-clauses#Disputes](http://www.epa.gov/grants/epa-solicitation-clauses#Disputes). Copies of these procedures may also be requested by contacting the person listed in Section VII. of the announcement.

**VI.G. Additional Provisions for Applicants Incorporated Into the Solicitation**

Additional provisions that apply to this solicitation and/or awards made under this solicitation, including but not limited to those related to DUNS, SAM, copyrights, disputes, and administrative capability, can be found in the EPA Solicitation Clauses at <http://www.epa.gov/grants/epa-solicitation-clauses>. These, and the other provisions that can be found at the website link, are important, and applicants must review them when preparing proposals for this solicitation. If you are unable to access these provisions electronically at the website above, please communicate with the EPA contact listed in this solicitation to obtain the provisions.

## SECTION VII. – AGENCY CONTACTS – Regional Brownfields Contacts

REGIONAL CONTACTS & STATES		ADDRESS
<b>EPA Region 1</b> <b>Frank Gardner</b> <a href="mailto:gardner.frank@epa.gov">gardner.frank@epa.gov</a> <b>Phone (617) 918-1278</b>	<b>CT, ME, MA,                      NH, RI, VT</b>	5 Post Office Square Suite 100, Mail code: OSRR7-2 Boston, MA 02109-3912
<b>EPA Region 2</b> <b>Lya Theodoratos</b> <a href="mailto:theodoratos.lya@epa.gov">theodoratos.lya@epa.gov</a> <b>Phone (212) 637-3260</b>	<b>NJ, NY, PR, VI</b>	290 Broadway; 18th Floor New York, NY 10007
<b>EPA Region 3</b> <b>Tom Stolle</b> <a href="mailto:stolle.tom@epa.gov">stolle.tom@epa.gov</a> <b>Phone (215) 814-3129</b>	<b>DE, DC, MD,                      PA, VA, WV</b>	1650 Arch Street Mail Code 3HS51 Philadelphia, PA 19103
<b>EPA Region 4</b> <b>Barbara Alfano</b> <a href="mailto:alfano.barbara@epa.gov">alfano.barbara@epa.gov</a> <b>Phone (404) 562-8923</b>	<b>AL, FL, GA,                      KY, MS, NC,                      SC, TN</b>	Atlanta Federal Center 61 Forsyth Street, S.W. 10th FL Atlanta, GA 30303-8960
<b>EPA Region 5</b> <b>Matthew Didier</b> <a href="mailto:didier.matthew@epa.gov">didier.matthew@epa.gov</a> <b>Phone (312) 353-2112</b>	<b>IL, IN, MI, MN,                      OH, WI</b>	77 West Jackson Boulevard Mail Code SE-7J Chicago, IL 60604-3507
<b>EPA Region 6</b> <b>Paul Johnson</b> <a href="mailto:johnson.paul@epa.gov">johnson.paul@epa.gov</a> <b>Phone (214) 665-2246</b>	<b>AR, LA, NM,                      OK, TX</b>	1445 Ross Avenue Suite 1200 (6SF-VB) Dallas, TX 75202-2733
<b>EPA Region 7</b> <b>Susan Klein</b> <a href="mailto:klein.susan@epa.gov">klein.susan@epa.gov</a> <b>Phone (913) 551-7786</b>	<b>IA, KS, MO, NE</b>	11201 Renner Blvd Lenexa, KS 66219
<b>EPA Region 8</b> <b>Christina Wilson</b> <a href="mailto:wilson.christina@epa.gov">wilson.christina@epa.gov</a> <b>Phone (303) 312-6706</b>	<b>CO, MT, ND,                      SD, UT, WY</b>	1595 Wynkoop Street (EPR-B) Denver, CO 80202-1129
<b>EPA Region 9</b> <b>Noemi Emeric-Ford</b> <a href="mailto:emerick-ford.noemi@epa.gov">emerick-ford.noemi@epa.gov</a> <b>Phone (213) 244-1821</b>	<b>AZ, CA, HI, NV,                      Pacific Island                      Territories</b>	75 Hawthorne Street, SFD6-1 San Francisco, CA 94105
<b>EPA Region 10</b> <b>Susan Morales</b> <a href="mailto:morales.susan@epa.gov">morales.susan@epa.gov</a> <b>Phone (206) 553-7299</b>	<b>AK, ID, OR, WA</b>	1200 Sixth Avenue, Suite 900 Mailstop: ECL-112 Seattle, WA 98101 <b>Fax (206) 553-0124</b>

## **Appendix 1 Information on Sites Eligible for Brownfields Funding Under CERCLA §104(k)**

### **1.1. Introduction**

The information provided in this Appendix will be used by EPA in determining the eligibility of any property for brownfields grant funding. The Agency is providing this information to assist you in developing your proposal for funding under CERCLA §104(k) and to apprise you of information that EPA will use in determining the eligibility of any property for brownfields grant funding.

**This information is used by EPA solely to make applicant and site eligibility determinations for Brownfields grants and is not legally binding for other purposes including federal, state, or tribal enforcement actions.**

### **1.2. General Definition of Brownfield Site**

**The Brownfields Law defines a “Brownfield Site” as:**  
“...real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant.”  
Brownfield sites include all “real property,” including residential, as well as commercial and industrial properties.

### **1.3. Additional Areas Specifically Eligible for Funding**

The Brownfields Law also identifies three additional types of properties that are specifically eligible for funding:

1. Sites contaminated by **controlled substances**.
2. Sites contaminated by **petroleum or a petroleum product**.
3. **Mine-scarred lands**.

See below for guidance on determining the scope of each of these three types of sites. Applicants should identify properties included within their funding proposals that fall within the scope of any of the following three areas.

#### **1.3.1. Contamination by Controlled Substance**

Sites eligible for funding include real property, including residential property, that is contaminated by a controlled substance. A “controlled substance” is defined under the Controlled Substances Act as “a drug or other substance, or immediate precursor, included in Schedule I, II, III, IV, or V of Part B of this title (21 USC Section 812). The term does not include distilled spirits, wine, malt beverages, or tobacco...” For example, sites eligible for brownfields funding may include private residences formerly used for the manufacture and/or

distribution of methamphetamines or other illegal drugs where there is a presence or potential presence of controlled substances or pollutants, contaminants, or hazardous substances (e.g., red phosphorous, kerosene, acids).

### **1.3.2. Contamination by Petroleum or Petroleum Product**

Petroleum-contaminated sites must meet certain requirements to be eligible for brownfields funding. Petroleum is defined under CERCLA as “crude oil or any fraction thereof which is not otherwise specifically listed or designated as a hazardous substance under that section.”

For a petroleum-contaminated site(s) that otherwise meets the definition of a brownfield site to be eligible for funding, EPA or the state must determine:

1. The site is “relatively low risk” compared with other “petroleum-only” sites in the state; and
2. There is no viable responsible party.
3. The site will not be assessed, investigated, or cleaned up by a person that is potentially liable for cleaning up the site.
4. The site must not be subject to a corrective action order under the Resource Conservation and Recovery Act (RCRA) §9003(h).

Site-specific assessment or cleanup grant proposals for petroleum-contaminated sites must provide information in their proposal indicating whether the site meets each of the criteria listed above. If EPA awards an applicant a revolving loan fund grant, the state or EPA must make the same determinations for site(s) that will be cleaned up under a loan or subgrant. These criteria are explained below.

**Please note that states may, but are not required to, use this guidance to determine whether sites contaminated by petroleum or petroleum products are eligible for brownfields grant funding. States may apply their own laws and regulations, if applicable, to eligibility determinations under this section.**

**Note: A petroleum eligibility determination by EPA or a state under CERCLA section 101(39)(D) for the purpose of brownfields funding does not release any party from obligations under any federal or state law or regulation, or under common law, and does not impact or limit EPA or state enforcement authorities against any party.**

#### “Relatively Low Risk”

Applicants whose brownfield site(s) include properties or portions of properties contaminated with petroleum or petroleum products must provide information in their proposal indicating that the property represents a relatively low risk (compared to other petroleum-only sites). EPA’s view is that the following types of petroleum-contaminated sites are high-risk sites, or are not of “relatively low risk:”

1. “High risk” sites currently being cleaned up using LUST Trust Fund monies.
2. Any petroleum-contaminated site that currently is subject to a response under the Oil Pollution Act (OPA).

**Note: Any site that does not fall under any of the provisions listed above would be considered to be of relatively low risk for purposes of determining eligibility for a brownfields grant.**

“A Site for Which There is No Viable Responsible Party”

EPA or the state is required to determine that there is no viable responsible party that can address the petroleum contamination at the site. If EPA, or the state, identifies a party that is responsible for the activities contemplated by the grant proposal, and that party is financially viable, then the site is not eligible for funding and EPA cannot award the grant. This analysis is twofold – EPA or the state must first determine whether a responsible party exists and, if a responsible party is identified, then determine whether that party is viable for the activities identified in the grant proposal. Applicants are responsible for providing information in their proposal that demonstrates that the activities for which they seek funding have no viable responsible party.

A petroleum-contaminated site may be determined to have no responsible party if the site was last acquired (regardless of whether the site is owned by the applicant) through tax foreclosure, abandonment, or equivalent government proceedings, and that the site meets the criteria in (1) below. Any petroleum-contaminated site not acquired by a method listed above will be determined to have a responsible party if the site fails to meet the criteria in both (1) and (2) below.

1. No responsible party has been identified for the site through:
  - a. an unresolved judgment rendered in a court of law or an administrative order that would require any party (including the applicant) to conduct the activities (including assessment, investigation or cleanup) contemplated by the grant proposal;
  - b. an unresolved enforcement action by federal or state authorities that would require any party (including the applicant) to conduct the activities (including assessment, investigation, or cleanup) contemplated by the grant proposal; or
  - c. an unresolved citizen suit, contribution action, or other third party claim brought against the current or immediate past owner for the site that would, if successful, require the activities (including assessment, investigation, or cleanup) contemplated by the grant proposal to be conducted.
  
2. The current and immediate past owner did not dispense or dispose of, or own the subject property during the dispensing or disposal of, any contamination at the site, did not exacerbate the contamination at the site, and took reasonable steps with regard to the contamination at the site.<sup>1</sup>

If no responsible party is identified above, then the petroleum-contaminated site may be eligible for funding. If a responsible party is identified above, EPA or the state must next

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<sup>1</sup> For purposes of determining petroleum brownfield grant eligibility, “reasonable steps with regard to contamination at the site” includes, as appropriate: stopping continuing releases, preventing threatened future releases, and preventing or limiting human, environmental, or natural resource exposure to earlier petroleum or petroleum product releases. Reasonable steps are discussed in more detail on pages 9-12 of EPA’s March 6, 2003, “*Common Elements*” guidance.



determine whether that party is viable. If any such party is determined to be viable, then the petroleum-contaminated site is not eligible for funding.

If there is a responsible party for the site, the applicant should explain in its application what steps it took to determine a responsible party's financial status, and why the information presented indicates that the responsible party is not viable. A state making the "viable responsible party" determination for the applicant may use the standards contained in this Appendix or its own standard. If a state is not making the determination or a tribe is the applicant, EPA will follow the standard set forth in this Appendix. Note that any viability determination made by EPA is for purposes of the CERCLA Section 104(k) grant program only.

EPA will consider a party to be viable if the party is financially capable of conducting the activity (i.e., assessment, investigation, or cleanup) identified in the grant proposal.

Generally, EPA will consider ongoing businesses or companies (corporations, LLCs, partnerships, etc.) and government entities to be viable. EPA will generally deem a defunct or insolvent company and an individual responsible party to be not viable. EPA will apply these assumptions to its petroleum grant viability determinations, unless there is information suggesting that the assumption is not appropriate in a particular case (e.g., if there is information that an individual has adequate financial resources to address contamination at a site, or if there is information indicating an ongoing business is not, in fact, viable). An applicant should indicate if one of the above assumptions applies and provide support for the assertion. In circumstances not covered by one of the above assumptions, the applicant should explain why the responsible party is not viable.

An applicant seeking to determine the financial status (i.e., the viability) of a responsible party should consider consulting the following resources and any other resources it may deem to be useful to make this determination:

1. **Responsible Party:** Ask the responsible party for its financial information (tax returns, bank statements, financial statements, insurance policies designed to address environmental liabilities, etc.), especially if the responsible party is still associated with the site or is the applicant, and, therefore, will receive the benefit of the grant. An applicant that is a responsible party and claiming it is not viable should provide conclusive information, such as an INDIPAY or MUNIPAY analysis, on its inability to pay for the assessment or cleanup.
2. **Federal, State, and Local Records:** Federal, state, and local (i.e., county and city) records often provide information on the status of a business. An applicant that is a state or local government should at the very least search its own records for information on a responsible party. Examples of such resources include regulatory records (e.g., state hazardous waste records), Secretary of State databases, and property/land records.
3. **Public and Commercial Financial Databases:** Applicants also may obtain financial data from publicly available and commercial sources. Listed below are examples of

sources for financial data that applicants may consider. Please note that some commercial sources may charge fees. EPA does not endorse the use of any specific sources, and EPA will accept reliable data from other sources as part of a proposal for funding.

Examples of sources: Lexis/Nexus, Dun & Bradstreet reports, Hoover's Business Information, Edgar Database of Corporate Information, Thomas Register of American Manufacturers, The Public Register, Corporate Annual Reports, Internet search engines (e.g. Google, Ask).

“Cleaned Up by a Person Not Potentially Liable”

Brownfields funding may be awarded for the assessment and cleanup of petroleum-contaminated sites provided they meet the requests below.

1. The applicant has not dispensed or disposed of or owned the property during the dispensing or disposal of petroleum or petroleum product at the site, and
2. The applicant did not exacerbate the contamination at the site and took reasonable steps with regard to the contamination at the site.

“Is not subject to any order issued under §9003(h) of the Resource Conservation and Recovery Act (RCRA)”

Proposals that include requests for an assessment or direct cleanup grant to address petroleum-contaminated sites must not be subject to a corrective action order under RCRA §9003(h). If EPA awards an applicant a revolving loan fund grant, the state or EPA must make the same determination for site(s) that will be cleaned up under a loan or subgrant.

### **1.3.3. Mine-Scarred Lands**

Mine-scarred lands are eligible for brownfields funding. EPA's view is that “mine-scarred lands” are those lands, associated waters, and surrounding watersheds where extraction, beneficiation, or processing of ores and minerals (including coal) has occurred. For the purposes of this section, the definition of extraction, beneficiation, and processing is the definition found at 40 CFR 261.4(b)(7).

Mine-scarred lands include abandoned coal mines and lands scarred by strip mining.

Examples of coal mine-scarred lands may include, but are not limited to:

- abandoned surface coal mine areas;
- abandoned deep coal mines;
- abandoned coal processing areas;
- abandoned coal refuse areas;
- acid or alkaline mine drainage; and
- associated waters affected by abandoned coal mine (or acid mine) drainage or runoff, including stream beds and adjacent watersheds.

Examples of non-coal hard rock mine-scarred lands may include, but are not limited to:

- abandoned surface and deep mines;
- abandoned waste rock or spent ore piles;

- abandoned roads constructed wholly or partially of waste rock or spent ore;
- abandoned tailings, disposal ponds, or piles;
- abandoned ore concentration mills;
- abandoned smelters;
- abandoned cyanide heap leach piles;
- abandoned dams constructed wholly or partially of waste rock, tailings, or spent ore;
- abandoned dumps or dump areas used for the disposal of waste rock or spent ore;
- acid or alkaline rock drainage; and
- waters affected by abandoned metal mine drainage or runoff, including stream beds and adjacent watersheds.

#### **1.4. Sites Not Eligible for Brownfields Funding**

The following three types of properties are not eligible for brownfields funding under the Brownfields Law, even on a property-specific basis. Applicants should not include these types of sites in the funding proposals.

- 1) Facilities listed or proposed for listing on the National Priorities List (NPL).
- 2) Facilities subject to unilateral administrative orders, court orders, administrative orders on consent, or judicial consent decrees issued to or entered into by parties under CERCLA.
- 3) Facilities that are subject to the jurisdiction, custody, or control of the U.S. government. Facilities owned by, or under the custody or control of, the federal government are not eligible for brownfields funding. EPA's view is that this exclusion may not extend to:
  - a. privately-owned, Formerly Used Defense Sites (FUDS);
  - b. privately-owned, Formerly Utilized Sites Remedial Action Program (FUSRAP) properties; and
  - c. other former federal properties that have been disposed of by the U.S. government.

Note that land held in trust by the U.S. government for an Indian tribe is not excluded from funding eligibility. In addition, eligibility for brownfields funding does not alter a private owner's ability to cost recover from the federal government in cases where the previous federal government owner remains liable for environmental damages.

#### **1.5. Particular Classes of Sites Eligible for Brownfields Funding Only With Property-Specific Determinations**

The following special classes of property are generally ineligible brownfield sites unless EPA makes a "Property-Specific Determination" and determines they are eligible for funding. These include:

- properties subject to planned or ongoing removal actions under CERCLA;
- properties with facilities that have been issued or entered into a unilateral administrative order, a court order, an administrative order on consent, or judicial consent decree or to which a permit has been issued by the United States or an authorized state under RCRA, FWPCA, TSCA, or SDWA;

- properties with facilities subject to RCRA corrective action (§3004(u) or §3008(h)) to which a corrective action permit or order has been issued or modified to require the implementation of corrective measures;
- properties that are land disposal units that have submitted a RCRA closure notification or that are subject to closure requirements specified in a closure plan or permit;
- properties where there has been a release of PCBs and all or part of the property is subject to TSCA remediation; and
- properties that include facilities receiving monies for cleanup from the LUST Trust Fund.

EPA's approval of Property-Specific Determinations will be based on whether or not awarding a grant will protect human health and the environment and either promote economic development or enable the property to be used for parks, greenways, and similar recreational or nonprofit purposes. Property-Specific Determination requests should be attached to your proposal and do not count toward the 15-page limit. See the Brownfields FAQs at [www.epa.gov/sites/production/files/2016-08/documents/fy17\\_faqs.pdf](http://www.epa.gov/sites/production/files/2016-08/documents/fy17_faqs.pdf) for more information on how to prepare and submit a Property-Specific Determination.

#### **1.5.1. Facilities Subject to CERCLA Removal Actions**

Properties (including parcels of properties) where there are removal actions may not receive funding, unless EPA makes a property-specific determination of funding eligibility.

EPA's view is that a removal may be identified by the occurrence of one of the following events, whichever occurs first in time: EPA issues an action memo; EPA issues an Engineering Evaluation/Cost Analysis approval memo; EPA mobilizes onsite; EPA issues a notice of federal interest to one or more potentially responsible parties (PRPs), which in emergencies may be made verbally; or EPA takes other actions that are consistent with a removal.

Once a removal action is complete, a property is eligible for brownfields funding without having to obtain a property-specific funding determination. EPA's view is that, solely for the purposes of eligibility to receive brownfields funding, a removal is complete when the actions specified in the action memorandum are met, or when the contractor has demobilized and left the site (as documented in the "pollution report" or POLREP). Applicants applying for brownfields funding for sites at which removal actions are complete must include documentation of the action being complete with their funding proposal.

Parcels of facilities not affected by removal action at the same property may apply for brownfields funding and may be eligible for brownfields funding on a property-specific basis. Property-specific funding decisions will be made in coordination with the on-scene coordinator (OSC) to ensure that all removals and cleanup activities at the property are conducted in safe and protective manners and to ensure that the OSC retains the ability to address all risks and contamination.

Please note that if a federal brownfields-funded site assessment results in identifying the need for a new removal action, the grantee may continue to expend Assessment Grant funds on additional

assessment activities. However, any additional expenditure of federal brownfields funds and any additional site assessment activities should be conducted in coordination with the OSC for the site.

### **1.5.2. Facilities to which a permit has been issued by the United States or an authorized state under the Resource Conservation and Recovery Act (RCRA), the Federal Water Pollution Control Act, the Toxic Substances Control Act, or the Safe Drinking Water Act**

Generally, in cases where a property or a portion of a property is permitted under the Resource Conservation and Recovery Act, Section §1321 of the Clean Water Act, the Safe Drinking Water Act, and/or the Toxic Substances and Control Act, the property, or portion of the property, may not receive funding without a property-specific determination. Therefore, applicants should review the following guidance regarding which types of permitted facilities may not receive funding unless EPA makes a property-specific determination to provide funding. Applicants should note that the exclusion for permitted facilities does not extend to facilities with National Pollutant Discharge Elimination System (NPDES) permits issued under the authorities of the Federal Water Pollution Control Act, but is limited to facilities issued permits under the authorities of the Oil Pollution Act (i.e., §1321 of FWPCA).

In cases where one or more portions of a property are not eligible for funding, the applicant should identify the specific permit and situation that causes the property to be excluded. In addition, the applicant must include, within the proposal, documentation that federal brownfields funding for the assessment or cleanup of the property will further the goals established for property-specific funding determinations as described in the Brownfields FAQs at [www.epa.gov/sites/production/files/2016-08/documents/fy17\\_faqs.pdf](http://www.epa.gov/sites/production/files/2016-08/documents/fy17_faqs.pdf).

In some cases, a facility may not have a permit or order because it is not in compliance with federal or state environmental laws requiring that it obtain a permit or the facility has failed to notify EPA of its regulatory status. Such facilities are not eligible for brownfields funding. For example, a RCRA treatment unit operator is required to obtain a permit and/or notify EPA of its operation. An operator that fails to fulfill those obligations will likely not have a permit or order as EPA will be unaware of its existence. Therefore, it is EPA's view that such facilities are ineligible to receive brownfields funds as a result of their failure to comply with a basic regulatory requirement. Additional guidance on the eligibility of RCRA-permitted facilities, including facilities under administrative or court orders, including corrective action orders, is provided in the Brownfields FAQs at [www.epa.gov/sites/production/files/2016-08/documents/fy17\\_faqs.pdf](http://www.epa.gov/sites/production/files/2016-08/documents/fy17_faqs.pdf).

### **1.5.3. RCRA Sites**

#### RCRA Facilities that are Eligible for Funding

EPA's view is that the following types of RCRA facilities are eligible for brownfields funding and do not require Property-Specific Determinations:

- a. RCRA interim status facilities that are not subject to any administrative or judicial order or consent decree;
- b. RCRA interim status facilities that are subject to administrative or judicial orders that do **not** include corrective action requirements or any other cleanup provisions (e.g., RCRA §3008(a) orders without provisions requiring the owner/operator to address contamination); and

- c. parcels of RCRA facilities that are not under the scope of a RCRA permit or administrative or judicial order.

#### RCRA Facilities that Require Property-Specific Determinations

EPA's view is that the following types of RCRA facilities **may not receive funding without a property-specific determination**:

- a. RCRA-permitted facilities;
- b. RCRA interim status facilities with administrative orders requiring the facility to conduct corrective action or otherwise address contamination, including facilities with orders issued under the authorities of RCRA §3008(a), §3008(h), §3013, and §7003;
- c. facilities under court order or under an administrative order on consent or judicial consent decree under RCRA or CERCLA that require the facility to conduct corrective action or otherwise address contamination at the facility; and
- d. land disposal units that have notified EPA or an authorized state of their intent to close and have closure requirements specified in closure plans or permits.

#### **1.5.4. Land disposal units that have filed a closure notification under Subtitle C of RCRA and to which closure requirements have been specified in a closure plan or permit**

RCRA hazardous waste landfills that have submitted closure notifications, as required under 40 CFR 264.112(d) or 265.112(d), generally will not be funded. This may include permitted facilities that have filed notification of closure and for which EPA and/or an authorized state is proceeding with final closure requirements for the facility. For interim status facilities, this is done through approval of a closure plan submitted with closure notification. For permitted facilities, this is routinely done as a modification to the permit, requested by the facility at the time of closure notification.

Please note that RCRA hazardous waste landfills that have submitted closure notifications may be eligible for brownfields funding with a Property-Specific Determination.

#### **1.5.5. Sites Contaminated with PCBs**

The Brownfields Law excludes from funding eligibility portions of facilities where there has been a release of PCBs that are subject to remediation under TSCA.

EPA's view is that all portions of properties **are eligible** for brownfields site assessment grants, except where EPA has initiated an involuntary action with any person to address PCB contamination. Also, it is EPA's view that all portions of properties **are eligible** for cleanup and RLF grants, except where EPA has an ongoing action against a disposer to address PCB contamination. However, any portion of a property where EPA has initiated an involuntary action with any person to address PCB contamination and portions of properties where EPA has an ongoing action against a disposer to address PCB contamination will require a Property-Specific Determination to be eligible for brownfields funding, including:

- there is a release (or disposal) of any waste meeting the definition of "PCB remediation waste" at 40 CFR 761.3; **and**

- at which EPA has initiated an involuntary action with any person to address the PCB contamination. Such involuntary actions could include:
  - enforcement action for illegal disposal;
  - Regional Administrator’s order to characterize or remediate a spill or old disposal (40 CFR 761.50(b)(3));
  - penalty for violation of TSCA remediation requirements;
  - superfund removal action; or
  - remediation required under RCRA §3004(u) or §3004(v).

PCBs may be remediated under any one of the following provisions under TSCA:

- a. section 761.50(b)(3), the directed characterization, remediation, or disposal action;
- b. section 761.61(a), the self-implementing provision;
- c. an approval issued under §761.61(c), the risk-based provision;
- d. section 761.61(b) to the level of PCB quantification (i.e., 1 ppm in soil);
- e. an approval issued under §761.77, the coordinated approval provision;
- f. section 761.79, the decontamination provision;
- g. an existing EPA PCB Spill Cleanup Policy; or
- h. any future policy or guidance addressing PCB spill cleanup or remediation specifically addressing the remediation of PCBs at brownfield sites.

#### **1.5.6. LUST Trust Fund Sites**

The Brownfields Law requires a Property-Specific Determination for funding at those sites (or portions of properties) for which assistance for response activity has been obtained under Subtitle I of RCRA from the LUST Trust Fund. EPA’s view is that this provision may exclude UST sites where money is being spent on actual assessment and/or cleanup of UST/petroleum contamination.

However, in cases where the state agency has used LUST Trust Fund money for state program oversight activities on an UST site, but has not expended LUST Trust Funds for specific assessment and/or cleanup activities at the site, the site would be eligible for brownfields funding and does not need a Property-Specific Determination. Such sites may receive brownfields funding on a property-specific basis, if it is determined that brownfields funding will protect human health and the environment and the funding will promote economic development or enable the creation of, preservation of, or addition to greenspace (see guidance on documenting eligibility for property-specific funding determinations provided in the Brownfields FAQs at [www.epa.gov/sites/production/files/2016-08/documents/fy17\\_faqs.pdf](http://www.epa.gov/sites/production/files/2016-08/documents/fy17_faqs.pdf)).

**Examples of sites receiving LUST Trust Fund monies that EPA would consider to be good candidates to receive Brownfields Grants or loans include:**

- a. all UST fields pilots (50 pilots);
- b. sites (or portions of properties) where an assessment was completed using LUST Trust Fund monies and the state has determined that the site is a low-priority UST site, and therefore, additional LUST Trust Fund money cannot be provided for the cleanup of petroleum contamination, but the site still needs some cleanup and otherwise is a good candidate for economic revitalization; and

- c. sites (or portions of properties) where LUST Trust Fund money was spent for emergency activities, but then the site was determined to be ineligible for further expenditures of LUST Trust Funds, yet the site needs additional funding for continued assessment and/or cleanup that will contribute to economic revitalization of the site.

### **1.6. Eligible Response Sites/Enforcement Issues**

The Brownfields Law limits EPA's enforcement and cost recovery authorities at "eligible response sites" where a response action is conducted in compliance with a state response program. Section 101(40) of CERCLA defines an "eligible response site" by referencing the general definition of a "brownfield site" in §101(39)(A) and incorporating the exclusions at §101(39)(B). The law places further limitations on the types of properties included within the definition of an eligible response site, but grants EPA the authority to include within the definition of eligible response site, and on a property-specific basis, some properties that are otherwise excluded from the definition. Such property-specific determinations must be based upon a finding that limits an enforcement will be appropriate, after consultation with state authorities, and will protect human health and the environment and promote economic development or facilitate the creation of, preservation, or addition to a park, a greenway, undeveloped property, recreational property, or other property used for nonprofit purposes. While the criteria appear similar to those for determining eligibility for funding on a property-specific basis, the determinations are distinct, will be made through a separate process, and may not be based on the same information requested in this document for property-specific funding determinations.

Also, please note that in providing funding for brownfield sites, and given that a limited amount of funding is available for Brownfields Grants, EPA's goal is to not provide brownfields funding to sites where EPA has a planned or ongoing enforcement action. While EPA does not intend that the existence of a planned or ongoing enforcement action will necessarily disqualify a site from receipt of brownfields funding, EPA does believe it is necessary that EPA be aware of the existence of any such action in making funding decisions. As a result, EPA will conduct an investigation to evaluate whether a site is, or will be, subject to an enforcement action under CERCLA or other federal environmental statutes. EPA is requesting that applicants identify ongoing or anticipated environmental enforcement actions related to the brownfield site for which funding is sought.



## Appendix 2 www.grants.gov Proposal Submission Instructions

### A. Requirement to Submit Through www.grants.gov and Limited Exception Procedures

Applicants, except as noted below, must apply electronically through [www.grants.gov](http://www.grants.gov) under this funding opportunity based on the [www.grants.gov](http://www.grants.gov) instructions in this announcement. If an applicant does not have the technical capability to apply electronically through [www.grants.gov](http://www.grants.gov) because of limited or no Internet access which prevents them from being able to upload the required application materials to [www.grants.gov](http://www.grants.gov), the applicant must contact [OGDWaivers@epa.gov](mailto:OGDWaivers@epa.gov) or the address listed below in writing (e.g., by hard copy, email) at *least 15 calendar days prior to the submission deadline under this announcement* to request approval to submit their application materials through an alternate method.

#### **Mailing Address:**

OGD Waivers  
c/o Barbara Perkins  
USEPA Headquarters  
William Jefferson Clinton Building  
1200 Pennsylvania Ave., N.W.  
Mail Code: 3903R  
Washington, DC 20460

#### **Courier Address:**

OGD Waivers  
c/o Barbara Perkins  
Ronald Reagan Building  
1300 Pennsylvania Ave., N.W.  
Rm # 51267  
Washington, DC 20004

In the request, the applicant must include the following information:

- Funding Opportunity Number (FON)
- Organization Name and DUNS
- Organization's Contact Information (email address and phone number)
- Explanation of how they lack the technical capability to apply electronically through [www.grants.gov](http://www.grants.gov) because of 1) limited Internet access or 2) no Internet access which prevents them from being able to upload the required application materials through [www.grants.gov](http://www.grants.gov).

EPA will only consider alternate submission exception requests based on the two reasons stated above and will timely respond to the request -- all other requests will be denied. If an alternate submission method is approved, the applicant will receive documentation of this approval and further instructions on how to apply under this announcement. Applicants will be required to submit the documentation of approval with any initial application submitted under the alternative method. In addition, any submittal through an alternative method must comply with all applicable requirements and deadlines in the announcement including the submission deadline and requirements regarding proposal content and page limits (although the documentation of approval of an alternate submission method will not count against any page limits).

If an exception is granted, it is valid for submissions to EPA for the remainder of the entire calendar year in which the exception was approved and can be used to justify alternative submission methods for application submissions made through December 31<sup>st</sup> of the calendar

year in which the exception was approved (e.g., if the exception was approved on March 1, 2016, it is valid for any competitive or non-competitive application submission to EPA through December 31, 2016). Applicants need only request an exception once in a calendar year and all exceptions will expire on December 31<sup>st</sup> of that calendar year. Applicants must request a new exception from required electronic submission through [www.grants.gov](http://www.grants.gov) for submissions for any succeeding calendar year. For example, if there is a competitive opportunity issued on December 1, 2016, with a submission deadline of January 15, 2017, the applicant would need a new exception to submit through alternative methods beginning January 1, 2017.

Please note that the process described in this section is only for requesting alternate submission methods. All other inquiries about this announcement must be directed to the Regional Brownfields Contact listed in Section VII. Queries or requests submitted to the email address identified above for any reason other than to request an alternate submission method will not be acknowledged or answered.

## **B. Submission Instructions**

The electronic submission of your application must be made by the Authorized Organization Representative (AOR) of your institution who is registered with [www.grants.gov](http://www.grants.gov) and is authorized to sign applications for federal assistance. For more information on the registration requirements that must be completed in order to submit an application through [www.grants.gov](http://www.grants.gov), go to [www.grants.gov](http://www.grants.gov) and click on “Applicants” on the top of the page and then go to the “Get Registered” link on the page. If your organization is not currently registered with [www.grants.gov](http://www.grants.gov), please encourage your office to designate an AOR and ask that individual to begin the registration process as soon as possible. Please note that the registration process also requires that your organization have a DUNS number and a current registration with the System for Award Management (SAM) and the process of obtaining both could take a month or more. Applicants must ensure that all registration requirements are met in order to apply for this opportunity through [www.grants.gov](http://www.grants.gov) and should ensure that all such requirements have been met well in advance of the submission deadline. Registration on [www.grants.gov](http://www.grants.gov), [www.sam.gov](http://www.sam.gov), and DUNS number assignment is FREE.

Applicants need to ensure that the AOR who submits the application through [www.grants.gov](http://www.grants.gov) and whose DUNS number is listed on the application is an AOR for the applicant listed on the application. Additionally, the DUNS number listed on the application must be registered to the applicant organization’s SAM account. If not, the application may be deemed ineligible.

To begin the application process under this grant announcement, go to [www.grants.gov](http://www.grants.gov) and click on “Applicants” on the top of the page and then “Apply for Grants” from the dropdown menu and then follow the instructions accordingly. Please note: apply through [www.grants.gov](http://www.grants.gov), you must use Adobe Reader software and download the compatible Adobe Reader version. For more information about Adobe Reader, to verify compatibility, or to download the free software, please visit <http://www.grants.gov/web/grants/support/technical-support/software/adobe-reader-compatibility.html>.

You may also be able to access the application package for this announcement by searching for

the opportunity on [www.grants.gov](http://www.grants.gov). Go to [www.grants.gov](http://www.grants.gov) and then click on “Search Grants” at the top of the page and enter the Funding Opportunity Number, **EPA-OLEM-OBLR-16-08**, or the CFDA number that applies to the announcement (**CFDA 66.818**), in the appropriate field and click the “Search” button. Alternatively, you may be able to access the application package by clicking on the “Application Package” button at the top right of the synopsis page for the announcement on [www.grants.gov](http://www.grants.gov). To find the synopsis page, go to [www.grants.gov](http://www.grants.gov) and click “Browse Agencies” in the middle of the page and then go to “Environmental Protection Agency” to find the EPA funding opportunities.

**Proposal Submission Deadline:** Your organization’s AOR must successfully submit your complete application package electronically to EPA through [www.grants.gov](http://www.grants.gov) **no later than December 22, 2016, 11:59 p.m. ET**. Please allow for enough time to successfully submit your application process and allow for unexpected errors that may require you to resubmit.

Please submit all of the application materials described below using the [www.grants.gov](http://www.grants.gov) application package that you downloaded using the instructions above. For additional instructions on completing and submitting the electronic application package, click on the “Show Instructions” tab that is accessible within the application package itself.

Applications submitted through [www.grants.gov](http://www.grants.gov) will be time and date stamped electronically. If you have not received a confirmation of receipt from EPA (not from [www.grants.gov](http://www.grants.gov)) within 30 days of the proposal deadline, please contact Jerry Minor-Gordon at [minor-gordon.jerry@epa.gov](mailto:minor-gordon.jerry@epa.gov). Failure to do so may result in your proposal not being reviewed.

## **Application Materials**

**The following forms and documents are mandatory under this announcement.**

1. Application for Federal Assistance (Standard Form 424)
2. Cover Letter and Narrative Proposal. See Section IV.C. for details on the content of the Cover Letter and Narrative Proposal, and the associated page limits.
3. Required Attachments. See Section IV.C. of this announcement.

## **C. Technical Issues with Submission**

1. Once the application package has been completed, the “Submit” button should be enabled. If the “Submit” button is not active, please call [www.grants.gov](http://www.grants.gov) for assistance at 1-800-518-4726. Applicants who are outside the U.S. at the time of submittal and are not able to access the toll-free number may reach a [www.grants.gov](http://www.grants.gov) representative by calling 606-545-5035. Applicants should save the completed application package with two different file names before providing it to the AOR to avoid having to re-create the package should submission problems be experienced or a revised application needs to be submitted.
2. Submitting the application. The application package must be transferred to [www.grants.gov](http://www.grants.gov) by an AOR. The AOR should close all other software before attempting to submit the application package. Click the “submit” button of the application package. Your Internet

browser will launch and a sign-in page will appear. **Note: Minor problems are not uncommon with transfers to [www.grants.gov](http://www.grants.gov). It is essential to allow sufficient time to ensure that your application is submitted to [www.grants.gov](http://www.grants.gov) BEFORE the due date identified in Section IV. of this solicitation.** The [www.grants.gov](http://www.grants.gov) support desk operates 24 hours a day, seven days a week, except federal holidays.

A successful transfer will end with an on-screen acknowledgment. For documentation purposes, print or screen capture this acknowledgment. If a submission problem occurs, reboot the computer – turning the power off may be necessary – and re-attempt the submission.

**Note: [www.grants.gov](http://www.grants.gov) issues a “case number” upon a request for assistance.**

3. Transmission difficulties. If transmission difficulties that result in a late transmission, no transmission, or rejection of the transmitted application are experienced, and following the above instructions do not resolve the problem so that the application is submitted to [www.grants.gov](http://www.grants.gov) by the deadline date and time, follow the guidance below. The Agency will make a decision concerning acceptance of each late submission on a case-by-case basis. All emails, as described below, are to be sent to Jerry Minor-Gordon ([minor-gordon.jerry@epa.gov](mailto:minor-gordon.jerry@epa.gov)) with the FON in the subject line. If you are unable to email, contact Jerry Minor-Gordon (202-566-1817). Be aware that EPA will only consider accepting applications that were unable to transmit due to [www.grants.gov](http://www.grants.gov) or relevant [www.sam.gov](http://www.sam.gov) system issues or for unforeseen exigent circumstances, such as extreme weather interfering with Internet access. Failure of an applicant to submit timely because they did not properly or timely register in [www.sam.gov](http://www.sam.gov) or [www.grants.gov](http://www.grants.gov) is not an acceptable reason to justify acceptance of a late submittal.
  - (a) If you are experiencing problems resulting in an inability to upload the application to [www.grants.gov](http://www.grants.gov), it is essential to call [www.grants.gov](http://www.grants.gov) for assistance at 1-800-518-4726 before the application deadline. Applicants who are outside the U.S. at the time of submittal and are not able to access the toll-free number may reach a [www.grants.gov](http://www.grants.gov) representative by calling 606-545-5035. Be *sure* to obtain a case number from [www.grants.gov](http://www.grants.gov). If the problems stem from unforeseen exigent circumstances unrelated to [www.grants.gov](http://www.grants.gov), such as extreme weather interfering with Internet access, contact Jerry Minor-Gordon (202-566-1817).
  - (b) Unsuccessful transfer of the application package: If a successful transfer of the application cannot be accomplished even with assistance from [www.grants.gov](http://www.grants.gov) due to electronic submission system issues or unforeseen exigent circumstances, send an email message to [minor-gordon.jerry@epa.gov](mailto:minor-gordon.jerry@epa.gov) prior to the application deadline. The email message must document the problem and include the [www.grants.gov](http://www.grants.gov) case number as well as the entire application in PDF format as an attachment.
  - (c) [www.grants.gov](http://www.grants.gov) rejection of the application package: If a notification is received from [www.grants.gov](http://www.grants.gov) stating that the application has been rejected for reasons other than late submittal promptly send an email to Jerry Minor-Gordon ([minor-gordon.jerry@epa.gov](mailto:minor-gordon.jerry@epa.gov))

with the FON in the subject line within one business day of the closing date of this solicitation. The email should include any materials provided by [www.grants.gov](http://www.grants.gov) and attach the entire application in PDF format.

### Appendix 3 - Regional Priorities Form/Other Factors Checklist

Name of Applicant: \_\_\_\_\_

#### Regional Priorities Other Factor

If your proposed Brownfields Assessment project will advance the regional priority(ies) identified in Section I.F., please indicate the regional priority(ies) and the page number(s) for where the information can be found within your 15-page narrative. Only address the priority(ies) for the region in which your project is located. EPA will verify these disclosures prior to selection and may consider this information during the selection process. If this information is not clearly discussed in your narrative proposal, it will not be considered during the selection process.

Regional Priority Title(s):

\_\_\_\_\_

\_\_\_\_\_

Page Number(s): \_\_\_\_\_

#### Assessment Other Factors Checklist

Please identify (with an **X**) which, if any, of the below items apply to your community or your project as described in your proposal. To be considered for an Other Factor, you must include the page number where each applicable factor is discussed in your proposal. EPA will verify these disclosures prior to selection and may consider this information during the selection process. If this information is not clearly discussed in your narrative proposal or in any other attachments, it will not be considered during the selection process.

Other Factor	Page #
<i>None of the Other Factors are applicable.</i>	
Community population is 10,000 or less.	
Applicant is, or will assist, a federally recognized Indian tribe or United States territory.	
Target brownfield sites are impacted by mine-scarred land.	
Project is primarily focusing on Phase II assessments.	
Applicant demonstrates firm leveraging commitments for facilitating brownfield project completion by identifying amounts and contributors of funding in the proposal and have included documentation.	
Recent natural disaster(s) (2012 or later) occurred within community, causing significant community economic and environmental distress.	
Recent (2008 or later) significant economic disruption has occurred within community, resulting in a significant percentage loss of community jobs and tax base.	

<p>Applicant is one of the 24 recipients, or a core partner/implementation strategy party, of a “manufacturing community” designation provided by the Economic Development Administration (EDA) under the Investing in Manufacturing Communities Partnership (IMCP). To be considered, <b>applicants must clearly demonstrate in the proposal the nexus between their IMCP designation and the Brownfield activities. Additionally, applicants must attach documentation</b> which demonstrate either designation as one of the 24 recipients, or relevant pages from a recipient’s IMCP proposal which lists/describes the core partners and implementation strategy parties.</p>	
<p>Applicant is a recipient or a core partner of HUD-DOT-EPA Partnership for Sustainable Communities (PSC) grant funding or technical assistance that is directly tied to the proposed Brownfields project, and can demonstrate that funding from a PSC grant/technical assistance has or will benefit the project area. Examples of PSC grant or technical assistance include a HUD Regional Planning or Challenge grant, DOT Transportation Investment Generating Economic Recovery (TIGER), or EPA Smart Growth Implementation or Building Blocks Assistance, etc. To be considered, <b>applicant must attach documentation.</b></p>	
<p>Applicant is a recipient of an EPA Brownfields Area-Wide Planning grant.</p>	