

LASSEN COUNTY TRANSPORTATION COMMISSION

REGIONAL TRANSPORTATION PLANNING AGENCY



Matthew C. Boyer, Executive Secretary

Office:
1631 Alhambra Boulevard,
Suite 100

Phone: (530) 953-8857

Date Posted: May 9, 2018

To: THE LASSEN COUNTY TRANSPORTATION COMMISSION:

Kathie Garnier (City Council)
Brian Wilson (City Council)
Joe Franco (City Council)

Tom Hammond (Co. Supervisor)
Jeff Hemphill (Co. Supervisor)
David Teeter (Co. Supervisor)

Subject: **REGULAR MEETING**

of the

LASSEN COUNTY TRANSPORTATION COMMISSION

The regular meeting of the Lassen County Transportation Commission has been scheduled for **Monday, May 14, 2018 at 1:00 p.m.** The meeting will be held at the Lassen County Board of Supervisors Chambers, 707 Nevada Street, Susanville, CA.

The Agenda is as follows.

Page **(1) CONVENE**

1.1 **Pledge of Allegiance**

1.2 **Adoption of the Agenda and Approval of the Consent Calendar:** **Motion Required**

The Commission may make any necessary additions, deletions or corrections to the agenda including moving items to or from the Consent Calendar and adopt the agenda and the Consent Calendar with one single vote. A Commission member may request an item be removed from the Consent Calendar for discussion and separate Commission action. At the appropriate time as called by the Board Chair, members of the public may make a comment on matters on the Consent Calendar prior to Commission action.

1.21 Minutes Approval:

April 9, 2018 Regular Meeting

1.22 Local Transportation Fund Article 3 Claim – County of Lassen *

REQUESTED ACTION: Adopt Resolution 18-07 approving the County of Lassen's Local Transportation Fund claim in the amount of \$8,252.00.

- 1.23 Payment of Matthew C. Boyer & Associates fees and costs in the amount of \$18,238.82 *

REQUESTED ACTION: Approve payment of Matthew C. Boyer & Associates fees and costs in the amount of \$18,238.82, as shown in Invoice #17-46-007.

(2) CORRESPONDENCE/PUBLIC COMMENT

(3) REPORTS

3.1 Reports from Caltrans, CHP, City of Susanville, County of Lassen, and LCTC Staff

- Caltrans Report
- California Highway Patrol (CHP) Report
- City of Susanville Report
- County of Lassen Report
- Susanville Indian Rancheria Report
- Executive Secretary Report (LCTC Staff)
- Summary of Commission Financial Activities

(4) NEW BUSINESS

4.01 ANNOUNCEMENT OF ITEMS TO BE DISCUSSED IN CLOSED SESSION

None Scheduled

4.02 ANNOUNCEMENT OF ACTION TAKEN IN CLOSED SESSION

4.10 ACTION/DISCUSSION ITEMS

4.11 Presentation from Inter-Agency Trail Coordinator *

ACTION REQUESTED: Receive and file.

4.12 Preliminary Approval Towards FY 2017/2018 Trail Coordinator Position

ACTION REQUESTED: BY MOTION:

- 1. Affirm staff recommendation make a Fiscal Year 2017/18 contribution of \$35,000 to this position, if funding is available.**
- 2. Direct staff to bring back an Amendment to the FY 2017/2018 Overall Work Program and Budget for consideration at your June meeting.**

4.13 Adoption of Purchasing Policy *

ACTION REQUESTED: BY MOTION, Adopt the Purchasing Policy, as presented.

4.14 Fiscal Year 2018/19 Unmet Transit Needs Determinations *

ACTION REQUESTED: BY MOTION, Adopt Resolution 18-08 finding that there are no new unmet transit needs in that are reasonable to meet for implementation in FY 2018/19.

4.15 Possible Re-Programming of Public Transportation Modernization, Improvement, and Service Enhancement Account (PTMISEA) Funds

ACTION REQUESTED: Provide Direction to Staff.

(5) INFORMATION ITEMS

5.01 Assembly Bill No. 1969 (Salas) Transit Fare Revenues *

5.02 Assembly Bill No. 2877 (Mathis) Non-Emergency Medical Transport *

5.03 US 395 Community Meeting Flyer (May 8, May 9) *

5.04 2019 California Freight Mobility Plan Focus Groups *

5.05 Update: Vehicle Speed Feedback Signs

(6) CORRESPONDENCE

None

(7) OTHER BUSINESS

7.1 Matters brought forth by the Commission

7.2 Next Regular Commission Meeting – **Monday, June 11, 2018 at 1:00 p.m.**

7.3 Adjourn

* Attachment

Enclosure

ITEMS SCHEDULED FOR FUTURE MEETINGS:

June 11, 2018

- Workshop on Future Roles and Responsibilities of the Commission (Joint Session with Technical Advisory Committee)
- Approve Contract for Legal Services
- Update on Susanville Indian Rancheria Long-Range Transportation Plan
- Update on Possible Active Transportation Program Grant Applications

- Final Apportionment of FY 2018/19 Local Transportation and State Transit Assistance Funds
- Revised Apportionment of FY 2017/18 Local Transportation and State Transit Assistance Funds
- Programming of Regional Surface Transportation Program Funds
- Concurrence on Final Draft US 395 Transportation Concept Report
- Authorization for Planning, Programming and Monitoring (PPM) Funding Allocations (16/17, 17/18, and 18/19)
- Approval of FY 2018/19 Local Transportation Fund and State Transit Assistance Fund Claims
- Approval of FY 2018/19 Overall Work Program and Budget

July, 2018 *Tentatively, no meeting scheduled*

LASSEN COUNTY TRANSPORTATION COMMISSION

MINUTES

Regular Commission Meeting

April 9, 2018

Lassen County Board of Supervisor Chambers
707 Nevada Street, Susanville, CA

1:00 P.M. Open Session

1:00 P.M. OPEN SESSION

1. Convene

Chair Teeter called the meeting to order at 1:00 P.M. and the Pledge of Allegiance to the Flag was recited.

Roll Call: **Present:** Franco, Garnier, Hammond, Hemphill, Teeter, Wilson
 Absent: None

1.2 Adoption of Agenda and Approval of Consent Calendar

It was moved by Commissioner Hammond and seconded by Commissioner Wilson that the Commission adopt the agenda and approve the Consent Calendar. The motion was passed by the following vote:

AYES: Franco, Garnier, Hammond, Hemphill, Teeter, Wilson
NOES: None
ABSENT: None
ABSTAIN: None

1.22 Local Transportation Fund Article 3 Claim – City of Susanville *

Adopted Resolution 18-06 approving the City of Susanville's Local Transportation Fund claim in the amount of \$4,948.00.

1.23 Payment of Matthew C. Boyer & Associates fees and costs in the amount of \$19,342.49 *

Approved payment of Matthew C. Boyer & Associates fees and costs in the amount of \$19,342.49, as shown in Invoice #17-46-006.

1.24 No-Cost Increase Amendment #1 to Agreement with Mark Thomas to Add Additional Tasks Related to US 395 Corridor *

Authorized staff to execute Amendment #1 to the existing contract amendment with Mark Thomas for support related to the US 395 Corridor to additional tasks, but no increase in the contract budget.

2. CORRESPONDENCE/PUBLIC COMMENT

None.

3. REPORTS

3.1 Caltrans

Mike Mogen reported on upcoming construction of the State Route 36 Capital Maintenance (CAPM) project. Caltrans will seek a supplemental allocation from the California Transportation Commission in May, 2018. Caltrans is ready to advertise the State Route 139 undercrossing project, with bid opening scheduled for July, 2018. Upon bid opening will meet with Mr. Fitzgerald and Bureau of Land Management (BLM) to consider upsizing the culvert if supplemental funds are brought to the project from the constituent and/or BLM.

3.2 CHP

Sarah Richards, Interim Commander, introduced herself and plans to attend future LCTC meetings.

3.3 City of Susanville

The City awarded a construction contract for the LCTC-funded package of street rehabilitation projects known as package FC..

3.4 Lassen County

No report was provided.

3.5 Susanville Indian Rancheria

No report was provided.

3.6 Executive Secretary

Matt Boyer provided an update to the Commission, including thanking the Susanville Indian Rancheria for hosting the May 2 Federal Highway Administration training on Roadway Departure Safety, and providing a recap of the Unmet Transit Needs Hearing.

Summary of Commission Financial Activities

No items of note.

4. New Business

4.01 Announcement of Items to be Discussed in Closed Session

No items were identified for closed session.

4.02 Announcement of Action Taken in Closed Session

No action was taken.

4.10 Action/Discussion Items

4.11 Authorization to Submit Applications for Discretionary State Rural Planning Assistance funds for Fiscal Year (FY) 2018-19

It was moved by Commissioner Hammond and seconded by Commissioner Garnier, to authorize staff to submit applications for Discretionary State Rural Planning Assistance funds for two projects, as presented.

- A. "State Route 36 Complete Street and Safe Mobility Study"*
- B. A Multi-County US 395 Planning Study from the Nevada State Line to the Oregon State Line that Builds a Stakeholder Coalition, Identifies Opportunities and Constraints, Develops an Inventory of Existing Data and Data Deficiencies, and Results in Detailed Implementation Plan with Strong Stakeholder Support.*

The motion was passed by the following vote:

AYES: Franco, Garnier, Hammond, Hemphill, Teeter, Wilson
NOES: None
ABSENT: None

4.12 US 395 Conceptual Stakeholder Coalition Members and LCTC Representative(s)

It was moved by Commissioner Hammond and seconded by Commissioner Franco, to approve the item, as presented, including approving the conceptual list of US 395 Stakeholder Coalition Members for purposes of preparing the grant application and obtaining support, and authorizing staff to arrange one or more community meetings in coordination with the ad hoc working group of the Commission. Commissioners Hammond, Franco, and Hemphill were identified as the Ad Hoc committee.

The motion was passed by the following vote:

AYES: Franco, Garnier, Hammond, Hemphill, Teeter, Wilson

NOES: None

ABSENT: None

4.13 Authorization to Form, Participate In, and Coordinate Volkswagen Settlement Working Group

Direction was provided to staff to move forward with supporting local agencies in competing for Volkswagen Settlement funds.

4.14 Request for Proposals (RFP) for Legal Services

It was moved by Commissioner Garnier and seconded by Commissioner Hammond, to authorize staff to prepare and release a Request for Proposals for Legal Services for the three-year period from July 1, 2018 through June 30, 2021, with a Commission-option for two (2), one-year extensions.

The motion was passed by the following vote:

AYES: Franco, Garnier, Hammond, Hemphill, Teeter, Wilson

NOES: None

ABSENT: None

4.15 Skyline Boulevard – Phase 2

No action was taken.

4.16 Independent Audit Reports for Fiscal Year 2016/17

It was moved by Commissioner Wilson and seconded by Commissioner Garnier, to receive and file the Fiscal Year 2016/2017 Audit Reports.

The motion was passed by the following vote:

AYES: Franco, Garnier, Hammond, Hemphill, Teeter, Wilson

NOES: None

ABSENT: None

5. Information Items

5.01 May 2 FHwA State Transportation Innovation Council (STIC) Workshop

5.02 Recap of April 6, 2018 Unmet Transit Needs Hearing

5.03 Update on City Rehab FC Project Bid Opening and Award

6. Correspondence

None.

7. Other Business

7.1 Matters Brought Forth by the Commission

None

7.2 Set Date for the Next Regular Meeting of the Lassen County Transportation Commission

Next Regular meeting of the LCTC will be May 14, 2018 at 1:00 p.m.

7.3 Adjourn

The meeting was adjourned at 3:04 p.m.

Submitted for approval by:



Matthew C. Boyer, Executive Secretary



LASSEN COUNTY TRANSPORTATION COMMISSION
REGIONAL TRANSPORTATION PLANING AGENCY

Matthew C. Boyer, Executive Secretary
Matthew C. Boyer & Associates

1631 ALHAMBRA BLVD
SUITE 100
SACRAMENTO, CA 95816

PH: (530) 953-8857

Staff Report

To: Lassen County Transportation Commission

AGENDA ITEM 1.22

Date: May 7, 2018

From: Matthew C. Boyer, Executive Secretary

A handwritten signature in blue ink, appearing to read "Matt Boyer", is placed next to the name in the "From:" field.

Subject: Local Transportation Fund Claim – County of Lassen

REQUESTED ACTION

Adopt Resolution 18-07 approving the County of Lassen's Local Transportation Fund Claim in the amount of \$8,252.

BACKGROUND

The Transportation Development Act (TDA) provides two funding sources: the Local Transportation Fund (LTF) which is derived from a quarter cent of the general sales tax collected statewide and the State Transit Assistance fund (STA) which is derived from the statewide sales tax on diesel fuel.

The LTF is allocated in a specific priority order. Claims for administration, planning and programming, pedestrian and bicycle projects, passenger rail projects, and Consolidated Transportation Service Agency activities are funded in priority order before operations and streets and roads activities.

Two percent of the remaining LTF monies may be allocated for the exclusive use of pedestrian and bicycle facilities. The City and County have historically used the population split to allocate Local Transportation Funds to each jurisdiction.

DISCUSSION

The County of Lassen requests that the Local Transportation Fund annual claim be approved in the amount of \$8,252 for fiscal year 2017/2018 for the exclusive use of pedestrian and bicycle facilities.

The following table, pursuant to section 6630 of the Transportation Development Act, lists the purpose and amount for the claim and the article and section that authorizes the claim for the specified purpose.

ALTERNATIVES

Provide direction to staff.

CLAIM
Transportation Development Act (TDA)
For Fiscal Year 2017/2018 Funds

TO: LASSEN COUNTY TRANSPORTATION COMMISSION
1631 Alhambra Blvd. Ste. 100
Sacramento, CA 95816

FROM: County of Lassen
221 S. Roop St.
Susanville, CA 96130

The County of Lassen hereby requests, in accordance with chapter 1400 Statutes 1971 and applicable rules, that this Local Transportation Fund (LTF) annual transportation claim be approved in the amount of \$8,252 (Eight Thousand Two Hundred Fifty-Two Dollars) for fiscal year 2017/2018 LTF Pedestrian and Bicycle Facilities funds to be drawn from the Local Transportation Fund of the Lassen County Transportation Commission for the purposes and amount shown below.

Approval of this claim, this application, and payment by the County Auditor is subject to such moneys being on hand and available for distribution, and to the provisions that such moneys will only be used in accordance with the terms of the allocation instructions.

Pursuant to section 6630 of the Transportation Development Act, this Statement lists the purpose and amount for the claim and the article and section that authorizes the claim for the specified purpose.

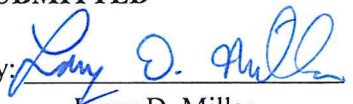
Article and Section of TDA	Purpose	Amount
Article 3, Section 99234	Pedestrian & Bicycle Facilities Construction/maintenance of bicycling trails, bicycle safety education programs, development of a comprehensive bicycle & pedestrian facilities plan.	\$8,252.00

APPROVED

By: _____
Matthew C. Boyer
LCTC Executive Secretary

Approval Date: _____

SUBMITTED

By: 
Larry D. Millar
County Public Works Director

Submittal Date: 4/11/18

LASSEN COUNTY TRANSPORTATION COMMISSION
Resolution 18-07
County of Lassen Fiscal Year 2017/2018 Local Transportation Fund Article 3 Claim

WHEREAS, the Lassen County Transportation Commission (LCTC) is the transportation planning agency for Lassen County responsible for administering Local Transportation Funds; and

WHEREAS, the County of Lassen has submitted a claim for Article 3 Local Transportation Funds for the exclusive use of pedestrian and bicycle facilities in the amount of \$8,252.00 (Eight Thousand, Two Hundred, Fifty Two); and

WHEREAS, section 6630 of the Transportation Development Act states claims shall include the amount claimed, the fiscal year for which funds are claimed, and the purpose for which the claim is made, identified by the article and section of the Act which authorizes claims; and

WHEREAS, the County of Lassen in compliance with section 6630 of the Transportation Development Act submitted a claim with the following table:

Article and Section of TDA	Purpose	Amount
Article 3, Section 99234	Pedestrian & Bicycle Facilities Construction/maintenance of bicycling trails, bicycle safety education programs, development of a comprehensive bicycle & pedestrian facilities plan.	\$8,252.00

NOW, THEREFORE, BE IT RESOLVED that the LCTC approves the claim submitted by the County of Lassen and authorizes the expenditure of Local Transportation Funds in the amount of \$8,252.00 from the region's share of funds reserved for pedestrian and bicycle facilities.

The foregoing resolution was adopted by the Lassen County Transportation Commission at its May 14, 2018, 2018 meeting by the following vote:

AYES:

NOES:

ABSTAINED:

ABSENT:

DAVID TEETER, Chairman
Lassen County Transportation Commission

The foregoing instrument is a correct copy of the original on file in the office of the Executive Secretary of the Lassen County Transportation Commission.

Matthew C. Boyer, Executive Secretary

May 14, 2018



LASSEN COUNTY TRANSPORTATION COMMISSION
REGIONAL TRANSPORTATION PLANING AGENCY

Matthew C. Boyer, Executive Secretary
Matthew C. Boyer & Associates


1631 ALHAMBRA BOULEVARD
SUITE 100
SACRAMENTO, CA 95816

PH: (530) 953-8857

Staff Report

To: Lassen County Transportation Commission **AGENDA ITEM 1.23**

Date: May 7, 2018

From: Matthew C. Boyer, Executive Secretary 

Subject: Approve payment of Matthew C. Boyer & Associates fees and costs in the amount of \$18,238.82, shown in Invoice #17-46-007

REQUESTED ACTION

Approve payment of Matthew C. Boyer & Associates fees and costs in the amount of \$18,238.82, as shown in Invoice #17-46-007.

PAST ACTION

Monthly approvals of invoices, as submitted, consistent with professional services agreement.

DISCUSSION

Attached is Invoice #17-46-007, with supporting documentation, and a detailed Progress Report for the period ended April 30, 2018.

Key items of work completed in the last month included the following.

- Several meetings with Caltrans, Legislators, Commissioner's, adjacent regions and others to advance the Commission's vision for improvements to the US 395 corridor between Hallelujah Junction and State Route 36.
- Preparing grant applications for statewide exceed Rural Planning Assistance funds for both the State Route 36 corridor, and the US 395 corridor (see separate agenda items).

We are trending to complete the current fiscal year with staffing expenditures of approximately \$193,000, under our contract maximum (\$200,000 per calendar year), despite the unusually busy first six months.

ALTERNATIVES

Commission to provide direction to staff.

Attachments (4)

INVOICE



Matthew C. Boyer & Associates
1631 Alhambra Boulevard, Suite 100
Sacramento, CA 95816
916-759-2268
matt@MCBandAssociates.com

Project Title:

Lassen County Transportation Commission
Executive Secretary and Staffing Services

Date: April 30, 2018
MCB Invoice # 17-46-007
Billing Cycle Ended: 4/30/2018 (March 29, 2018 - April 30, 2018))

To: Mr. David Teeter, Chairman
Lassen County Transportation Commission 1631
Alhambra Blvd., Ste. 120 Sacramento, CA 95816

Staff Member	Total Hours	Payroll Rate	Overhead Rate	Profit (5%)	Total Rate	Total Cost
Matt Boyer	72.00	\$ 65.00	\$ 71.50	\$ 6.83	\$ 143.33	\$ 10,319.40
Brenda Hernandez	152.50	\$ 20.75	\$ 22.83	\$ 2.18	\$ 45.75	\$ 6,977.45
Cynthia Lou	12.50	\$ 11.50	\$ 12.65	\$ 1.21	\$ 25.36	\$ 316.97

Direct Costs (receipts attached)

LSC Transportation Consultants (subconsultant working on Unmet Transit Needs) \$625.00

Printing, copies, reproduction
Travel (Lodging, meals)

No Charge
No Charge

TOTAL \$ 18,238.82

Thank you for your history of prompt payment! As a small business, we greatly appreciate it!

Prior Balance \$ 54,315.18
Payment \$ (54,315.18)
Total Due \$ 18,238.82

INVOICE



Matthew C. Boyer & Associates
1631 Alhambra Boulevard, Suite 100
Sacramento, CA 95816
916-759-2268
matt@MCBandAssociates.com

Project Title:

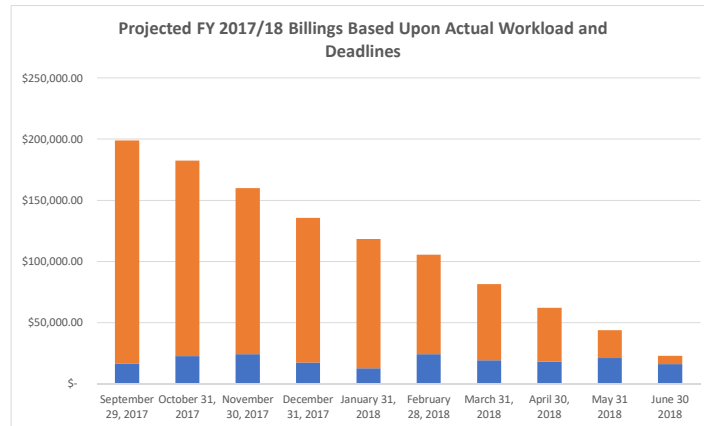
**Lassen County Transportation Commission
Executive Secretary and Staffing Services**

Date: April 30, 2018
MCB Invoice #: 17-46-007
Billing Cycle Ended: 4/30/2018

To: Mr. David Teeter, Chairman
Lassen County Transportation Commission
1631 Alhambra Blvd., Ste. 120
Sacramento, CA 95816

FY 2017/18 Contract Amount \$ 198,680.00 \$ 198,680.00

Invoice #	Date	Invoice Amount	Year to Date	Projected Balance	Notes
17-46-001	September 29, 2017	\$ 16,380.95	\$ 16,380.95	\$ 182,299.05	Half-month invoice
17-46-002	October 31, 2017	\$ 22,556.05	\$ 38,937.00	\$ 159,743.00	
17-46-003	November 30, 2017	\$ 24,087.97	\$ 63,024.97	\$ 135,655.03	
	December 31, 2017	\$ 17,464.15	\$ 56,401.15	\$ 118,190.88	2 month invoice, includes December 2017
17-46-004	January 31, 2018	\$ 12,717.38	\$ 75,742.35	\$ 105,473.50	
17-46-005	February 28, 2018	\$ 24,133.65	\$ 80,534.79	\$ 81,339.86	
17-46-006	March 31, 2018	\$ 19,342.49	\$ 95,084.84	\$ 61,997.37	
17-46-007	April 30, 2018	\$ 18,238.82	\$ 98,773.61	\$ 43,758.55	
estimated	May 31 2018	\$ 21,000.00	\$ 116,084.84	\$ 22,758.55	
estimated	June 30 2018	\$ 16,000.00	\$ 114,773.61	\$ 6,758.55	



Remaining Contract Balance (converting contract calendar years to fiscal years, for comparison)
Actual/Project Monthly Billing



LSC TRANSPORTATION CONSULTANTS, INC.

1889 York Street

Denver, CO 80206

(303) 333-1105

FAX:(303) 333-1107

E-mail: lsc@lscdenver.com

To: Matthew Boyer & Associates

Attn: Accounts Payable

1631 Alhambra

Sacramento, CA 95816

Invoice Number: 54523

Invoice Date: April 11, 2018

RE: Project: 187030

Lassen County Transportation Commission
Assistance

Client Id: 03251

Manager: Evans, G.

Professional Services for the Period: 2/24/2018 to 3/30/2018

Assistance with unmet Transit needs. Process, including recruitment of SSTAC members.

PROFESSIONAL SERVICES

	<u>Bill Rate</u>	<u>Bill Hours</u>	<u>Charge</u>
Evans, G.	\$125.00	5.00	\$625.00
		<u>5.00</u>	<u>\$625.00</u>
Professional Services Totals			\$625.00

Subtotal:

Total Fees:

Invoice Total:

\$625.00

Aged Receivables:

Current	46- 60 Days	61-90 Days	91-120 Days	> 121 Days
\$1,302.50	\$0.00	\$0.00	\$0.00	\$0.00

ALL ACCOUNTS ARE DUE IN TOTAL UPON RECEIPT OF THIS INVOICE, ACCOUNTS NOT PAID IN FULL MAY BE CHARGED 1.5% INTEREST PER MONTH (18% PER YEAR) ON THE UNPAID BALANCE, BEGINNING 30 DAYS FROM THE DATE OF THIS INVOICE

PROGRESS REPORT

Project: Lassen County Transportation Commission

MCB Project #: 17-46

Period: March 29, 2018 – April 30, 2018

WORK COMPLETED (Through April 30, 2018)

Meetings

- Prepared materials for, attended, and facilitated April Technical Advisory Committee (TAC) meeting.
- Prepared materials for, attended and provided staff support during the April LCTC meeting.
- Multiple coordination meeting with City, County Public Works, County Auditor, and Transit staff.
- Hosted the May 2 STIC Roadway Departure Workshop in Susanville with the Federal Highway Administration (FHWA). Thanks to the Susanville Indian Rancheria for hosting this event!

Administration

- Processed invoices for Commission contractors and expenses.
- Prepared miscellaneous correspondence to Caltrans on various planning, project and grant administration matters.
- Maintained the LCTC website (LassenCTC.com) with updated agendas, minutes, documents, and other information.
- Independent Audit – continued work with the independent auditor on financial and organizational issues that will be assessed and presented in the Draft Audits.

Planning

- Prepare grant applications for the US 395 and State Route 36 projects.
- Coordinated with the Susanville Indian Rancheria consultant on the Rancheria's tribal programs and plans that are being prepared separately.

Programming

- Continued researching options for programming Regional Surface Transportation Program (RSTP) exchange funds. Researching past Commission actions and will bring an item back to the LCTC with options for programming FY 16/17 and FY 17/18 RSTP funds.

- Continued to work with Lassen Transit staff to develop an approach to streamline agency funding.
- Continued to worked with Lassen Transit staff to develop an approach to future discretionary grant cycles.
- Coordinated details for May 2 STIC Roadway Departure Workshop in Susanville with the Federal Highway Administration (FHWA).
- Prepared agenda and materials for the April 6 Unmet Transit Needs hearing, and facilitated the meeting.

WORK PROJECTED (MAY 2018)

- Prepare for next TAC and LCTC meetings.
- Continue working with the County Auditor to ensure seamless continuation of financial services.
- Prepare invoice to Caltrans for FY 2017/18, third quarter, reimbursable grant work.
- Schedule, Plan, Prepare for, and Lead US 395 Meetings throughout the corridor.
- Attend the April California Transportation Commission meeting Town Hall in Sonoma.
- Attend the May Rural Counties Task Force meeting.
- Prepare Final Local Transportation Fund Apportionment, Notify Claimants, Prepare Claim Forms
- Prepare Final Draft Fiscal Year 2018/19 Overall Work Program and Budget
- Meet City-County Trail coordinator and discuss work to date. Schedule a presentation to the LCTC in May 2018.
- Review proposals received for Legal Services.
- Additional next steps to the work, as identified above.

ISSUES REQUIRING RESOLUTION

None.



LASSEN COUNTY TRANSPORTATION COMMISSION
REGIONAL TRANSPORTATION PLANING AGENCY

Matthew C. Boyer, Executive Secretary
Matthew C. Boyer & Associates

1631 ALHAMBRA BLVD
SUITE 100
SACRAMENTO, CA 95816

PH: (530) 953-8857

Staff Report

To: Lassen County Transportation Commission

AGENDA ITEM 4.12

Date: May 7, 2018

From: Matthew C. Boyer, Executive Secretary

A handwritten signature in blue ink, appearing to read "Matt Boyer", is placed next to the name in the "From:" field.

Subject: Preliminary Approval Towards FY 2017/2018 Trail Coordinator Position

REQUESTED ACTION

BY MOTION:

1. Affirm staff recommendation make a Fiscal Year 2017/18 contribution of \$35,000 to this position, if funding is available.
2. Direct staff to bring back an Amendment to the FY 2017/2018 Overall Work Program and Budget for consideration at your June meeting.

BACKGROUND

Historically, the LCTC has made a funding contribution to the Inter-Agency Trail Coordinator.

A Cooperative Agreement between Lassen County, LCTC, and the Bureau of Land Management (BLM) was approved in 2001. The original amount was \$15,000 from each party. The Appendix to this Agreement was specific language for the BLM.

In 2006 the amount was raised to \$20,000 each when the BLM had to update their funding document. The \$20,000 amount has been continuing since.

In 2017 the LCTC elected to contribute \$35,000 since they had some surplus OWP funding. The initial LCTC budget for the current FY continued with the \$35,000 from LCTC, but this budget may not have been completely balanced.

DISCUSSION

Staff support continued funding for this position, and it is probably appropriate to re-visit the Agreement to increase the base amount of \$20,000 from each party. The primary issue is what amount of funding can the LCTC provide.

ALTERNATIVES

Provide direction to staff.

**Cooperative Agreement
for
Interagency Trail Coordinator**

among

**Lassen County, the Lassen County transportation Commission
and Bureau of Land Management, California**

Agreement No. BCA992010

I. Statement of Joint Objectives

A. Purpose. This agreement is made and entered into by the Department of the Interior, Bureau of Land Management, Eagle Lake Field Office, Lassen County and Lassen County Transportation Commission (LCTC) for the purpose of cooperatively managing existing and developing new trails in each party's jurisdiction to provide an interconnected system of trails and greenways that will:

- 1) link neighborhoods, schools, businesses, commercial areas, parks and public lands together in an integrated network of trails, pathways and open space for use by local residents and visitors;
- 2) increase trail management efficiency among trail management jurisdictions by sharing limited resources;
- 3) involve trail users in the operation of their trail system to help increase users sense of ownership of local trails and to involve trail users in helping provide safe and well cared for trails
- 4) provide trail users improved service by improving trail information, signing and management responsiveness to trail issues.

B. Objective.

The objective of this agreement is to work together to utilize the resources within BLM, Lassen County, and Lassen County Transportation Commission to:

1) cooperatively implement trails elements of the Susanville Ranch Regional Recreation Area Master Plan, the Bizz Johnson Trail Management Plan, BLM land use plans, Lassen County Bikeway Master Plan and to provide and manage a safe, high quality integrated trail system on lands managed by BLM and Lassen County.

2) establish relationships with other land management jurisdictions and community trails groups to promote the

continued development and management of an interconnected system of public trails that provide recreational trail experiences and alternative transportation routes between residential, business, school, commercial area and recreational areas.

3) improve the public awareness of the interconnected trail system through the development and distribution of local and regional trail maps, signing and other information as appropriate.

4) foster community trail stewardship by involving the public with trail development and management.

5) promote trail care and trail courtesy through signing, publicity and trail user education including 'Tread Lightly,' 'Leave No Trace' and 'Share the Trail' messages.

6) promote improved trail management through pursuit of grants, agreements and other means of support for trail development and operations.

7) cooperatively work on projects that implement approved land use policies to provide a healthy land base to support trails and open space in conjunction with trails.

C. Authority (BLM Specific - see Appendix)

D. Benefits.

Benefits of this agreement to BLM will be the establishment and hiring of an Interagency Trails Coordinator through Lassen County who will be responsible for coordinating and managing the BLM trails at Susanville Ranch and for organizing volunteers to assist in the operation and maintenance of BLM trails at Susanville Ranch, volunteer trail patrols on the Bizz Johnson Trail, and on other BLM trails as agreed to in the annual operating plan to be established under this agreement.

Benefits to Lassen County will be the establishment of the Interagency Trails Coordinator position to operate the trails and natural resources at Susanville Ranch, and to organize and manage volunteers and other crews to develop and care for the trails at Susanville Ranch as it is developed and trails on other lands administered by Lassen County as agreed to in the annual operating plan to be established under this agreement.

Benefits to LCTC will be the pursuit of funding opportunities for capital improvements and operation and

maintenance of pedestrian and bicycle trails for all eligible Lassen County agencies and organizations.

Benefits to the public will be an interconnected network of trails that provide opportunities for health, fitness, recreation and transportation at Susanville Ranch, on the Bizz Johnson Trail and on other BLM and Lassen County trails as authorized through this agreement.

II. Definitions: (BLM specific - see Appendix)

III. Project Management Plan

A. Lassen County, the recipient agency, agrees to:

1. be responsible for hiring and supervision of an Interagency Trails Coordinator subject to funding availability from each party to this agreement.
2. work with the parties to this agreement to establish an annual operating plan to specify the work to be accomplished by the Interagency Trail Coordinator.
3. direct the Interagency Trail Coordinator to:
 - a. Conduct annual spring and fall trail condition surveys to inventory trail conditions and establish priorities for spring, summer and fall trail maintenance work. (Trail improvement priorities beyond annual maintenance will be set in the annual operating plan.)
 - b. schedule, train and supervise hand crews to properly maintain the existing trails agreed to in the annual operating plan including Susanville Ranch and BLM trails (Training is to include trail maintenance standards specified in professional trails maintenance hand books such as the USFS Trails Construction and Maintenance Notebook.)
 - c. recruit, organize and supervise volunteers to care for trails through regular trail patrols at Susanville Ranch Regional Recreation Area and the Bizz Johnson Trail Special Recreation Management Area to observe and report trail use and conditions, clean up trail litter, conduct light maintenance as directed by the trails coordinator, assist visitors as needed with trail information, promote Share the Trail use ethics, Tread Lightly and Leave No Trace programs.

d. plan and schedule heavy equipment work needed to accomplish trail work that cannot be completed by hand crews when budgeted and approved by the landowner.

e. pursue funds such as grants and other sources to implement trail development specified in the annual operating plan

f. seek new participants to pursue funds to help provide for quality annual trail operation and maintenance.

g. provide year end report of accomplishments during previous funding cycle and field season to include name, location and miles of trails maintained, volunteers utilized, volunteer patrol days, projects completed, grants applied for, grants administered.

h. Undertake projects that include protection and enhancement of greenbelt corridors and open space areas where established or proposed trails are located.

B. All parties agree to:

1. Provide partial funding as available to off-set a portion of the annual expenses relating to the Trails Coordinator position.

2. Provide partial funding as available to off-set a portion of the annual expenses relating to the annual Interagency Trails Operation and Maintenance Plan supervised by the Interagency Trail Coordinator.

3. Assist with the selection of the Interagency Trail Coordinator.

4. Cooperate in the development, monitoring and year end review of the annual operating plan.

5. When agency capability and staff are available, provide technical assistance such as trails inventory and mapping using GPS and GIS equipment, design support, assessment of impacts to wildlife, soils, rare plants and environmental education support.

6. Provide equipment and labor as available to assist in project implementation. This may include power tools, heavy equipment and equipment operators, subject to approval of the respective agencies.

7. Provide guidance in the development of a volunteer trail care program.

8. Provide assistance in development of an interconnected trails system map and visitor brochure.
9. Provide equipment and labor to complete certain jobs agreed to by BLM and Lassen County at Susanville Ranch as agreed to in the annual operating plan.
10. Acknowledge that the responsibility and authority for lands owned or within the jurisdiction of each participating agency will remain unaffected by this agreement.
11. Include additional agency parties upon the approval of the parties to this agreement.
12. Payment Procedure Reference (BLM Specific - see Appendix)

C. All Parties providing funding to this agreement agree to:

1. Appoint a representative to serve on an Interagency Trails Executive Committee. Committee will set priorities through the annual operating plan and budget and will review progress quarterly. The Executive Committee will work through Lassen County as the recipient agency to provide direction to the person in the trail coordinator position.

IV. - XII. BLM Specific References (see Appendix).

XIII. Term of Agreement. This agreement shall become effective when signed by all parties. If any one party to this agreement terminates their involvement they shall provide the other parties with at least 60 days notification to allow time for adjustments to the agreement.

APPROVALS

Interagency Trails Coordinator Cooperative Agreement

Lassen County:

Robert F. Pyle Date: 1-29-01
Robert F. Pyle, Chairman

Lassen County Board of Supervisors

Project Manager: Robert K. Sorvaag Date: 1-29-01

Robert K. Sorvaag

Lassen County Community Development Director

Responsible Official: William D. Bixby Date: 1/29/01

William D. Bixby,

Lassen County Administrative Officer

Lassen County Transportation Commission:

Mary Fahlen Date: 1-29-01
Mary Fahlen, Chairman

Project Manager: Scott Maas Date: 1-29-01

Scott Maas

Transportation Planner

Responsible Official: Larry D. Millar Date: 1/29/01

Larry Millar

Executive Secretary

Bureau of Land Management:

Responsible Official: Linda D. Hansen Date: 1-30-01

Linda D. Hansen

Eagle Lake Field Office Manager

Project Manager: Stanley J. Bales Date: 1-30-01

Stanley J. Bales

Outdoor Recreation Planner

Assistance Officer: Leona B. Parker Date: 1/30/01

Leona Parker

Contract Specialist

APPENDIX

Cooperative Agreement

BCA992010

(Expires 9-30-05)

for

Interagency Trail Coordinator

Between Lassen County

Lassen County Transportation Commission

Bureau of Land Management, California

The following are Bureau of Land Management Specific references required as part of BLM Cooperative Agreements which are the legal instruments through which funding is transferred from BLM to cooperating partners.

I. Statement of Joint Objectives:

C. Authority.

1. Federal Land Policy and Management Act of 1976 (Public Law 94-579, Section 307 (b)).

II. Definitions.

A. Agreement: means this cooperative agreement.

B. Assistance Officer (AO): means the BLM's Assistance Officer, who is the local BLM contract specialist. The AO is the only individual authorized to obligate funds, award, modify or terminate the agreement or any task order (TO) thereto. The AO is responsible for issuing TOs, monitoring the agreement and TOs for compliance, enforcing the agreement provisions, issuing timely performance and payment approvals, terminating the agreement or any TO thereto and closing out the agreement.

C. Assistance Representative (AR): means the BLM's Assistance Representative, who is the lead Outdoor Recreation Planner for the Eagle Lake Field Office. The AR will be designated for the purpose of administering the technical aspect of the agreement. The AR is authorized to

clarify technical requirements, and to review and approve work which is clearly within the scope of the work specified in this agreement. The AR is not authorized to issue changes or in any other way modify this agreement.

D. BLM: means the Bureau of Land Management. May also be referred to as Bureau.

E. CFR: means Code of Federal Regulations.

F. Fiscal Year (FY): means the Federal fiscal year which extends from October 1 of one year through September 30 of the following year.

G. Lassen County is the recipient organization under this agreement. Lassen County is a county under the laws of the State of California.

H. Not-to-Exceed (NTE) Amount: means the maximum Federal funding amount. For this Cooperative Agreement the NTE shall be \$15,000/year for up to 5 years totaling \$75,000/5 years.

I. OMB: means Office of Management and Budget.

J. Project Coordinator: means the recipient's Project Coordinator. The project coordinator is responsible for implementing the task orders that are specified and jointly agreed to under this agreement and completing all reports required in this agreement. Project Coordinator will be the Lassen County Community Development Director.

K. Responsible Official: means the recipient's Responsible Official. The responsible official is the individual who is authorized to act for the recipients organization and commit the recipient to compliance with the terms and conditions of this agreement. Responsible Official will be the Lassen County Administrative Officer.

M. Task Order (TO): means the annual operating plan which will serve as the order issued against the agreement to obligate funds for specific services or work to be accomplished.

III. Project Management Plan:

B. All Parties Agree to:

12. Provide payments to Lassen County in accordance with Section VI, Financial Support, and Section VII, Payments, of this agreement and applicable OMB and Treasury Regulations.

IV. Term of Agreement. This agreement shall become effective on the date of signature of the BLM Assistance Officer and shall remain in effect until 9-30-2005, unless terminated in accordance with the provisions of 43 CFR, Subpart F, Section 12.961 or by failure of one or more parties to comply with the terms of this agreement. If any one party to this agreement terminates their involvement they shall provide the other parties with at least 60 days notification to allow time for adjustments to the agreement.

V. Task Orders (TO).

A. Issuance. If any task orders are issued they will be issued in writing by the Assistance Officer and must be signed by both the authorized responsible official and the AO to be effective.

B. Contents. A task order will contain:

1. The specifications or statement of work that will be performed under that specific task order.
2. A list of any deliverable items that are required.
3. Any necessary drawings and/or location maps.
4. The delivery schedule or completion time which has been negotiated based on the level of difficulty, site location, etc.
5. A not to exceed (NTE) amount for the task.
6. Any other detail or information necessary.

VI. Financial Support.

A. The BLM portion of this agreement shall be funded by issuance of task orders based on the availability of BLM funding. Lassen County hereby releases the BLM from all liability due to failure of Congress to appropriate funds for this agreement.

B. Funds obligated for a specific Task Order but not expended in that FY (October 1 - September 30) can be carried forward and expended in the subsequent FY.

C. Task Orders will specify the not to exceed (NTE) amounts. The BLM shall not be obligated to pay for nor shall Lassen County be obligated to perform any effort that will require the expenditure of Federal funds above the NTE amount specified in that task order.

D. Cost sharing for this agreement shall be in accordance with 43 CFR, Subpart F,

Section 12.923.

VII. Payments.

A. Electronic Funds Transfer Payments

1. Payment under this agreement will be made by the Government by electronic funds transfer (through the Treasury Fedline Payment System (FEDLINE) or the Automated Clearing House (ACH)).

2. After award, but no later than 14 days before an invoice or agreement financing request is submitted, the Recipient shall designate a financial institution for receipt of electronic funds transfer payments (use federal standard form #SF-3881), and shall submit this designation to the following address:

Bureau of Land Management
National Business Center, BC-630
Denver Federal Center, Bldg. 50
PO Box 25047
Denver, CO 80225-0047

3. If a designation has been submitted to the BLM under a previous agreement it is not necessary to complete another SF-3881 unless you are changing your designation of financial institution.

B. Lassen County shall be entitled to reimbursement or at least quarterly upon submission of an original invoice. Payments shall be governed by the provisions of 43 CFR Subpart F, Section 12.922 and 12.952.

VIII. Property Management and Disposition.

Any BLM property used or other property acquired under this agreement, including intangible property such as copyrights and patents shall be governed by the provisions of 43 CFR, Subpart F, Section 12.931 through 12.937.

IX. Deliverables and Reports.

Submit one copy of an annual performance report to the Assistance Representative at the end of the federal fiscal year that ends on September 30th. The performance report must be prepared in accordance with 43 CFR, Subpart F, Section 12.951 and address items such as a

comparison of actual accomplishments with established goals, reasons why goals may not have been met, cost overruns and any other pertinent information.

X. Key Officials.

A. Assistance Officer (AO)

Leona Parker
Contract Specialist
Bureau of Land Management
Eagle Lake Field Office
2950 Riverside Drive
Susanville, CA 96130

Telephone Number (530)257-0456

B. Assistance Representative (AR)

Stan Bales
Outdoor Recreation Planner
Bureau of Land Management
Eagle Lake Field Office
2950 Riverside Drive
Susanville, CA 96130

Telephone Number (530)257-0456

C. Responsible Official

William D. Bixby
County Administrative Officer
Lassen County
221 South Roop Street
Susanville, CA 96130

(530)-251-8333

D. Project Coordinator

Robert K Sorvaag
Community Development Director
Lassen County
707 Nevada Street
Susanville, CA 96130

530-251-8269

XI. Special Terms and Conditions.

A. Order of Precedence

Any inconsistency in this agreement shall be resolved by giving precedence in the following order: (a) Any national policy requirements and administrative management standards; (b) requirements of the applicable OMB Circulars and Treasury regulations; (c) 43 CFR Part 12; (d) special terms and conditions; (e) all Agreement sections, documents, exhibits, and attachments; and (f) all TO sections, documents, exhibits, and attachments.

B. Modifications

This agreement may be modified by written agreement signed by both a Lassen County official (project coordinator) and the Assistance Officer. Administrative changes (i.e. AO name change) which do not change the project management plan, not to exceed amount, etc. or otherwise affect the recipient may be signed unilaterally by the AO.

C. Procurement Procedures

It is a national policy to place a fair share of purchases with minority business firms. The Department of the Interior is strongly committed to the objectives of this policy and encourages all recipients of its grants and cooperative agreements to take affirmative steps to ensure such fairness. Positive efforts shall be made by recipients to utilize small businesses, minority-owned firms, and women's business enterprises, whenever possible. Recipients of Federal awards shall take all of the following steps to further this goal:

1. Ensure that small businesses, minority-owned firms, and women's business enterprises are used to the fullest extent practicable.

2. Make information on forthcoming opportunities available and arrange time frames for purchases and contracts to encourage and facilitate participation by small businesses, minority-owned firms, and women's business enterprises.

3. Consider in the contract process whether firms competing for larger contracts intend to subcontract with small businesses, minority-owned firms, and women's business enterprises.

4. Encourage contracting with consortiums of small businesses, minority-owned firms and women's business enterprises when a contract is too large for one of these firms to handle individually.

5. Use the services and assistance, as appropriate, of such organizations as the Small Business Development Agency in the solicitation and utilization of small business, minority-owned firms and women's business enterprises.

XII. General Provisions.

A. National Policy Requirements and Administrative Management Standards. All applicable national policy requirements and administrative management standards as set forth in the Office of Management and Budget, Financial Management Division, Directory of Policy Requirements and Administrative Standards for Federal Aid Programs are incorporated by reference.

B. 43 CFR Part 12, Administrative and Audit Requirements and Cost Principles for Assistance Programs is incorporated by reference.

C. Federal Acquisition Regulation (FAR) at 48 CFR Part 31 is incorporated by reference.

D. 43 Code of Federal Regulations (CFR) Part 12, Appendix A to Subpart D, Certification Regarding Debarment, Suspension, and Other Responsibility Matters - Primary Covered Transaction and completed Form DI-2010 are incorporated by reference.

E. 43 CFR Part 12, Appendix C to Subpart D, Certification Regarding Drug-Free Workplace Requirements, Alternate I (Grantees other than individuals) and completed Form DI-2010 are incorporated by reference.

F. Single Audit Act Amendments of 1996, Public Law 104-156, 110 Stat. 1396, 31 U.S.C. 750 1-7 and 43 CFR, Part 12, is incorporated by reference.

H. Pursuant to Sec. 307 of the Department of the Interior and Related Agencies Appropriations Act of 1998, Public Law 105-83, 111 Stat. 1590, be advised of the following:

In the case of any equipment or product that may be authorized to be purchased with financial assistance provided using funds made available in this Act, it is the sense of the Congress that entities receiving the assistance should, in expending the assistance,

purchase only American-made equipment and products.

Recipient agrees to follow the procedures in 43 CFR Part 12, Subpart E, Section 12.700 - Buy American Requirements for Assistance Programs.

J. Grant/Cooperative Agreement Provision

Recipient shall not use any part of the appropriated funds from the Interior and Related Agencies Appropriation Act, FY 1998, for any activity or the publication or distribution of literature that in any way tends to promote public support or opposition to any legislative proposal on which Congressional action is not complete.



LASSEN COUNTY TRANSPORTATION COMMISSION
REGIONAL TRANSPORTATION PLANING AGENCY

Matthew C. Boyer, Executive Secretary
Matthew C. Boyer & Associates

1631 ALHAMBRA BLVD
SUITE 100
SACRAMENTO, CA 95816

PH: (530) 953-8857

Staff Report

To: Lassen County Transportation Commission

AGENDA ITEM 4.13

Date: May 7, 2018

From: Matthew C. Boyer, Executive Secretary

A handwritten signature in blue ink, appearing to read "Matt Boyer", is placed next to the "From:" line.

Subject: Adoption of Purchasing Policy

REQUESTED ACTION

BY MOTION:

Adopt the Purchasing Policy, as presented.

BACKGROUND

As of July 1, 2018, the LCTC administratively separated from the County. While staffed by the County, the LCTC used County policies and procedures.

At this time, the LCTC needs only a purchasing policy. The LCTC has no staff or facilities and follows the County's financial policies related to use of the County Treasury and Auditor. Therefore, other typical policies are unnecessary.

DISCUSSION

Typically, purchasing policies cover a variety of procurements, including materials, goods, and services. It is anticipated that the LCTC will only be procuring occasional professional services, such as outside Counsel, independent audits, and planning/engineering studies.

Attached is a draft Purchasing Policy focused on the procurement of professional services.

ALTERNATIVES

Provide direction to staff.

Attachment

**LASSEN COUNTY TRANSPORTATION
COMMISSION**

**CONTRACTING AND PURCHASING
PROCEDURES**

Adopted by May 14, 2018

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I. GENERAL PROVISIONS

A. Introduction and Purpose

These Contract and Purchasing Procedures (“Procedures”) are established for use by Lassen County Transportation Commission (“LCTC” or “Commission”) for the award of LCTC Contracts. It is the policy of LCTC that goods and services be acquired through a procurement process that provides full and open competition to the maximum extent feasible, consistent with federal and state statutes and regulations.

LCTC is responsible for its own product and services acquisitions. This process includes ensuring the necessity of procuring the product or service, ensuring appropriate funding is available, complying with laws, and writing contracts in a manner that safeguards the program’s and the organization’s interest. LCTC management must maintain a written record of all persons authorized to sign Contracts. These Procedures are designed to ensure the best and most cost-effective use of program funds through an open and fair procurement process.

These Procedures are for the use of LCTC’s Commissioners and staff and shall not be construed to create or recognize any procedural or other right in any person or entity, including, but not limited to, any bidder, prospective bidder, or party to a Contract with LCTC. The Commission may adopt standard specifications setting forth procedures and controls for Contracts and the bidding and award thereof, to modify or supplement these Procedures. The Commission may amend these Procedures from time to time.

B. Definitions

1. “A & E Contract” means a contract for architectural or engineering services.
2. “Commission” means the six-member commission that serves as the decision-making body for LCTC.
3. “Contract” means a Special Services Contract, and any other agreement, whether written, oral or otherwise, that evidences a legal obligation, including, but not limited to, any contract, lease, purchase order, change order, or similar thing, and any amendment thereto.
4. “Emergency” means a sudden, unexpected occurrence that poses a clear and imminent danger, requiring immediate action to prevent or mitigate the loss and impairment of life, health, property, or essential public services.
5. “Executive Secretary” means the Executive Secretary of LCTC or another individual given specific authorization by the Commission to enter into a transaction on behalf of LCTC.
6. “Non-Federal Contracts” means a Contract that will be funded with State and/or local funds only. No federal funds will be utilized to pay the selected vendor or contractor.
7. “Project Manager” means the LCTC staff member assigned administrative responsibility for a Contract or procurement.
8. “Special Services Contract” means a contract for special services which cannot readily be provided by LCTC's employees. "Special Services" include, but are not limited to, financial, economic, accounting (including the preparation and issuance of payroll checks and

warrants), legal, medical, administrative, security, maintenance, operational, advertising, and related services and any other services of a similar nature.

C. Basic Contracting Process

The contracting process starts with the recognition of a need for a product or service. From that point the process varies depending on the type of product or services needed. Key considerations include:

- *Time* – When the product or service is needed is a critical factor.
- *Cost and Funding* – Funding and payment for services rendered is important. The program should have funding available within its budget for the fiscal year in which the required services will be performed. If a multi-year contract, the necessary contingencies should be incorporated into the terms of the contract.

Prior to commencing any procurement or amending an existing contract that utilizes federal funds, the Executive Secretary or his or her designee must complete the Cost or Price Analysis Form, attached hereto as Attachment A.

- *Competitive Bidding* – Selection of a contractor must be the result of an open and fair process in which all qualified providers of the product or service desired have the opportunity, and the information necessary, to submit a bid or proposal.
- *Management of the Contract* – The final step of managing the contract should be anticipated and planned during the contracting process. Deliverables should be clearly described so that they can be evaluated and payments can be approved.

Every contract file must include a completed “LCTC Contract Checklist,” in the form attached hereto as Attachment B. For each contract utilizing federal funds that exceeds \$3,000, the contract file must contain a “History of the Procurement,” in the form attached hereto as Attachment C. These forms must be completed by the Project Manager as applicable for each project.

D. Environmental and Energy Efficiency Preference

To the extent practicable and economically feasible, federally funded procurements will reflect LCTC’s preference for products and services that conserve natural resources, protect the environment, and are energy efficient.

E. Record Keeping

LCTC shall prepare and maintain purchasing and financial records, covering procurement transactions as well as other aspects of project implementation for three years after final payment has been made and all other pending matters are closed.

F. Federal Contract Requirements

Federally funded contracts shall require compliance with Federal law and shall include necessary contract clauses and requirements, including but not limited to: “Responsibility” Requirements; Debarment and Suspension; Conflict of Interest; Lobbying Certification and Disclosure; Federal Civil Rights Laws and Regulations; Labor and Prevailing Wage Laws and Regulations; and Disadvantaged Business Enterprise Requirements.

G. Code of Conduct

Award and Administration of Contracts: No Commissioner, officer, employee or agent of LCTC shall participate in the selection, award or administration of a contract (including purchase orders) if a conflict of interest, real or apparent, would be involved. Such a conflict would arise if any prospective vendor or contractor (or any subcontractor) considered for an award is:

- a. A Commissioner, employee, officer or agent;
- b. Any member of his/her immediate family;
- c. His/her domestic or business partner;
- d. An organization that employs any of the above, or with which any of them has an arrangement concerning prospective employment.

No Commissioner, officer, employee or agent of LCTC may have a financial interest in any contract made or influenced by him/her in his/her official capacity

No Commissioner, officer, employee or agent of LCTC shall solicit or accept gratuities, favors, or anything of monetary value from consultants, vendors, contractors, or potential consultants, or parties to sub-agreements, excluding nominal gifts with a value of less than \$50.

Violations of these standards may result in sanctions, or other forms of discipline up to and including termination, consistent with LCTC's personnel policies.

H. References

All applicable federal and state laws and regulations are incorporated by reference in these Procedures to the extent required by law, including but not limited to: 48 CFR, Federal Acquisition Regulations System, Chapter 1, Part 31 et seq.; Office of Management and Budget Circular A-102, *Grants and Cooperative Agreements with State and Local Governments*; 49 CFR, Part 18, *Uniform Administrative Requirements for Grants and Cooperative Agreements with State and Local Governments*; Chapter 11 of 40 U.S.C., *Brooks Act*; and FTA Circular 4220.1F, *Third Party Contracting Guidance*, and any amendments thereto.

II. AWARDING OF CONTRACTS

Once a vendor has been identified pursuant to the appropriate method of procurement, as set forth in Section III below, a contract must be negotiated. No work shall commence or goods ordered until a contract has been negotiated and approved, as set forth below.

Price Threshold	Method of Procurement	Required Approval Level
Under \$2,500	No Bidding Required	Executive Secretary or Designee
\$2,500 – \$10,000	Small Purchase – for Supplies/Special Services RFP/RFQ – for A&E IFB – Construction	Executive Secretary
\$10,001 -- \$100,000	Small Purchase – for Supplies/Special Services RFP/RFQ – for A&E IFB – Construction	Commission or Board
More than \$100,000	RFP – for Supplies/Special Services RFP/RFQ – for A&E IFB – Construction	Commission or Board

A. Supply, Special Service, and Architectural & Engineering Services Contracts

Contracts which involve both Special Services and Supplies shall be deemed Special Services Contracts; except that such contracts for which Supplies account for more than 80% of the contract price shall be deemed Supply Contracts.

1. Expenditures Under \$2,500

The Executive Secretary or his/her designee is authorized to award all Supply Contracts, Special Services Contracts, and Architectural and Engineering (“A&E”) Contracts when the expenditure is less than Two-Thousand, Five Hundred Dollars (\$2,500).

2. Expenditures of \$10,000 or Less

The Executive Secretary is authorized to award all Supply Contracts, Special Services Contracts, and Architectural and Engineering (“A&E”) Contracts when the expenditure is Ten Thousand Dollars (\$10,000) or less.

3. Expenditures Exceeding \$10,000

All Supply Contracts, Special Service Contracts, and A & E Contracts of more than Fifty Thousand Dollars (\$10,000) shall be awarded by the Commission or Board. Such contracts need not be awarded by the Commission or Board where the entire contract amount is to be paid by a state or local entity, or another joint powers agency.

B. Construction Contracts

The Executive Secretary is authorized to award all Construction Contracts when the expenditure is Ten Thousand Dollars (\$10,000) or less. The Commission shall award all Construction Contracts exceeding Fifty Thousand Dollars (\$10,000).

III. METHODS OF PROCUREMENT

The following methods of procurement shall be when procuring services, supplies, and property at the specified dollar amounts:

A. Procurement by Small Purchasing Procedures

1. **Small Purchasing Procedures.** Small purchasing procedures may be used to acquire services, supplies, or other property totaling \$10,000 or less, except for Construction Contracts.

- a. A list of criteria for the materials or services to be provided must be developed.
- b. Verbal or written price or rate quotations must be obtained from at least three possible sources. For the purpose of small purchases, a hard copy of a published or listed price is considered a written quotation. If verbal quotations are received, staff shall complete the "Documentation of Bids Received by Telephone" form, attached hereto as Attachment D. Verbal quotations can be difficult to enforce, so a successful verbal quotation shall be confirmed in writing by the offeror.

When small purchasing procedures are used and an award is made to other than the source with the lowest quotation, a written justification of the award decision will be made a part of the quotation record, unless the purchase is under \$2,500.

B. Procurement by Sealed Bids/Invitation For Bid (IFB)

If sealed bids/invitation for bids ("IFB") are utilized, bids must be publicly solicited and a firm fixed-price contract (lump sum or unit price) will be awarded to the responsible bidder whose bid, conforming to all the material terms and conditions of the invitation for bids, is the lowest in price. IFBs for services or supplies that are anticipated to exceed \$10,000 shall be approved by the Commission or Board prior to solicitation, unless the scope of work is included in LCTC's approved Overall Work Program and adopted budget.

1. IFB may be utilized when the following conditions are present:
 - a. A complete, adequate, and realistic specification or purchase description is available;
 - b. Two or more responsible bidders are willing and able to compete effectively for the business;
 - c. The procurement lends itself to a firm fixed price contract and the selection of the successful bidder can be made principally on the basis of price; and
 - d. No discussion with bidders is needed.
2. If the IFB procurement method is used, the following requirements apply:
 - a. The IFB will be publicly advertised, as set forth below in this section III.H.;
 - b. Bids shall be solicited from an adequate number of known suppliers, providing them sufficient time to prepare bids prior to the date set for opening the bids;

- c. The IFB, which will include any specifications and pertinent attachments, shall define the items or services sought in order for the bidder to properly respond;
 - d. All bids will be publicly opened at the time and place prescribed in the invitation for bids;
 - e. A firm fixed-price contract award will be made in writing to the lowest responsive and responsible bidder, as set forth herein in section IV.D. When specified in bidding documents, factors such as discounts, transportation costs, and life cycle costs shall be considered in determining which bid is lowest;
 - f. Payment discounts will only be used to determine the low bid when prior experience indicates that such discounts are usually taken advantage of; and
 - g. Any or all bids may be rejected if there is a sound, documented business reason.
3. The IFB procurement method is the preferred method for procuring Construction Contracts that require bidding, if the conditions above apply.

C. Procurement by Competitive Proposal/Request for Proposals (RFP)/Request for Qualifications (RFQ)

Procurement by competitive proposal/request for proposals/request for qualifications (“RFP/RFQ”) shall be utilized to acquire services, supplies or property totaling more than \$100,000. RFP/RFQ’s for procurements that exceed \$10,000 shall be approved by the Commission or Board prior to publication, unless the scope of work is included in LCTC’s Overall Work Program and adopted budget. However, any RFP/RFQ may be taken to the Commission or Board if it is determined by management that there are issues surrounding the project that are of interest to the Commission or Board.

Either a fixed price or a time and materials contract with a “not to exceed” contract amount will be awarded. The RFP/RFQ method of procurement will generally be used when conditions are not appropriate for the use of sealed bids. If this procurement method is used, the following requirements will apply:

1. RFPs/RFQs shall be publicized, as set forth below in Subsection III.H. below.
2. All evaluation factors will be identified, along with their relative importance;
3. Proposals will be solicited from an adequate number of qualified sources;
4. When conducting technical evaluations of the proposals received, staff shall use the “Guidelines for Criteria and Considerations in Evaluating RFPs” attached hereto as Attachment E;
5. The contract will be awarded to the responsible firm whose proposal is most advantageous to LCTC's program when price and other factors are considered. LCTC normally will select the lowest bidder meeting the minimum qualifications, unless it can be demonstrated that accepting a higher cost proposal will provide a substantially better product or service that would justify the higher cost; and

6. In determining which proposal is most advantageous, LCTC may award the contract to the proposer whose proposal offers the best value. However, if LCTC uses the best value selection method as the basis for award, the solicitation must contain language establishing that an award will be made on a “best value” basis.

D. Architectural and Engineering Services (A&E)

LCTC shall use qualifications-based competitive proposal procedures (i.e., Brooks Act procedures) when contracting for Architectural and Engineering (“A&E”) services. Services subject to this requirement include program management, construction management, feasibility studies, preliminary engineering, design, architectural, engineering, surveying, mapping, and related services.

1. Qualifications-Based Competitive Proposal Procedures

Qualifications-based competitive proposal procedures require that:

- a. An offeror’s qualifications be evaluated;
- b. Price be excluded as an evaluation factor;
- c. Negotiations be conducted with only the most qualified offeror;
- d. Failing agreement on price, negotiations with the next most qualified offeror be conducted until a contract award can be made to the most qualified offeror whose price is fair and reasonable to the grantee.

2. Limitations

These qualifications-based competitive proposal procedures can only be used for the procurement of the A&E services listed above. This method of procurement cannot be used to obtain other types of services even though a firm that provides A&E services is also a potential source to perform other types of services.

E. Procurement by Noncompetitive Proposals/Sole Source

Sole source procurements are accomplished through solicitation of a proposal from only one source, in the event of a public Emergency or compelling urgency, or, if after solicitation of a number of sources, competition is determined inadequate.

Where sole source procurement is used, the Project Manager must furnish to the Executive Secretary a memorandum documenting the factual circumstances and the need for sole source procurement under one or more of the following reasons:

1. **Procurement by Sole Source.** Sole source procurements may be used when the award of a contract is infeasible under small purchase procedures, sealed bids, or competitive proposals and at least one of the following circumstances applies:
 - a. The item is available only from a single source. The property or services are available from one source if one of the conditions described below is present:
 - b. **Unique Capability or Availability/Unique or Innovative Concept.** The offeror demonstrates a unique or innovative concept or capability not available from another source. Unique or innovative concept means a new, novel, or changed concept,

approach, or method that is the product of original thinking, the details of which are kept confidential or are patented or copyrighted, and is available to the recipient only from one source and has not in the past been available to the recipient from another source.

- c. Patents or Restricted Data Rights. Patent or data rights restrictions preclude competition.
 - d. Substantial Duplication Costs. In the case of a follow-on contract for the continued development or production of highly specialized equipment or services, when it is likely that award to another contractor would result in substantial duplication of costs that are not expected to be recovered through competition.
 - e. Unacceptable Delay. In the case of a follow-on contract for the continued development or production of a highly specialized equipment or services, when it is likely that award to another contractor would result in unacceptable delays in fulfilling the recipient's needs.
 - f. A public Emergency exists as determined under Subsection III.G.6., below and will not permit a delay resulting from competitive solicitation;
 - g. A compelling urgency exists such that LCTC's work progress would be inhibited or jeopardized if the competitive bidding process were observed;
 - h. After solicitation of a number of sources, a single bid or proposal is received, despite adequate competition; or
 - i. The Federal awarding agency authorizes noncompetitive solicitation.
2. A Cost or Price Analysis (Attachment A) verifying the proposed cost data, the projections of the data, and the evaluation of the specific elements of costs and profit, is required.
 3. Upon receiving a single bid or proposal in response to a solicitation, LCTC will investigate and determine whether competition was adequate. This determination may include: (i) a review of the specifications to verify whether they were unduly restrictive; or (ii) contacting sources that chose not to submit a bid or solicitation.
 - a. It is only if LCTC determines that competition was inadequate that the procurement should proceed as a sole source procurement. The mere fact that only one bid or proposal was received does not automatically mean competition was inadequate since many unrelated factors could cause potential sources not to submit a bid or proposal.

F. Exceptions to Bidding Requirements for Non-Federal Contracts

Notwithstanding any other provision of these Procedures, Non-Federal Contracts may be let without bidding, when permitted by law, under the following circumstances:

1. When a patented or proprietary item is being Purchased; or
2. Special Services Contracts; or
3. To the extent not included in the definition of Special Services Contracts, when the following types of personal property or services are being acquired or Purchased: (a) advertising; (b) books, recordings, motion picture films, subscriptions; (c) property or services provided by

or through other governmental agencies or obtainable from suppliers which have in force a current Contract with another governmental agency for the same item or service; (d) property or services the price of which is fixed by law; or (e) insurance; or

4. When the Executive Secretary, based on advice by legal counsel, determines that entering a Contract without bidding is reasonably necessary for the conduct of LCTC business;
5. When the Executive Secretary determines that it is advantageous to LCTC to purchase supplies from another public agency or in cooperation with another public agency using that other public agency's bidding procedures;
6. When the Executive Secretary determines that it is advantageous to LCTC to purchase surplus supplies from the United States Government, or any agency thereof, or from the State of California, or any agency thereof, or any public body without bidding; or
7. In the event of an Emergency as follows:

The Commission finds that, by its resolution approving these Procedures on a four-fifths (4/5) vote, the public interest and necessity in cases of Emergency often demands the immediate expenditure of money to safeguard life, health, or property and, therefore, the Commission hereby delegates to the Executive Secretary, in cases of Emergency, the power to act in accordance with the procedures set forth in Public Contract Code section 22050. In the case of an Emergency, any sum required by the Emergency may be expended without complying with the Bidding provisions of these Procedures. The Executive Secretary shall report such Emergency expenditure at the next meeting of the Commission or Board.

G. Advertising

For Supply, Special Service, and A&E Contracts, LCTC shall publish notice of a procurement by IFB or RFP or RFQ on the LCTC website and by delivering notice to a list of potential bidders, as determined by the Project Manager. In its discretion, LCTC may also post such notice as follows: (i) in a newspaper of general circulation in the county in which the work is to be performed or services supplied at least seven (7) calendar days before the date set for bid or proposal opening; (ii) in an appropriate trade journal or other publication; and/or (iii) on the website of one of its partner agencies. The notice shall include a description of the supplies or services to be provided and shall state where bid or proposal forms and specifications may be obtained, the time and place bids or proposals are to be submitted, and the time and place for opening bids, if applicable.

IV. ADDITIONAL BIDDING PROCEDURES

A. Independent Price Determination

No person, company, firm, or corporation submitting any bid or proposal to LCTC shall do any of the following:

1. Propose or bid prices which have not been arrived at independently, and without consultation, communication, or agreement with any other bidder, offeror, or competitor for the purpose of restricting competition as to any matter relating to the prices bid or proposed;
2. Knowingly disclose any price, bid, or proposal to any other bidder, offeror, or to any competitor prior to opening the bids or proposals, unless otherwise required by law;
3. Make any attempt to induce any other person, firm, or other entity or association to submit or not to submit a bid or proposal for the purpose of restricting competition;
4. Make or be interested in more than one bid under any IFB or RFP; provided, however, that nothing herein shall limit the right of any person or entity to deal independently with the same subcontractor or supplier as other persons or entities in the preparation of a bid, or to limit the right of any person or entity dealing in any name brand supplies required by LCTC to bid independently of any other person or entity dealing in the same supplies.

In the case of joint venture bids, the joint venture, and each and every member of the joint venture, shall for purposes of the foregoing be construed to be the person submitting the bid or proposal.

Any bid received, or Contract awarded, in violation hereof shall be a nullity, and the Commission or Executive Secretary, as applicable, shall in such case dispose of the matter in the same manner as if the person or entity involved had failed to enter into the Contract after award thereof, as provided herein.

C. Opening of Bids; Award

All bids shall be sealed, identified as bids or proposals on the envelope as specified in the IFB or RFP/RFQ, and submitted in the manner and at the time and place specified in the IFB or RFP/RFQ.

D. Irregularities

The Executive Secretary reserves the right to reject any and all bids or proposals or to waive informalities or minor irregularities. The Executive Secretary reserves the right to make multiple awards and to prohibit "all or none" bids or proposals.

E. Alternative Award Upon Failure of Bidder to Enter Into Contract

If the bidder to whom the Contract is awarded fails to enter into a Contract within the specified time, the Executive Secretary may declare the award to that bidder a nullity, and (i) award the Contract to the next lowest responsible bidder, or (ii) reject all bids and (a) re-advertise for bids or (b) negotiate a Contract in accordance with Subsection IV.G., below.

F Rejection of All Bids

In the event that the Executive Secretary exercises the right to reject any and all bids or proposals, or the bidder to whom the contract is awarded fails to enter into the Contract as required, the Executive Secretary may (a) re-advertise for new bids or proposals; or (b) enter into direct negotiations with the contractors to achieve the best possible price; or (c) abandon the project. In the event the Executive Secretary enters into direct negotiations with contractors to achieve the best possible price, the Executive Secretary shall consult with LCTC's legal counsel prior to entering a negotiated Contract.

H. Protests

In order for a bid protest to be considered by LCTC, it must be submitted by an interested party (a) that is an actual or prospective proposer, bidder, or offeror in the procurement involved; and (b) whose direct economic interest would be affected by the award of the contract or by failure to award a contract (hereinafter “Protestor”). A protest which is submitted by a party which is not an interested party or which is not in accordance with the procedures shall not be considered by LCTC, and will be returned to the submitting party without any further action.

1. **Grounds for Protest.** A Protestor may file a bid protest on the following grounds:

- a. Failure to comply with applicable Federal or State Law;
- b. Alleged misconduct or impropriety by LCTC officials or evaluation team members; or
- c. Failure to follow the requirements of the solicitation in question.

2. **Contents of Protest.**

- a. A bid protest must be filed in writing and must include:
 - 1) The name and address of the Protestor;
 - 2) The name and number (if available) of the procurement solicitation;
 - 3) A detailed statement of the grounds for the protest, including all relevant facts and a citation to the Federal or State law or specific term of the solicitation alleged to have been violated;
 - 4) Any relevant supporting documentation the Protestor desires; and
 - 5) The desired relief, action, or ruling sought by the Protestor.
- b. Protests must be addressed to the Executive Secretary of LCTC and received at LCTC’s regular business address.
- c. If any of the information required by this section is omitted or incomplete, LCTC or will notify the Protestor, in writing, and the Protestor will be given three (3) business days to provide the omitted or incomplete information in order for the protest to be further considered. Note that this provision only applies in the case of a failure to state any grounds for a protest and does not apply to stating inadequate grounds for a protest or the failure to submit documentation.

3. **Timing Requirements and Categories of Protests.**

LCTC will consider the following categories of bid protests within the time period set forth in each category:

- a. Any bid protest alleging improprieties in a solicitation process or in solicitation documents must be filed no later than five (5) calendar days prior to the deadline for submission of proposals. Any protest based on such grounds not filed within this period will not be considered. This category of protests includes, but is not limited to, allegation of restrictive or exclusionary specifications or conditions.

- b. Any bid protests regarding the evaluation of bids or proposals by LCTC, or improprieties involving the approval or award or proposed approval or award of a contract must be filed with LCTC no later than five (5) business days after LCTC issues written notice of its decision or intended decision to award a contract. Any protest filed after such date will not be considered.

4. Review of Protest.

- a. LCTC will notify the Protestor within five (5) business days of timely receipt of a bid protest that the protest is being considered.
- b. In the notification, LCTC will inform the Protestor of any additional information required for evaluation of the protest and set a time deadline for submittal of such information. If LCTC requests additional information, and it is not submitted by the stated deadline, LCTC may either review the protest based on the information before it or decline to take further action on the protest.
- c. In its sole discretion, LCTC may give notice of any bid protest to other bidders or proposers for the procurement involved in the protest, as appropriate, and permit such bidders or offerors to submit comments to LCTC relative to the merits of the bid protest. LCTC will set a time deadline for the submittal of such comments, which will be no less than five (5) business days after LCTC provides notification of the protest.
- d. In its sole discretion, LCTC may schedule the matter for a meeting. All interested parties will be invited to participate in the meeting.

5. Protest Decisions.

- a. After review of a bid protest, the Executive Secretary shall recommend a decision to the Commission on the merits of the protest. The recommendation shall be made on the basis of the information provided by the Protestor and other parties, the results of any conferences or meetings, and LCTC's own investigation and analysis. The recommendation and information will be provided to the Commission for review and decision.
- b. If the protest is upheld, LCTC will take appropriate action to correct the procurement process and protect the rights of the Protestor, including re-solicitation, revised evaluation of bids, proposals, or LCTC's determination, or termination of the Contract.
- c. If the protest is denied, LCTC will lift any suspension imposed and proceed with the procurement process or the Contract.

6. Summary Dismissal of Protests.

LCTC reserves the right to summarily dismiss all or any portion of a bid protest that raises legal or factual arguments or allegations that have been considered and adjudicated by LCTC in a previous bid protest by any interested party in the same solicitation or procurement action.

7. Effects of Protest on Procurement Actions.

- a. Upon receipt of a timely protest regarding either the solicitation process or the solicitation documents in the case of sealed bids, LCTC will postpone the opening of bids until resolution of the protest. The filing of the protest will not, however, change the date on which bids are due, unless LCTC determines, and so notifies all bidders, that such a date change is necessary and appropriate to carry out the goals of the procurement and assure fair treatment for all bidders.
- b. Upon receipt of a timely protest regarding evaluation of bids or proposals, or the approval or award of a Contract, LCTC will suspend Contract approval or other pending action, or issue a stop work order if appropriate, until the resolution of the protest. In this event, the successful bidder or proposer may not recover costs as a change order.
- c. Notwithstanding the pendency of a bid protest, LCTC reserves the right to proceed with any appropriate step or action in the procurement process or in the implementation of the Contract in the following cases:
 - 1) Where the item to be procured is urgently required;
 - 2) Where LCTC determines, in writing, that the protest is vexatious or frivolous;
 - 3) Where delivery or performance will be unduly delayed, or other undue harm to LCTC will occur, by failure to make the award promptly; or
 - 4) Where LCTC determines that proceeding with the procurement is otherwise in the public interest.

8. Judicial Appeals.

A protest adversely affected by a bid protest decision may appeal such decision to an appropriate Court of the State of California, if authorized under Federal or State law.

V. MODIFICATION OR AMENDMENT OF CONTRACTS

A. Amendments Generally

If the terms of a Contract require modification, the Contract must be formally amended, in writing, as follows.

- a. An amendment should contain the same degree of specificity for changes that the original Contract contained for the same item.
- b. Amendments should be entered into before the expiration of the original Contract.
- c. Amendments should be approved by the same level of authority that the original Contract was approved unless such authority has been specifically delegated.

B. Supply, Special Services, and A&E Contracts

- a. The Executive Secretary may amend any Supply, Special Service, or A&E Contract when the amount of the contract, including any amendment, is less than Ten Thousand Dollars (\$10,000).
- b. The Executive Secretary may amend a Supply, Special Service, or A&E Contract when the amount of the contract, including any amendment, is Ten Thousand Dollars (\$10,000) or more where the entire contract amount is to be paid by any other state or local entity, or another joint powers agency.
- c. All modifications or amendments of Supply, Special Service, or A&E Contracts that do not meet the requirements of subdivisions 1 or 2 above shall be approved by the Commission or Board.

VI. CONTRACT FORMS AND APPROVALS

A. Written Contracts

All Contracts exceeding Six Thousand Five Hundred Dollars (\$6,500) must be written agreements executed by the Executive Secretary on behalf of LCTC. The Executive Secretary may waive the requirement for a written Contract in cases of public emergency or when the Executive Secretary determines that it is reasonably necessary for the conduct of LCTC's business, in which case the Commission or Board shall be notified as a matter of information at its next meeting.

B. Approval By Legal Counsel

Written Contracts shall be approved as to form by legal counsel prior to execution.

C. Other Approvals

Contracts awarded in accordance with these Procedures shall not be subject to further approval by state, county, or other agencies.

D. Time of Completion

All Contracts shall specify the time within which the supplies or work shall be furnished to LCTC and may provide for liquidated damages for failure to comply. The Executive Secretary may extend such time for delays caused by LCTC, acts of God, weather, strikes, or other circumstances over which the contractor has no control. The Commission or Board may extend such time for any reason it deems appropriate, including those causes for which the Executive Secretary may grant an extension of time.

E. Contract Prohibitions

1. Contract Splitting

No officer or employee of LCTC shall split or separate into smaller units any Contract for the purpose of evading the provisions of these Procedures. Splitting or separating a transaction means reducing the amount of any Contract with knowledge that additional supplies or additional work, after such reduction, will be required within the same budgetary term.

2. Collusion With Bidders

No officer or employee of LCTC shall:

- a. Aid or assist a bidder in securing a Contract at a higher price than that proposed by any other bidder;
- b. Favor one bidder over another;
- c. Willfully mislead any bidder regarding the character of the supplies or work called for;
- d. Knowingly accept supplies or work of a quality inferior to that called for by the Contract;
- e. Knowingly represent to the Commission or Board the receipt of a greater amount, or different kind, of supplies or work than has been actually received; or
- f. Draft any invitation to bid, or cause it to be drafted, in such manner as to limit the bidding, directly or indirectly, to any one bidder.

ATTACHMENT A
COST OR PRICE ANALYSIS

(To be Completed for Federally-Funded Contracts Exceeding \$2,500)

A Cost or Price Analysis must be performed in connection with every procurement action involving federal funds, including contract modifications. LCTC staff must make independent estimates before receiving bids or proposals.

A **Cost Analysis** must be performed to determine the reasonableness of the proposed contract price when the Prospective Contractor is required to submit the elements of the estimated cost (i.e., labor hours, overhead, materials, etc.), whenever adequate price competition is lacking, and for sole source procurements, including contract modifications or change orders, unless price reasonableness can be established on the basis of a catalogue or market price of a commercial product sold in substantial quantities to the general public or on the basis of prices set by law or regulation. The elements of a Cost Analysis are set forth in Section I below.

In all other circumstances, a **Price Analysis** must be completed to determine the reasonableness of the proposed contract price. See Section II below.

The Cost or Price Analysis should address the *realism* of various cost elements proposed. If the proposed costs are unrealistically low, an adjustment should be made in the negotiated contract to reflect what LCTC staff believes the effort will actually cost given that the Prospective Contractor's specific technical approach as well as its direct and indirect cost rates. This cost assessment must be carefully considered when determining which of the Prospective Contractor's proposal represents the best value for the agency.

I. COST ANALYSIS

Below is a sample Cost Analysis Table. Additional information regarding each cost element category is also provided below:

<u>Cost Element</u>	<u>Prospective Contractor's Proposal</u>	<u>Pre-negotiation Objective</u>
Direct Labor	\$	\$
Labor Overhead	\$	\$
Direct Material	\$	\$
Mat'l Overhead	\$	\$
Other Direct Costs	\$	\$
Subtotal	\$	\$
G&A	\$	\$
Subtotal	\$	\$
Profit/Fee	\$	\$
Total	\$	\$

(1) Direct Labor

Compare, in detail, the proposal and the cost estimate for direct labor categories, hours and rates. Summarize the Prospective Contractor's rationale for the proposed labor categories, hours and rates. Staff must establish a reasonable cost objective after considering and analyzing all of the available data. Statements to the effect, "THE OFFEROR HAS PROPOSED THE SAME RATES ON OTHER CONTRACTS," are not adequate without discussing how price reasonableness was determined under the other contracts.

In evaluating a Cost Proposal, staff should consider the following questions:

Are the proposed labor rates the result of a negotiated forward pricing rate agreement (FPRA)?

Are they current actual rates for specific employees or a composite rate for personnel under each labor category?

If the labor rates are developed on a specific base rate, what escalation factor (if any), has the Prospective Contractor applied to the base rate? Is that a reasonable factor?

Are the proposed labor categories and hours based upon the Prospective Contractor's previous experience?

What evidence of historically incurred hours has the Prospective Contractor provided? Or, is the proposal an engineering estimate of the projected labor and expertise to accomplish the requirements of the acquisition?

Do the proposed hours correspond to the performance period?

(2) Labor Overhead, Material Overhead, and General and Administrative (G&A)

Compare, in detailed discussion, the proposal and the cost estimate for labor overhead, material overhead, and G&A. Staff must evaluate the basis for labor rates, overhead and G&A. Are the estimated rates based upon recommendations? Did staff request an audit of the Prospective Contractor's rates? Absent such information, staff must evaluate the Prospective Contractor's proposed rates in detail (i.e., cost elements included in the indirect pools) for allowability and allocability. Comparing one Prospective Contractor's rates with those of another is not an acceptable method in any case. Also, comparing this year's proposed rates to last year's rates is not a basis for establishing reasonableness of the currently proposed rate.

(3) Direct Material

Provide a detailed breakdown and compare, in detailed discussions, the Prospective Contractor's material quantities and unit prices, such as copies, brochures, computer discs, etc. Address the basis of the proposed costs for direct materials (based on an engineering estimate? history?, etc.) and costs associated with the material (based on catalog prices? oral quotes? written quotes? historical prices escalated by \$?, competitive?, etc.)

If staff takes exception to any material items and/or quantities, what information was relied upon to reach such conclusions? If staff takes exception to any pricing aspects of a proposal, explain

fully how staff arrived at its objective. Staff must make a determination of price reasonableness for the direct material items. When challenging a cost, explain the basis for the position. "Appears too high," without rationale, is not sufficient.

(4) Other Direct Costs (ODC)

Compare, in detailed discussions, the proposal and the cost estimate for other direct costs, such as computer support, freight, air travel, per diem, and sub-consultants.

Provide an analysis of the items included under this cost element. For instance, are the number of trips scheduled considered reasonable by audit or staff's technical evaluation? Are the costs per trip reasonable?

Check air travel rates with commercial airlines. How do the proposed costs compare with previous history? Did the contractor apply an escalation factor? Is it reasonable? In this analysis, staff may need to show a lower level breakdown (i.e., a breakdown of the number and location of proposed trips).

(5) Profit/Fee Analysis

Provide a summary which compares the proposal and LCTC's cost estimate.

Compare the Prospective Contractor's proposed profit/fee rate (and any other information provided by the Prospective Contractor's to support the proposed rate), with LCTC's cost estimate profit/fee rate (which should be based upon application of a structured approach).

- Staff should use a structured approach for determining the profit or fee objective for acquisitions that require cost analysis, unless the use of a structured approach would be clearly inappropriate.
- Profit or fee rates do not necessarily represent net income to contractors. Rather, they represent that element of the potential total remuneration that contractors may receive for contract performance over and above allowable costs. This potential remuneration element and LCTC's estimate of allowable costs to be incurred in contract performance together equal LCTC's total cost estimate. Just as actual costs may vary from estimated costs, the Prospective Contractor's actual realized profit or fee may vary from negotiated profit or fee, because of such factors as efficiency of performance, incurrence of costs LCTC does not recognize as allowable and contract type.

It is in LCTC's interest to offer contractors opportunities for financial rewards sufficient to (1) stimulate efficient contract performance, and (2) attract the best qualified large and small businesses to LCTC's contracts.

Both LCTC, and Prospective Contractor should be concerned with profit as a motivator of efficient and effective contract performance. Negotiations aimed merely at reducing prices by reducing profit, without proper recognition of the function of the profit, are not in LCTC's best interest.

II. PRICE ANALYSIS

Where appropriate, staff must utilize the Price Analysis tool to determine whether the contract price is reasonable. To analyze the price, use one of the available Price Analysis techniques listed below. Clearly state which technique was utilized and explain your reasoning. Available price analysis techniques include:

1. Adequate price competition;
2. Prices set by law or regulation;
3. Established catalog prices and market prices;
4. Comparison to previous purchases;
5. Comparison to a valid independent estimate; and/or
6. Value analysis.

A. Adequate price competition exists where:

- At least two responsible contractors respond to a solicitation.
- Each contractor must be able to satisfy the requirements of the solicitation.
- Each contractor must submit priced offers responsive to the expressed requirements of the solicitation.

If the conditions above are met, price competition is adequate unless:

- The solicitation was made under conditions that unreasonably deny one or more known and qualified contractors an opportunity to compete.
- The low competitor has such an advantage over the competitors that it is practically immune to the stimulus of competition.
- The lowest final price is not reasonable, and this finding can be supported by facts.

B. Prices set by law or regulation are deemed fair and reasonable. LCTC should obtain a copy of the rate schedules set by the applicable law or regulation. Once these schedules are obtained, verify that they apply to LCTC's situation and that LCTC is being charged the correct price.

ATTACHMENT B

LCTC CONTRACT FILE CHECKLIST

Project Manager: _____ Project #: _____

Name of Contractor: _____

This document shall be filled out by the Project Manager. The following items must be included in the contract file. Each item shall be checked off upon completion. Keep this document in the contract file.

☐ Project included in OWP/Budget? Circle: Yes No

If not, explain and include minutes showing Commission approval of RFP:

☐ Total contract amount \$ _____; DBE portion \$ _____

☐ Commission or Board approval of contract if \$10,001 or above; file to include minutes showing Commission approval

☐ Reviewed as to legal form by Counsel on _____

☐ Copy of contract (fully executed original contract in locked legal files)

☐ Purchase order or Contract number (required): _____

☐ Copies of:

- Request for Proposal; solicitation, evaluation and ranking records; all contract negotiation notes; and successful Proposal
- If contract \$2,500 to \$100,000, file to include documentation of 3 quotations
- If Sole Source Contract, file to include Staff Memo describing justification and signed by Executive Secretary
- Cost or Price Analysis Form and History of Procurement Form, if more than \$3,000 and federally funded

☐ Was contract awarded to source with lowest price, pursuant to Small Purchasing Procedures? Circle: Yes No

If Small Purchasing Procedures were used, but the source with the lowest price was not selected, explain why: _____

LCTC CONTRACT FILE CHECKLIST (CONT'D)
--

- ☐ Electronic copies of contract and winning proposal forwarded to “Secretary” for filing
- ☐ Estimated contract completion date _____
- ☐ Independent contract form needs to be mailed to EDD (mandatory!) for individuals **without** Federal Tax ID numbers
- ☐ Verified that contractor is NOT on Excluded Parties List System (www.epls.gov) with printed copy of search results ATTACHED
- ☐ Approved Insurance Certificate, with correct Additional Insured language
- ☐ Documentation of Contractor performance, including copies of work product
- ☐ Memo to File from Executive Secretary explaining why Contractor is not required to complete a Statement of Economic Interests, Form 700 (if applicable).
- ☐ Contract amended?

Amendment date _____ Reason: _____

Amendment date _____ Reason: _____

Amendment date _____ Reason: _____

ATTACHMENT C

HISTORY OF THE PROCUREMENT

(Must be Completed for Federally-Funded Contracts Exceeding \$3,000)

1. Date _____
2. Project Name or Title _____
3. RFP/IFB or Contract Number _____
4. Modification Number _____
5. Contract Type [If Time and Materials contract is used, provide explanation of why no other type of contract is suitable]

6. Procurement Description (briefly describe the procurement)

7.

<u>Pricing Structure</u>	<u>Cost Estimate</u>
Cost	\$ _____
Fee/Profit _____%	\$ _____
Total Price	\$ _____

RATIONALE FOR METHOD OF PROCUREMENT

1. In this paragraph, describe the acquisition, including a brief history of the requirement, the place of performance, and any other pertinent information. Questions to be answered include: What is it? Why is it needed? What is it for? Quantity? If this is a contract modification, what events or circumstances contributed to the needed change? State LCTC's estimated amount of the proposed acquisition.
2. In this paragraph, address the extent of competition under the acquisition. Is the acquisition being accomplished under full and open competition? If other than full and open, the procurement file must contain a staff memo describing the justification for using a sole source contract. If applicable, include an explanation of why the use of sealed bid procedures is not appropriate for the acquisition. Additionally, was the requirement publicized in accordance with LCTC's procedures? (If not, cite the exception.) How many requests for solicitations were received? How many offers were received?
3. In this paragraph, include an explanation of the reasons for selecting the type of contract to be used.
4. In this paragraph, include the planned negotiation schedule, and identification of LCTC's negotiating team members by name and position.

ATTACHMENT D

DOCUMENTATION OF BIDS ACQUIRED BY TELEPHONE

Description of Program Need:	
Specific Description of Product or Service Desired:	
Person Requesting Product or Service:	Date Request Received:

BIDS RECEIVED

Name and Address of Vendor Contacted: Bid #1	
Name of Vendor Representative Providing Bid:	Vendor Representative's Telephone Number:
Bid Provided:	
Program Staff Person Soliciting Bid:	Date Bid Provided:

Name and Address of Vendor Contacted: Bid #2	
Name of Vendor Representative Providing Bid:	Vendor Representative's Telephone Number:
Bid Provided:	
Program Staff Person Soliciting Bid:	Date Bid Provided:

Name and Address of Vendor Contacted: Bid #3	
Name of Vendor Representative Providing Bid:	Vendor Representative's Telephone Number:
Bid Provided:	
Program Staff Person Soliciting Bid:	Date Bid Provided:

ATTACHMENT E

GUIDELINES FOR CRITERIA AND CONSIDERATIONS IN EVALUATING RFPs

The following are suggested criteria that may be used in evaluating proposals:

1. Does the Prospective Contractor understand the program's problems or needs?
2. Can the Prospective Contractor fit this work into its existing obligations?
3. Is the approach to the problem, recommended method, and procedure reasonable and feasible?
4. Do the expected results, outcomes, and deliverables appear to be achievable in a timely manner, given the approaches, methods and procedures proposed?
5. Does the firm have the organization, management capability and competency, fiscal and personnel resources, and experience to perform the services being sought?
6. Has the firm had experience performing work of similar nature, size and scope?
7. Does the Prospective Contractor's past experience complement the services being sought, or is the Prospective Contractor's past experience appropriate to qualify the proposer to perform these services?
8. What are the professional qualifications of the personnel that the firm will commit to the project?
9. Did the Prospective Contractor allocate sufficient staff resources?
10. Has the Prospective Contractor addressed all goals, objectives, service demands, and required deliverables specified in the RFP?
11. Does the Prospective Contractor appear to have the capacity to manage fiscal resources responsibly?
12. Does the Prospective Contractor have sound fiscal, accounting, and cost-monitoring or budget-monitoring procedures in place?



LASSEN COUNTY TRANSPORTATION COMMISSION
REGIONAL TRANSPORTATION PLANING AGENCY

1631 ALHAMBRA BLVD
SUITE 100
SACRAMENTO, CA 95816

Matthew C. Boyer, Executive Secretary
Matthew C. Boyer & Associates

PH: (530) 953-8857

Staff Report

To: Lassen County Transportation Commission

AGENDA ITEM 4.14

Date: May 7, 2018

From: Matthew C. Boyer, Executive Secretary

A handwritten signature in blue ink, appearing to read "Matt Boyer", is placed over the printed name of the Executive Secretary.

Subject: Fiscal Year 2018/19 Unmet Transit Needs Determinations

REQUESTED ACTION

BY MOTION:

Adopt Resolution 18-08 finding that there are no new unmet transit needs in that are reasonable to meet for implementation in FY 2018/19.

BACKGROUND

As the Regional Transportation Planning Agency for Lassen County, LCTC is responsible for the administration of Transportation Development Act (TDA) funds. This responsibility includes the annual unmet transit needs process, which has four key components:

- Soliciting testimony on unmet transit needs that may exist in Lassen County;
- Analyzing transit needs in accordance with adopted definitions of “unmet transit needs” and “reasonable to meet;”
- Consultation with the Social Services Transportation Advisory Council (SSTAC); and,
- Adoption of a finding regarding unmet transit needs that may exist for implementation next fiscal year.

Unmet transit needs may include establishing, contracting for, or expanding public transportation, in addition to services or measures required to comply with the Americans with Disabilities Act. If, based on the adopted definitions and criteria, any unmet transit needs are determined to be reasonable to meet by the LCTC they must be funded in the next fiscal year prior to any TDA funds being allocated for non-transit purposes.

DISCUSSION

An SSTAC Public Hearing was conducted on April 6, 2018, to solicit comments on unmet transit needs within the jurisdiction of the Lassen County Transportation Commission. The results of testimony and discussion are summarized in the attached report.

ALTERNATIVES

Provide direction to staff.

Attachment

LASSEN COUNTY TRANSPORTATION COMMISSION
Resolution 18-08
Fiscal Year 2018/19 Unmet Transit Needs Determinations

WHEREAS, the Transportation Development Act (TDA) Statutes Section 99401.5 and 99401.6 requires the transportation planning agency to adopt its finding for unmet transit needs; and

WHEREAS, Section 99401.5 (a), (b), and (c) of the TDA requires that the identification of transit needs include the following: consultation with the Social Service Transportation Advisory Council, an assessment of the size and location of groups likely to be dependent upon transportation, an analysis of existing transportation services in meeting the transit demand, an analysis of potential alternate transportation services that would meet all or part of the demand, a public hearing for the purpose of soliciting comments on unmet transit needs, and a resolution defining “unmet transit needs” and “reasonable to meet”; and

WHEREAS, pursuant to the Transportation Development Act Statutes Section 99238, the Lassen County Transportation Commission has established a Social Service Transportation Advisory Council (SSTAC) for the purpose of annually participating in the identification of transit needs, review and recommended action by the transportation agency, and advise the transportation planning agency on any other major transit issues; and

WHEREAS, the size and location of identifiable groups likely to be dependent upon transit, an analysis of existing transportation services in meeting the transit demand, and an analysis of potential alternate transportation services that would meet all or part of the demand is included in Lassen County’s Transit Development Plan and Regional Transportation Plan; and

WHEREAS, an SSTAC Public Hearing was conducted on April 6, 2018, to solicit comments on unmet transit needs within the jurisdiction of the Lassen County Transportation Commission; and

WHEREAS, the Lassen County Transportation Commission has considered all of the information compiled pursuant to Section 99401.5 of the TDA and evaluated all public comments against the adopted definitions of “unmet transit need” and “reasonable to meet”; and

NOW, THEREFORE BE IT RESOLVED, that the Lassen County Transportation Commission, based on definitions adopted by Resolution 18-03, finds that there are no unmet transit needs that are reasonable to meet within the jurisdiction of the Lassen County Transportation Commission.

The foregoing resolution was adopted by the Lassen County Transportation Commission at its May 14, 2018, 2018 meeting by the following vote:

AYES:

NOES:

ABSTAINED:

ABSENT:

DAVID TEETER, Chairman
Lassen County Transportation Commission

The foregoing instrument is a correct copy of the original on file in the office of the Executive Secretary of the Lassen County Transportation Commission.

Matthew C. Boyer, Executive Secretary

May 14, 2018

STAFF REPORT

DATE: April 24, 2018
TO: Lassen County Transportation Commission
FROM: Staff
SUBJECT: Unmet Transit Needs

REQUESTED ACTION

By motion, Adopt Resolution 18-xx adopting the findings of the Unmet Transit Needs process.

BACKGROUND

“Unmet Transit Needs” and “Reasonable to Meet” definitions were adopted by the Commission as Resolution 18-03 at the February 9, 2017 regular meeting, see Attachment 1.

The Annual Unmet Needs Process is required by Article 8, Section 99401.5 of the Transportation Development Act for those regions that wish to spend Local Transportation Fund dollars on non-transit purposes such as streets and roads. The transportation planning agency shall hold at least one public hearing pursuant to Section 99238.5 for the purpose of soliciting comments on the unmet transit needs that may exist within the jurisdiction and that might be reasonable to meet by establishing or contracting for new public transportation or specialized transportation services or by expanding existing services. The annual process involves adoption of “Unmet Transit Needs” and “Reasonable to Meet” definitions, consultation with the Social Service Transportation Advisory Council (SSTAC), consultation with the Regional Transportation Plan, the Transit Development Plan, and an unmet needs hearing. Through this process, deficiencies in the public transportation system are identified.

Staff has since analyzed the identified deficiencies and applied the “Unmet Transit Needs” and “Reasonable to Meet” definitions to make a recommendation to the LCTC as to whether the identified deficiencies should be considered as unmet needs and whether those unmet needs are reasonable to meet.

DISCUSSION

On April 6th, the Lassen County Transportation Commission (LCTC) SSTAC met to discuss potential unmet transit needs in Lassen County. Five SSTAC members and LCTC staff attended as well as two other representatives from agencies with a vested interest in transportation for disadvantaged residents (meeting notes include as Attachment 2). The meeting was advertised to the public through notices in the paper, flyers on buses and a public service announcement.

The following summarizes the potential transit needs which were brought up at the SSTAC meeting and analyzes whether or not they are an “unmet transit need” and “reasonable to meet” according to adopted definitions. Table 1 summarizes transit need comments and analysis.

Table 1: Lassen County Transportation Commission Unmet Transit Needs Analysis

Comment	Unmet Need?	Reasonable to Meet?
Transportation to Access Food - Farmers Market on Saturday and Community Garden	No	--
Transportation to Church on Sundays	Yes	No
Non-Emergency Medical Transportation (NEMT) to Reno	No	--
Coordination with Regional Transit Operators	No	--
Westwood Bus Stop	No	--

Transportation to Access Food - Farmers Market on Saturday and Community Garden**Applying the Unmet Need Definition:**

In an effort to promote access to healthy food for low income individuals, the suggestion was made to provide transportation to the farmers market in Susanville on Saturdays. Along the same lines, transportation could be provided to the community garden. The farmers market operates every Saturday from June 2nd to October 6th and is located on North Gay Street in historic uptown Susanville. Lassen Rural Bus provides general public Dial-A-Ride service within the Susanville city limits on Saturdays from 8:00 AM and 3:52 PM.

PROPOSED FINDING: *As public transit is already available to the farmers market, this is not an unmet transit need.*

Transportation to Church on Sundays**Applying the Unmet Need Definition:**

SSTAC members indicated that many transit dependent residents need transportation to church on Sunday. Lassen Rural Bus does not operate on Sundays. Access to church service can improve the quality of life for many Lassen residents, not just a small group of residents. As Sunday service is not available in Lassen County, this would be an unmet transit need.

Reasonable to Meet:

If transit service were operated on Sunday, providing DAR service instead of fixed route would reach the greatest number of people and meet accessibility standards for the Americans with Disability Act (ADA). One scenario would be to operate Sunday DAR service in Susanville for five hours using one vehicle. It is estimated that this would cost around \$13,800 annually for fuel, driver and dispatcher. Average daily ridership on LRB Saturday DAR is around 7 passenger trips per Saturday over the past 12 months. With an eight hour Saturday service span, this equates to less than 1 passenger trip per vehicle hour. Ridership numbers in other areas show that Sunday

ridership is roughly 80 percent of Saturday ridership. For LRB, this would equate to 3.5 passenger trips per day in this Sunday service scenario. The operating cost per passenger trip of Sunday service would be roughly \$ 75 per trip. This is significantly higher than the existing cost per trip of the DAR service of \$6.00 per trip. Farebox ratio for this service would be on the order of two percent.

PROPOSED FINDING: *It is staff's recommendation that the suggestion for Sunday service be considered an unmet need that is not reasonable to meet due to the likely low ridership and impact on overall LRB farebox ratio and performance.*

Out-of-County Non-Emergency Medical Transportation (NEMT)

Applying the Unmet Need Definition:

The primary need identified by the SSTAC is Non-Emergency Medical Transportation (NEMT) for “gap clients”. There are limited medical facilities in Lassen County; therefore residents require services in more urban areas such as Redding or Reno. Government subsidies are available to pay for transportation for certain patients who meet eligibility criteria. Unfortunately, this criteria is quite restrictive and leaves many residents who do not have access to transportation ineligible for subsidies.

There are a few regional services that provide transportation to Reno. Sage Stage operates a bus three times a week between Alturas and Reno with a stop in Susanville. The bus will drop off passengers at medical facilities in Reno at 11:45 AM and then begins the return trip at 1:30 PM. This leaves 1 to 1.5 hours for a medical appointment. Although this is possible to travel to Reno for a medical appointment on Sage Stage, time is limited and persons with special needs may find the service challenging.

Susanville Indian Rancheria Public Transportation Program provides intercity bus service from Susanville Rancheria to Red Bluff, Redding, and Reno. Fare ranges from \$4 to \$20 according to distance traveled. At Red Bluff, Redding, and Reno, the bus connects with other transportation providers. Service is wheelchair accessible and is available for anyone not just tribal members. Reno service is demand response and available three days per week. Service hours run from 8:00 AM to 1:00 PM. Reservations are required at least 24 hours in advance. Similar to the Sage Stage service, it is possible to ride the Rancheria bus to Reno for a medical appointment; however, the layover in Reno is limited. For Lassen County residents outside of Susanville, it is more difficult to get transportation to out of area medical appointments. The need for NEMT service is likely to grow as the community ages.

The LCTC adopted unmet transit needs definition indicates an unmet transit need is a deficiency in the public transit system **within the jurisdiction** of the LCTC. NEMT service out of Lassen County would extend beyond the boundaries of the LCTC jurisdiction.

PROPOSED FINDING: *It is staff's recommendation that Out-of-County NEMT service is not an unmet transit need. However, the conversation warrants further study at the staff level. NEMT services are a rapidly descending issue, throughout California, and more-specifically, regions in California with populations that are aging in place. LCTC should consider adding this issue to its adopted Legislative platform. With LCTC's consent, staff will work with affected County departments and non-profit service providers to develop potential pilot program*

proposals that might provide low-cost solutions to this important issue.

Examples of NEMT Service in Other Regions: The issue of NEMT service in rural areas is not unique to Lassen County. Other counties have implemented various methods to improve access to medical care for the transportation disadvantaged. El Dorado County operates an NEMT service between several “pick-up” locations along US 50 and medical appointments in Sacramento, two days per week with advance reservation. The fare for the trip is \$10 per one-way trip. In FY 2016-17 this service carried 572 one-way passenger-trips and total cost of \$97,950 or \$171 per trip. An NEMT service of this type would have significant cost implications for Lassen Rural Bus and would lower overall performance of the transit system.

Another method of providing NEMT service could be through a volunteer driver program. Other smaller counties such as Amador and Tuolumne County have implemented volunteer driver programs for significantly less cost. The Tuolumne Trip Program is a transportation reimbursement program formed through a partnership with Tuolumne County and local non-profit organizations. The program was designed to serve residents who require extra assistance and therefore are unable to use the fixed route or DAR services. Eligible users are responsible for finding and paying their own volunteer driver. Tuolumne County Transit Agency (TCTA) only provides reimbursement for the trip and therefore the program requires little in the way of administrative costs. Tuolumne Trip Program is advertised through social service agencies and the TCTA Executive Director approves each user’s eligibility. TCTA provides up to \$10,000 in LTF funding for the reimbursements. In FY 2015-16 a total of 962 trips were provided with an average cost per trip provided of \$5.31. Although this program is designed for travel within Tuolumne County, the model could be applied to longer distance trips. However, parameters would need to be set for the level of reimbursement and eligible trips.

The Amador Rides program is similar except that the public transit agency recruits and matches volunteer drivers for eligible passengers.

In Placer County, TDA Article 4.5 LTF funding is set aside for the Western Placer Consolidated Transportation Services Agency (WPCTSA). One of the CTSA programs is a volunteer driver program call My Rides for residents over 60, disabled, or families with children 0 – 5 who are unable to use traditional public transit. WPCTSA contracts with a non-profit agency to recruit volunteers and administer the program. In FY 2016-17, the My Rides program carried 7,000 trips for a total program cost of \$216,860 or \$31 per trip. This is similar to the cost per trip of the LRB Eagle Lake service. Although the majority of trips are within the county, around 10 percent of the trips were out of the county.

Volunteer driver programs are increasingly become an effective way of meeting mobility needs in a non-traditional manner. However, there are many factors which need to be considered before implementing such a program: 1) Level of funding available to meet needs, 2) How the program will be administered, 3) Who will be eligible 4) Partnerships with non-profit agencies 5) insurance and liability considerations.

Improve Coordination among Regional Transit Operators

Applying the Unmet Need Definition:

Another theme discussed by SSTAC members was the need for improved coordination between

the various regional transit services. The northeastern California counties (Lassen, Modoc and Plumas) have limited financial resources and therefore it would be helpful to coordinate and/or pool resources. As an example, it is not cost efficient for both Sage Stage and the Susanville Rancheria to be providing trips to Reno for one or two people at a time when one vehicle/service could be used to carry everyone. Human service agencies and non-profit organizations also provide various forms of transportation for their clients. Simple coordination methods such as a regional transit operator contact list could be employed. A more extensive option is to implement some sort of transit clearinghouse or mobility manager position. Under this scenario, the public or human service agencies could contact the mobility manager who would match the client/passenger with available services. More detailed study and discussion would be required to determine the nature of a mobility manager position. Additionally, specific rules regarding the use of certain human service agency grant funding to subsidize rides would need to be considered.

Although improved coordination will increase mobility for Lassen County residents, this is not considered a deficiency in the public transit system.

PROPOSED FINDING: *This is not an unmet transit need. Discussion of discussion should continue at the staff level.*

Westwood Bus Stop

Applying the Unmet Need Definition:

A request was received to construct a formal bus stop at the intersection of County Road A21 and Old Town Road going to Pinetown near Westwood. A bus stop at this location would serve all Westwood residents and be particularly helpful for those living at the nearby senior apartments.

This is an operational issue. The 2017 Lassen Transit Development Plan identifies \$10,000 in capital funding each year to be used for bus stop improvements. Which improvements are made will be determined at the staff level.

PROPOSED FINDING: *This is not considered an unmet transit need.*

Other Issues Discussed by the SSTAC - The issue of an increasing commute pattern from Nevada into Lassen County, primarily to the Sierra Army Depot and the correctional facilities was discussed. In the US 395 Transportation Concept Report, Caltrans recommended an increase of carpooling services. Plumas County has the long term plan to establish a transit stop at Hallelujah junction to connect to other transit going to Reno. Lassen County may want to consider commuter service to Reno in the future.

LCTC has previously noted the need to assess opportunities for streamline Federal, State and local public investments in shared ride services in the US 395 corridor and staff will include this work, as time permits in Fiscal Year 2018/19.

Westwood, Ca.

3-29-18

To whom it may concern.

I am writing this letter to request a bus-stop across the street at the corner of Finland Way and the entrance to Pine Town. The residents on the outskirts of town have no place to sit and wait for the bus. The weather can be severe at times in Westwood. The town is 1,000 feet more in elevation than Susanville.

A bus-stop in this location would serve the residents at the large trailer complex, the senior apartments on Finland Way where the seniors are over 75% disabled and can't stand and wait to catch the bus. There is no place to sit. This site would also furnish the town of Pine Town with a place to catch the bus.

I have resided at the senior Apartments at Finland Way for the last five years. I am a disabled nurse, elderly, with vast medical problems. I have

Two artificial knees, moderate to severe edema in the lower limbs making problems to walk very far and impossible to stand and wait for the bus. Transportation has gotten to be a overwhelming in the last few years. I have no transportation, difficult to go for medical care and shopping needs.

I am asking to please construct a bus-stop in this location.
Thank-you!

Sincerely,
Geraldine Rice

DuAnita Rice
P.O. Box 438
Westwood, Ca 96137

28 MAR 2018 PM 2 T



Lassen Transit Service Agency
707 Nevada Street - Suite 4
Susanville, Ca 96130

RECEIVED
MAR 29 2018
LASSEN COUNTY
DEPT. OF PUBLIC WORKS

9613033512



*Supervisors - please
take this letter to the
monthly board meeting*



LASSEN COUNTY TRANSPORTATION COMMISSION
REGIONAL TRANSPORTATION PLANING AGENCY

1631 ALHAMBRA BLVD
SUITE 100
SACRAMENTO, CA 95816

Matthew C. Boyer, Executive Secretary
Matthew C. Boyer & Associates

PH: (530) 953-8857

Staff Report

To: Lassen County Transportation Commission

AGENDA ITEM 4.15

Date: May 7, 2018

From: Matthew C. Boyer, Executive Secretary

A handwritten signature in blue ink, appearing to read "Matt Boyer", is placed next to the name in the "From:" field.

Subject: Possible Re-Programming of Public Transportation Modernization, Improvement, and Service Enhancement Account (PTMISEA) Funds

REQUESTED ACTION

Provide direction to staff.

DISCUSSION

This item will be presented at your meeting.

ALTERNATIVES

None.

AMENDED IN ASSEMBLY MARCH 19, 2018

CALIFORNIA LEGISLATURE—2017–18 REGULAR SESSION

ASSEMBLY BILL

No. 1969

Introduced by Assembly Member Salas

January 31, 2018

An act to amend Section 99268.2 of the Public Utilities Code, relating to transportation.

LEGISLATIVE COUNSEL’S DIGEST

AB 1969, as amended, Salas. Transportation funds: transit operators: fare revenues.

Existing law provides various sources of funding to public transit operators. Under the Mills-Alquist-Deddeh Act, also known as the Transportation Development Act, certain revenues are available, among other things, for allocation by the transportation planning agency to transit operators, subject to certain financial requirements for an operator to meet in order to be eligible to receive the moneys. Existing law sets forth alternative ways an operator may qualify for funding, including a standard under which the allocated moneys do not exceed 50% of the operator’s total operating costs, as specified, or the maintenance by the operator of a specified ratio of fare revenues to operating costs. Existing law generally establishes the required fare revenues to operating cost ratio as 20% in urbanized areas and 10% in nonurbanized areas.

Existing law creates the California Transportation Commission, with various powers and duties relative to the programming of transportation capital projects and the allocation of funds to those projects, among other transportation responsibilities.

~~This bill would provide that it is the intent of the Legislature to enact legislation relating to the ratio of fare revenues to operating costs under~~

~~the Transportation Development Act.~~ authorize an operator that fails to maintain the generally established ratio described above to request an exemption from the California Transportation Commission, and would require the operator to be granted a temporary exemption while the commission reviews the request. The bill would authorize the commission to grant the operator's request and allow the operator to instead maintain a lower ratio, which would be set by the commission. The bill would require the commission to consider specified factors in determining whether to grant the exemption request. The bill would authorize an operator granted a temporary exemption, or an exemption from the commission, to receive the revenues it would have qualified for had it maintained the ratio described above.

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 99268.2 of the Public Utilities Code is
2 amended to read:
3 99268.2. (a) In the case of an operator required to be in
4 compliance with Section 99268 under Section 99268.1, the operator
5 may be allocated additional funds that could not be allocated to it
6 because of those requirements, if it maintains, for the fiscal year,
7 a ratio of fare revenues to operating cost, as defined by subdivision
8 (a) of Section 99247, at least equal to one-fifth if serving an
9 urbanized area or one-tenth if serving a nonurbanized ~~area~~: area,
10 except as described in subdivision (b).
11 (b) (1) An operator that fails to maintain the ratio described
12 in subdivision (a) may request an exemption from the California
13 Transportation Commission, and shall be granted a temporary
14 exemption while the California Transportation Commission
15 determines whether to grant the request. An operator operating
16 pursuant to either exemption may be allocated the additional funds
17 described in subdivision (a).
18 (2) The California Transportation Commission may grant the
19 operator's exemption request and, upon granting the request, may
20 instead require the operator to maintain a lower ratio, which shall
21 be determined by the commission.

1 (3) *In determining whether to grant the operator's exemption*
2 *request, the California Transportation Commission shall consider*
3 *all of the following:*

4 (A) *The population served by the operator, including the*
5 *population's affluence and dependence on public transit.*

6 (B) *The geographic area served by the operator.*

7 (C) *The availability of local funds to meet the ratio.*

8 (D) *The price of the operator's fares in comparison to similar*
9 *operators.*

10 ~~SECTION 1. It is the intent of the Legislature to enact~~
11 ~~legislation relating to the ratio of fare revenues to operating costs~~
12 ~~under the Transportation Development Act.~~

AMENDED IN ASSEMBLY APRIL 17, 2018

AMENDED IN ASSEMBLY MARCH 19, 2018

CALIFORNIA LEGISLATURE—2017–18 REGULAR SESSION

ASSEMBLY BILL

No. 2877

Introduced by Assembly Member Mathis

February 16, 2018

An act to add Section 44274.4 to the Health and Safety Code, relating to vehicular air pollution.

LEGISLATIVE COUNSEL'S DIGEST

AB 2877, as amended, Mathis. Vehicular air pollution: nonemergency medical transport.

The California Global Warming Solutions Act of 2006 designates the State Air Resources Board as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases. The act authorizes the state board to include the use of market-based compliance mechanisms. Existing law requires all moneys, except for fines and penalties, collected by the state board as a part of the market-based compliance mechanism to be deposited in the Greenhouse Gas Reduction Fund.

~~Existing law establishes the Air Quality Improvement Program that is administered by the state board for purposes of funding projects related to, among other things, the reduction of criteria air pollutants and improvement of air quality.~~

This bill would require the state board to develop and implement a program, as a part of the Air Quality Improvement Program, *program* to provide grants to a *rural* county with ~~rural, desert, or mountain regions~~ *a total population of less than 250,000 or a public transit operator*

located in such a rural county for the ~~purchase of clean~~ purchase, operation, and maintenance of near-zero-emission or zero-emission vehicles to provide seniors and disabled populations located in a rural, desert, or mountain region that rural county with nonemergency medical transportation services. The bill would authorize the state board to expend moneys appropriated by the Legislature from the Air Quality Improvement Fund or the Greenhouse Gas Reduction Fund for the implementation of the program.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 44274.4 is added to the Health and Safety
2 Code, to read:
3 44274.4. (a) For purposes of this section, the following
4 definitions apply:
5 (1) ~~“Clean vehicle” means a hybrid, plug-in hybrid, electric,~~
6 ~~compressed natural gas, or other nonpolluting vehicle.~~
7 (1) *“Near-zero-emission vehicle” and “zero-emission vehicle”*
8 *have the same meanings as described in Section 44258.*
9 (2) ~~“Eligible applicant” means a rural county with rural, desert,~~
10 ~~or mountain regions: a total population of less than 250,000 or a~~
11 ~~public transit operator located in such a rural county.~~
12 (3) ~~“Nonemergency medical services” means services not~~
13 ~~required to, as appropriate, medically screen, examine, evaluate,~~
14 ~~or stabilize an emergency medical condition that manifests itself~~
15 ~~by acute symptoms of sufficient severity, including severe pain,~~
16 ~~so that the absence of immediate medical attention could~~
17 ~~reasonably be expected to result in any of the following:~~
18 (A) ~~Placing the individual’s health, or, with respect to a pregnant~~
19 ~~woman, the health of the woman or her unborn child, in serious~~
20 ~~jeopardy.~~
21 (B) ~~Serious impairment to bodily functions.~~
22 (C) ~~Serious dysfunction of any bodily organ or part.~~
23 (3) *“Nonemergency medical transportation” includes, at a*
24 *minimum, round-trip transportation for an elderly or disabled*
25 *person to obtain medical services.*
26 (b) To reduce the emissions of greenhouse gases and criteria
27 air pollutants, the state board shall develop and implement a

1 ~~program, as a part of the Air Quality Improvement Program;~~
2 ~~program to provide grants to eligible applicants for the purchase~~
3 ~~of clean purchase, operation, and maintenance of~~
4 ~~near-zero-emission or zero-emission vehicles to provide seniors~~
5 ~~and disabled populations located in a rural, desert, or mountain~~
6 ~~region rural county with a total population of less than 250,000~~
7 ~~with nonemergency medical transportation services.~~

8 (c) The state board may expend moneys appropriated by the
9 Legislature from ~~the Air Quality Improvement Fund or the~~
10 Greenhouse Gas Reduction Fund for the implementation of the
11 program.

LASSEN COUNTY TRANSPORTATION COMMISSION

COMMUNITY MEETING ON U.S. HIGHWAY 395 IMPROVEMENTS

Tuesday, May 8 | Doyle Community Center

&

Wednesday, May 9 | Herlong One Stop

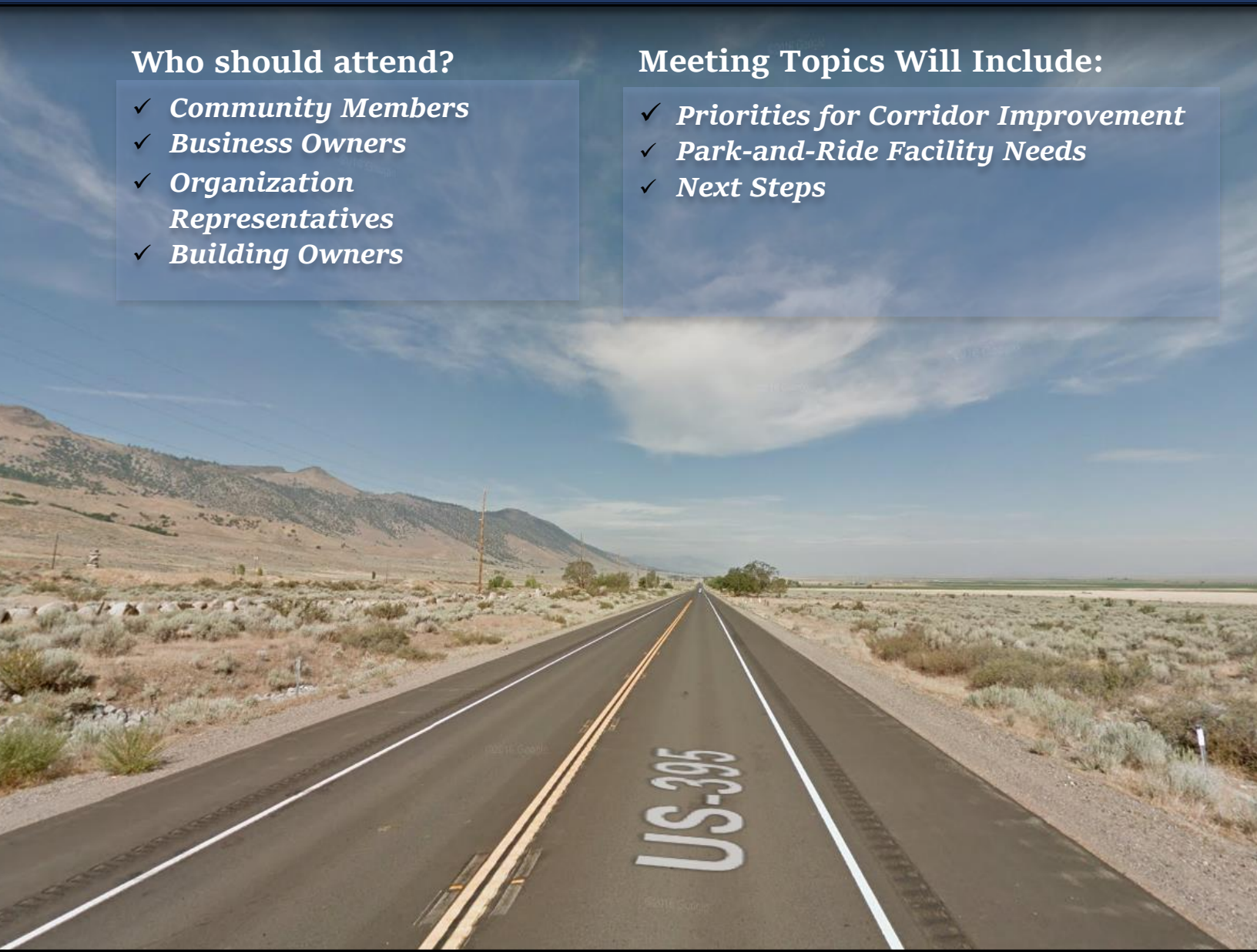
7:00 PM -8:00 PM

Who should attend?

- ✓ *Community Members*
- ✓ *Business Owners*
- ✓ *Organization Representatives*
- ✓ *Building Owners*

Meeting Topics Will Include:

- ✓ *Priorities for Corridor Improvement*
- ✓ *Park-and-Ride Facility Needs*
- ✓ *Next Steps*



Your Input is Highly Desired!



CALIFORNIA FREIGHT MOBILITY PLAN 2019



Freight Industry Focus Group Discussions We Want to Hear From You!

Caltrans is engaged in developing the **California Freight Mobility Plan 2019 (CFMP 2019)**, and is actively incorporating the freight industries' perspectives on the opportunities and challenges experienced today in California.

We enlisted the consultant team of Fehr & Peers, Curt Pringle & Associates, and The Tioga Group to conduct a series of industry focus group discussions throughout the state. Each meeting will bring together motor carriers, warehouse and DC operators, 3PLs, manufacturers, agricultural producers, and other industry participants in a series of topical breakout sessions. Each session will cover key freight mobility concerns in California, such as:



COMPETITIVENESS



SUSTAINABILITY



TECHNOLOGIES



WORKFORCE



PROJECTS &
PROGRAMS

Please join us to inform Caltrans and the CFMP 2019 team on the realities of freight transportation in California. A meeting schedule and agenda are enclosed. Please RSVP at www.cfmp2019.eventbrite.com to sign up for one of the following focus group meetings.

For more information about the CFMP 2019, please visit: www.dot.ca.gov/transplanning/cfmp2019
For questions about the CFMP 2019 or the focus group sessions, please contact:
Dan Smith, dsmith@tiogagroup.com, 925.631.0742, or email CFMP@dot.ca.gov

FOCUS GROUP SESSION DATES & LOCATIONS

South Central Valley	KernCOG Conference Room, 1401 19th St, Suite 300, Bakersfield, CA 93301	April 27, 2018 8 a.m. – 1 p.m.
San Bernardino & Inland Empire	District 8 Conference Room, 64 West 4th St, San Bernardino, CA 92401	May 17, 2018 8 a.m. – 1 p.m.
Los Angeles & San Diego	Gateway Cities Conf Rm, 16401 Paramount Blvd, 2nd Floor, Paramount, CA 90723	May 18, 2018 8 a.m. – 1 p.m.
Bay Area	TBD	June 2018
Sacramento Valley	TBD	June 2018
North Central Valley	TBD	June 2018

