

THE INFORMATION IN THIS BOX IS NOT A PART OF THE CONTRACT AND IS FOR COUNTY USE ONLY



Contract Number
24-125

SAP Number

Public Works

Department Contract Representative Jeremy Johnson
Telephone Number 909-387-8165

Contractor Department of Transportation
Contractor Representative Albert Vergel de Dios – District 8
Telephone Number 909-383-4631
Contract Term N/A
Original Contract Amount \$3,383,000
Amendment Amount N/A
Total Contract Amount \$3,383,000
Cost Center 6650002000

Briefly describe the general nature of the contract:

Accept 2022 Active Transportation Program Cycle 6 grant funds for pedestrian safety improvements and infrastructure in the Bloomington area

FOR COUNTY USE ONLY

Approved as to Legal Form
▶ Aaron Gest
Aaron Gest, County Counsel

Date 1/31/24

Reviewed for Contract Compliance
▶ Sam Niviri / FOR
Andy Silao, P.E.

Date 01/31/2024

Reviewed/Approved by Department
▶ [Signature]
Noel Castillo, Director

Date 1/31/2024

California Department of Transportation

DIVISION OF LOCAL ASSISTANCE
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August 7, 2023

Active Transportation Program
 Cycle 6 Metropolitan Planning Organization (MPO) Awardee

Dear Recipient:

Congratulations! Your project is included in the California Transportation Commission's (CTC) 2023 Active Transportation Program (ATP) Metropolitan Planning Organization (MPO) Component list of programmed projects. The links to the final adopted MPO Component can be found below:

- [MPO Component for the Metropolitan Transportation Commission](#)
- [MPO Component for Nine of Ten Large MPOs](#)

For the successful implementation of your project, please note the following:

- The agency's first step is to contact the appropriate [District Local Assistance Engineer](#) (DLAE) who can assist with the Master Agreement (if needed), allocation, and authorization processes.
- Projects must be federal-aid eligible unless the project is designated as state-only funded. Contact your DLAE, your MPO, or check Attachment C of the links to the final adopted MPO Component above to determine if your project is State or Federally funded.
- The ATP is a reimbursement program. Reimbursable work cannot commence on your project until:

<u>STATE-ONLY FUNDED</u>	<u>FEDERALLY FUNDED</u>
<ul style="list-style-type: none"> • You have a Master Agreement • You receive an allocation from CTC 	<ul style="list-style-type: none"> • You have a Master Agreement • Your project is programmed in the current Federal Statewide Transportation Improvement Program (FSTIP)
<ul style="list-style-type: none"> ○ It is recommended that your project be programmed in the current Federal Statewide Transportation Improvement Program (FSTIP) 	<ul style="list-style-type: none"> • You receive an allocation from CTC
	<ul style="list-style-type: none"> • You receive an authorization to proceed from Federal Highway Administration (FHWA)

Allocations for projects cannot commence until appropriate clearances are achieved. Please see [chapter 25](#) of the Local Assistance Procedures Guide (LAPG) and the following table for funding allocation requirements.

Phase	Work allowed	Requirement prior to requesting and receiving funding (allocation)
Project Approval & Environmental Document (PA&ED)	<ul style="list-style-type: none"> • The National Environmental Policy Act (NEPA) and/or the California Environmental Quality Act (CEQA) clearance • Preliminary engineering 	<ul style="list-style-type: none"> • Master Agreement • MPO/Regional transportation Planning Agencies (RTPA) approval if applicable*
Plans, Specifications and Estimates (PS&E)	<ul style="list-style-type: none"> • Formal design work 	<ul style="list-style-type: none"> • Master Agreement • MPO/RTPA approval if applicable* • Environmental document certified <ul style="list-style-type: none"> ○ CEQA for state-only funded projects ○ CEQA and NEPA for federally funded projects • Baseline Agreement executed if applicable**
Right of Way (RW)	<ul style="list-style-type: none"> • RW mapping • Fee acquisition • Utility relocation • RW certification 	<ul style="list-style-type: none"> • Master Agreement • MPO/RTPA approval if applicable* • Environmental document certified <ul style="list-style-type: none"> ○ CEQA for state-only funded projects ○ CEQA and NEPA for federally funded projects • Baseline agreement executed if applicable**

Construction (CON)	<ul style="list-style-type: none"> • Advertisement • Award • Construction Construction engineering 	<ul style="list-style-type: none"> • Master Agreement • MPO/RTPA approval if applicable* • Environmental document certified <ul style="list-style-type: none"> ○ CEQA for state-only funded projects ○ CEQA and NEPA for federally funded projects • Baseline Agreement executed if applicable** • RW certified • Scope changes approved*** • Complete PS&E package • Pertinent permits and agreements executed
CON-Non-Infrastructure (CON-NI)	<ul style="list-style-type: none"> • Non-infrastructure (NI) or Plans 	<ul style="list-style-type: none"> • Master Agreement • MPO/RTPA approval if applicable* • An approved workplan (25-R or 25-Plan) • CEQA/NEPA clearance for NI and plans

**If the RTPA's governing board passes a resolution requiring their approval prior to submittal to Caltrans, the implementing agency must provide written evidence of such approval on the Funding Allocation Request*

***Per the [Senate Bill 1 \(SB 1\) Accountability and Transparency Guidelines](#), projects with a total project cost of \$25 million or greater or a total ATP programmed amount of \$10 million or greater are required to complete a Baseline Agreement*

****Scope change requests must be submitted prior to an agency requesting the allocation of construction funds, except in instances where there is contract bid cost savings (ATP guidelines, Section 28, A)*

- It is the agency's responsibility to review their project scope throughout the project delivery process and confirm that ATP funding is used to fund the approved eligible scope. Please refer to section 10 "Reimbursement" of the [CTC 2023 ATP Guidelines](#). The CTC does not allow adding ATP funding to cover cost overruns.
- [Amendment Requests](#) – both scope changes and funding distribution changes are permitted, as approved in accordance with the CTC's amendment request policy, located in section 28 "Amendment Requests" of the CTC 2023 ATP Guidelines.

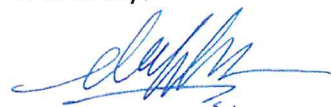
- ATP projects are subject to CTC Timely Use of Funds (TUF) Requirements. Please refer to section 31 "Timely Use of Funds (TUF)" of the CTC 2023 ATP Guidelines, chapter 25 of the LAPG, [the Caltrans ATP TUF webpage](#), and the CTC meeting preparation [schedule](#).
- Per CTC 2023 ATP Guidelines, all projects must follow the [Local Assistance Procedures Manual](#) (LAPM).
- Prior to engaging in any Architectural and Engineering (A&E) contract procurement(s), agencies should reference [LAPM chapter 10](#) and [Exhibit 10-C](#).
 - Applications that identified a partner or non-A&E consultant as performing a portion of or all work associated with the project scope must still comply with LAPM chapter 10.
- [Project Reporting](#)
 - The [SB 1 Accountability and Transparency Guidelines](#) require the implementing agency to submit quarterly project progress reports, a completion report, and a final delivery report via [CalSMART](#) upon adoption into the program.
 - Quick Build projects are NOT submitted via the CalSMART reporting system. Quick-Build Progress Reports will be submitted via an Excel reporting template.
 - Agencies that do not comply with the reporting requirements including submittal and explanation of user counts, will be reported to the CTC and required to appear before the Commission.
 - All projects, except Plan projects, require before and after counts. When conducting counts, the use of the [Interim Count Guidance](#) and the [Active Transportation Program Policy on User Counts](#) is required.
 - Agencies in need of ATP user counting equipment can borrow from the Active Transportation Resource Center (ATRC) Automated Counter Loan Program for free by contacting the [Caltrans ATRC/Non-infrastructure team inbox](#).
- [Baseline Agreements](#)
 - The SB 1 Accountability and Transparency Guidelines require projects with a total project cost of \$25 million or greater (all funds) or a total ATP programmed amount of \$10 million or greater to complete a Baseline Agreement.
 - Baseline Agreements need to be executed prior to allocation of any phase except for PA&ED (and CON-NI for combination ATP projects).
 - Current and projected user counts are required. Current user counts may not be required if the facility is new.
- Projects may be subject to Enhanced Oversight by Local Assistance staff to mitigate potential delivery risks.

- Projects with Federal Transit Administration (FTA)/Bureau of Indian Affairs (BIA) transfers must continue to meet all above conditions, in addition to the requirements of the FTA and BIA.
- Projects may be subject to an audit by the Independent Office of Audits and Investigations to evaluate the following:
 - Performance of the project
 - Whether project costs incurred and reimbursed are compliant with the following:
 - Executed project agreement and/or approved amendment(s)
 - State and Federal laws and regulations
 - Contract provisions
 - Program Guidelines
 - Consistency with project scope, schedule and benefits described in the executed project agreement and/or approved amendment(s), and approved project application.
- Caltrans manages the ATRC to provide training, resources, tools and technical assistance to ATP awardees. Please visit the ATRC website and to join the ATRC [list serve](#).

If you have any questions about your project or the ATP, please contact your DLAE or your Caltrans Headquarters (HQ) ATP Manager:

Districts (D) or Project Type	Caltrans HQ ATP Manager	Email
D 1, 2, 3, 4, & 5 Infrastructure Projects	Desiree Fox	desiree.fox@dot.ca.gov
D 6, 9, 10, & 11 Infrastructure Projects	Cirilo Salilican	cirilo.salilican@dot.ca.gov
D 7, 8, & 12 Infrastructure Projects	Elijah Hall	elijah.hall@dot.ca.gov
Plan and NI Projects	Michael Hutnick	Michael.Hutnick@dot.ca.gov

Sincerely,



DEE LAM
Division of Local Assistance, Chief

ATP Cycle 6 Awardee
August 7, 2023
Page 6

Enclosure

FedAid Process Flowchart

c: DLAEs, Caltrans Districts

Sujaya Kalainesan, Assistant Division Chief, Caltrans HQ

Cathy McKeon, State Programs Office Chief, Caltrans HQ

Desiree Fox, ATP Manager North, Caltrans HQ

Cirilo Salilican, ATP Manager Central, Caltrans HQ

Elijah Hall, ATP Manager South, Caltrans HQ

Michael Hutnick, ATP Manager Plans and NI (Acting), Caltrans HQ

Felicia Haslem, Project Implementation North Office Chief, Caltrans HQ

Robert Nguyen, Project Implementation South Office Chief (Acting), Caltrans HQ

Laurie Waters, Associate Deputy Director, CTC

Memorandum

To: CHAIR AND COMMISSIONERS

CTC Meeting: June 28-29, 2023

From: TANISHA TAYLOR, Interim Executive Director

Reference Number: 4.9, Action

Prepared By: Beverley Newman-Burckhard
Assistant Deputy Director

Published Date: June 16, 2023

Subject: Adoption of the 2023 Active Transportation Program Metropolitan Planning Organization Component for the Nine of Ten Large Metropolitan Planning Organizations, Resolution G-23-49

Recommendation:

Staff recommends that the California Transportation Commission (Commission) adopt the 2023 Active Transportation Program (ATP) Metropolitan Planning Organization (MPO) component for nine of the ten large metropolitan planning organizations, in accordance with the resolution in Attachment A and staff recommendations in Attachment B. This is the final programming action for the 2023 Active Transportation Program. Commission staff recommendations align with each metropolitan planning organization's proposed program of projects shown in Attachment C. The staff recommendations include the following metropolitan planning organizations:

- Fresno Council of Governments (FCOG)
- Kern Council of Governments (KCOG)
- Sacramento Area Council of Governments (SACOG)
- San Diego Association of Governments (SANDAG)
- San Joaquin Council of Governments (SJCOG)
- Southern California Association of Governments (SCAG)
- Stanislaus Council of Governments (StanCOG)
- Tahoe Metropolitan Planning Organization (TMPO)
- Tulare County Association of Governments (TCAG)

Issue:

Staff recommends 134 projects for funding, totaling \$539.754 million in Active Transportation Program funding and with total project costs of \$936.885 million. These projects include a broad range of active transportation infrastructure improvements, including over 120 miles of new bikeways, 60 miles of new sidewalks, intersection timing improvements, high-visibility crosswalks, intersection bike boxes, shade trees, bike racks, benches, wayfinding signage, lighting improvements, Americans with Disabilities Act-compliant curb ramps, and bus boarding islands. The recommendations include:

- \$494.092 million (92 percent) for 120 projects benefitting disadvantaged communities (DACs), exceeding the Senate Bill 99 (Committee on Budget and Fiscal Review, Chapter 359, Statutes of 2013) and 2023 Active Transportation Program Guidelines requirements that a minimum of 25 percent of overall program funds must benefit disadvantaged communities. Each metropolitan planning organization exceeded the 25 percent threshold.
- \$290.380 million (54 percent) for 60 Safe-Routes-to-School projects.

Metropolitan Planning Organization Programming Recommendations

The following table provides a summary of proposed programming recommendations. The funding amounts are represented in thousands:

MPO	# of Proj.	23-24	24-25	25-26	26-27	Total ATP Funding	Fund Est. Target	Under / (Over) Target
FCOG	10	\$1,002	\$3,915	\$7,184	\$6,514	\$18,615	\$18,615	\$0
KCOG	7	\$70	\$4,562	\$1,820	\$10,346	\$16,798	\$16,798	\$0
SACOG	10	\$4,462	\$2,837	\$4,155	\$34,058	\$45,512	\$45,512	\$0
SANDAG	15	\$21,462	\$6,814	\$15,807	\$17,844	\$61,927	\$61,927	\$0
SCAG	77	\$50,091	\$77,592	\$92,877	\$140,591	\$361,151	\$361,151	\$0
SJCOG	4	\$5,106	\$6,946	\$200	\$1,459	\$13,711	\$13,711	\$0
StanCOG	5	\$1,063	\$1,276	\$4,410	\$3,543	\$10,292	\$10,292	\$0
TCAG	4	\$168	\$4,209	\$2,416	\$2,054	\$8,847	\$8,847	\$0
TMPO	2	\$2,901	\$0	\$0	\$0	\$2,901	\$2,901	\$0
TOTAL	134	\$86,325	\$108,151	\$128,869	\$216,409	\$539,754	\$539,754	\$0

The following table shows the amount of funding benefitting disadvantaged communities for each Metropolitan Planning Organization. The funding amounts are represented in thousands:

MPO	# DAC Projects	Total DAC Funding	25 Percent DAC Target*	Under/(Over) Target	Percentage of Funding to DAC
FCOG	10	\$18,615	\$4,654	(\$13,961)	100%
KCOG	7	\$16,798	\$4,200	(\$12,599)	100%
SACOG	5	\$19,900	\$11,378	(\$8,522)	44%
SANDAG	14	\$57,037	\$15,482	(\$41,555)	92%
SCAG	71	\$349,607	\$90,288	(\$259,319)	97%
SJCOG	4	\$13,711	\$3,428	(\$10,283)	100%
StanCOG	4	\$8,314	\$2,573	(\$5,741)	81%
TCAG	4	\$8,847	\$2,212	(\$6,635)	100%
TMPO	1	\$1,200	\$725	(\$475)	41%
TOTAL	120	\$494,029	\$134,939	(\$359,091)	92%

*Each metropolitan planning organization must program at least 25 percent of its apportioned funds to disadvantaged communities.

**CALIFORNIA TRANSPORTATION COMMISSION
Adoption of the 2023 Active Transportation Program
Metropolitan Planning Organization Component
Nine of Ten Large Metropolitan Planning Organizations**

RESOLUTION G-23-49

- 1.1 **WHEREAS**, Streets and Highways Code Section 2384 requires the California Transportation Commission (Commission) adopt a program of projects to receive allocations under the Active Transportation Program; and
- 1.2 **WHEREAS**, the Commission must adopt a program of projects for the Active Transportation Program at least every two years, with each program covering four fiscal years; and
- 1.3 **WHEREAS**, the Commission adopted the 2023 Active Transportation Program Guidelines on March 16, 2022; and
- 1.4 **WHEREAS**, the guidelines describe the policies, standards, criteria, and procedures for the development and management of the 2023 Active Transportation Program funding cycle; and
- 1.5 **WHEREAS**, the Amended 2023 Active Transportation Program Fund Estimate provides over \$1.7 billion in programming capacity to the 2023 Active Transportation Program, to be apportioned to the Statewide (50 percent [\$853.520 million]), Small Urban and Rural (10 percent [\$170.704 million]), and Metropolitan Planning Organization (40 percent [\$682.816 million]) components in fiscal years 2023-24 through 2026-27; and
- 1.6 **WHEREAS**, pursuant to Streets and Highway Code Section 2382 subdivision (c), no less than 25 percent of overall program funds and funds in each component must benefit disadvantaged communities during each program cycle; and
- 1.7 **WHEREAS**, the Commission adopted the 2023 Active Transportation Program Statewide and Small Urban and Rural components on December 7, 2022; and
- 1.8 **WHEREAS**, the Commission programmed \$143.062 million of the \$682.816 million apportioned to the Metropolitan Planning Organization component to the Metropolitan Transportation Commission region on May 18, 2023; and
- 1.9 **WHEREAS**, the staff recommendations for the 2023 Active Transportation Program Metropolitan Planning Organization component for the remaining nine of ten large metropolitan planning organizations were published and made available to the public on June 5, 2023; and
- 1.10 **WHEREAS**, the staff recommendations conform with the 2023 Active Transportation Program Guidelines and other statutory requirements for the Active Transportation Program; and
- 1.11 **WHEREAS**, the Commission considered the staff recommendations and public testimony at its June 28-29, 2023 meeting.

- 2.1 **NOW THEREFORE BE IT RESOLVED**, that the Commission adopts the 2023 Active Transportation Program Metropolitan Planning Organization component for nine of the ten large metropolitan planning organizations, as indicated in Attachment B; and
- 2.2 **BE IT FURTHER RESOLVED**, that having a project included in the adopted 2023 Active Transportation Program Metropolitan Planning Organization component is not an authorization to begin work on that project. Contracts may not be awarded, nor may work begin, until the Commission approves an allocation for a project in the adopted program; and
- 2.3 **BE IT FURTHER RESOLVED**, that a project included in the adopted 2023 Active Transportation Program Metropolitan Planning Organization component must comply with the 2023 Active Transportation Program Guidelines; and
- 2.4 **BE IT FURTHER RESOLVED**, that the project amounts approved for funding shall be considered as a “not to exceed amount” and that any increases in cost estimates beyond the levels reflected in the adopted program are the responsibility of the appropriate agency; and
- 2.5 **BE IT FURTHER RESOLVED**, that if available funding is less than assumed in the Fund Estimate, the Commission may be forced to delay or restrict allocations using interim allocation plans, or, if available funding proves to be greater than assumed, it may be possible to allocate funding to some projects earlier than the year programmed; and
- 2.6 **BE IT FURTHER RESOLVED**, that staff, in consultation with Caltrans, is authorized to make further technical changes in cost, schedules, and descriptions for projects in the 2023 Active Transportation Program Metropolitan Planning Organization component to reflect the most current information, or to clarify the Commission’s programming commitments, and shall request Commission approval of any substantive changes; and
- 2.7 **BE IT FURTHER RESOLVED**, that the Commission directs staff to post the 2023 Active Transportation Program Metropolitan Planning Organization component program of projects on the Commission’s website.