

Greg Froslic -- Chairman
Steven Latoski -- Vice Chairman
Jason Bottjen
Todd Steinberger
Stuart Schmeling
Jess Knudson
Justin Hembree
Tim Walsh



900 London Bridge Road
Building B
Meeting Room
Lake Havasu City, AZ 86404
www.LHMPO.org

TECHNICAL ADVISORY COMMITTEE (TAC) MEETING AGENDA

Tuesday, March 3, 2020, 1:30 p.m.

***One or More TAC Members May Attend and Vote Telephonically
Call in information - Phone Number: 1-888-240-2560 Meeting ID: 260 914 080***

1. CALL TO ORDER/ROLL CALL

2. TITLE VI – NOTICE TO THE PUBLIC (Jeanette Buckley)

3. CONSENT AGENDA

The following items will be considered as one item by the Technical Advisory Committee and will be enacted with one motion with no separate discussion unless a board members requests to so, in that event the item will be removed.

- 3.1** Approve the TAC meeting minutes of January 14, 2020
Jeanette Buckley, Administrative Specialist II

4. DISCUSSION/POSSIBLE ACTION

- 4.1** Discussion and Update of traffic signal at Swanson / Acoma
Vinny Gallegos, LHMPO Director
- 4.2** Discussion and Possible Action to approve Request for Proposals for the 2045 Regional Transportation Plan
Vinny Gallegos, LHMPO Director
- 4.3** Discussion and Update of SR95 Wireless Signal Coordination
Vinny Gallegos, LHMPO Director

5. AGENCY AND LHMPO UPDATES

6. FUTURE AGENDA ITEMS

7. UPCOMING MEETING SCHEDULE

- LHMPO Executive Board Meeting: **March 10, 2020 2:00 PM**, 2360 McCulloch Boulevard, Police Facility Meeting Room, Lake Havasu City, AZ 86403
- State Transportation Board Meeting: **March 20, 2020, 9:00 AM**, Marana, AZ

- LHMPO Technical Advisory Committee Meeting: **March 24, 2020, 1:30 PM**, 900 London Bridge Road, Building B, Lake Havasu City, AZ 86403

8. CALL TO PUBLIC

This item is to provide an opportunity for citizens wishing to address the TAC on issues within the jurisdiction of the LHMPO planning area that are not on the Agenda. Comments SHALL be limited to five (5) minutes or less.

9. ADJOURN

Pursuant to the Americans with Disabilities Act (ADA), the Lake Havasu Metropolitan Planning Organization endeavors to ensure the accessibility of all of its programs, projects and services to all persons with disabilities. If you need an accommodation for this meeting, please contact the Lake Havasu MPO office at (928) 453-2823 at least 48 hours prior to the meeting so that accommodations may be arranged.

**LAKE HAVASU MPO - TAC
REQUEST FOR ACTION
MARCH 3, 2020**

SUBJECT: **ACTION TO APPROVE THE CONSENT AGENDA**

SUBMITTED BY: Jeanette Buckley, Administrative Specialist II

AGENDA TYPE: **CONSENT AGENDA**

ATTACHMENTS:

January 14, 2020 Meeting Minutes

SUMMARY/BACKGROUND:

The meeting minutes from January 14, 2020, are being submitted for TAC review and approval.

ACTION OPTION:

Motion to approve the Consent Agenda

OR

Motion to approve the Consent Agenda, with the noted changes

RECOMMENDATION:

Motion to approve the Consent Agenda

Greg Froslic -- Chairman
Steven Latoski – Vice Chairman
Jason Bottjen
Todd Steinberger
Stuart Schmeling
Jess Knudson
Justin Hembree
Tim Walsh



2360 McCulloch Blvd., N
Lake Havasu City Police Facility
Meeting Room
Lake Havasu City, AZ 86403
www.LHMPO.org

**TECHNICAL ADVISORY COMMITTEE (TAC) WORK SESSION
WITH EXECUTIVE BOARD AND STAFF
MEETING MINUTES**

Tuesday, January 14, 2020, 12:30 p.m.

***One or More TAC Members May Attend and Vote Telephonically
Call in information - Phone Number: 1-888-240-2560 Meeting ID: 358 435 940***

1. CALL TO ORDER/ROLL CALL

Greg Froslic called the meeting to order at 12:30 p.m.

The roll call was performed by Jeanette Buckley.

Present: Greg Froslic, Justin Hembree, Jason Bottjen, Stuart Schmeling, Jess Knudson, and Scott Holtry.

Absent: Steven Latoski and Todd Steinberger.

2. TITLE VI – NOTICE TO THE PUBLIC

Jeanette Buckley read the Title VI – Notice to the Public.

3. CONSENT AGENDA

The following items will be considered as one item by the Technical Advisory Committee and will be enacted with one motion with no separate discussion unless a board members requests to so, in that event the item will be removed.

3.1 Approve the TAC meeting minutes of September 24, 2019

3.2 Approve the TAC meeting minutes of October 22, 2019

Motion

Jess Knudson presented a motion to approve the consent agenda. Motion was seconded by Justin Hembree.

Vote on Motion

The vote on the motion was unanimous.

4. DISCUSSION/POSSIBLE ACTION

4.1 Discussion and Update of the design of SR95/Kiowa third driveway traffic signal
Viny Gallegos advised the TAC that the traffic signal was originally programmed with the SR95/Kiowa project but after consideration it did not meet the warrants for highway safety funding so it was removed from the project. Lake Havasu MPO has set aside money for the traffic signal at the third driveway.

Alvin Stump met with the Traffic Engineer to discuss this driveway the Pismo staff wanted more traffic counts so they will be collecting traffic counts.

David Lane asked Alvin Stump when they will start the traffic counts. Alvin Stump responded that they will be here this week sometime but did not see them today.

Vinny Gallegos asked Alvin Stump if ADOT still wants a meeting with Lake Havasu City and Lake Havasu MPO. Alvin Stump responded that there would only need a meeting if ADOT does not want to go through with the traffic signal.

David Lane asked if the traffic counts are high enough would ADOT pay for the traffic signal so that Lake Havasu MPO does not have to pay for the signal. Alvin Stump responded that he does not have the support from ADOT for the signal.

Vinny Gallegos asked if the micro sealing would still be done in March when the weather warms up. Alvin Stump responded that it still is scheduled for March.

Greg Froslic asked if any treatments have been done to the median he has heard that it is difficult to see at night. Alvin Stump stated that he could see if the caps of the median could be painted.

Vinny Gallegos stated that if Lake Havasu MPO would pay for the traffic signal now rather than later that ADOT recognized that there could be future project collaboration down the road.

4.2 Discussion and Update of traffic signal at Swanson / Acoma

Vinny Gallegos advised the TAC that the Swanson & Acoma intersection was identified by ADOT as the #1 unsignalized intersection in Arizona for needing improvements from crash data. Lake Havasu MPO and the TAC had Greenlight Traffic Engineering put together a Highway Safety Improvement application to address this intersection. In the original application, it was a traffic signal and surrounding projects. At this time, the only part of the original application left is the traffic signal. Lake Havasu City has been talking to ADOT about the project cost the original project was around \$700,000 now the project is approaching \$1 million. Lake Havasu City does not have any additional funds for this signal. After conversations with ADOT, Lake Havasu MPO is willing to pay for a scoping and a more accurate cost estimate for \$12,000.00. ADOT has given us a verbal agreement to work with the project up to \$1 million adding another \$250,000 in highway safety funds.

Jason Bottjen checked and a scoping project cannot be done with HURF funds but SPR funding could be used. This Request for Quotes will need to go out to three consultants.

Greg Froslic asked what is missing and why does there have to be more scoping on this project. Vinny Gallegos responded that it is part of the process when doing a Highway Safety project that after the project is awarded then the engineers look at the project closer, this causes items to come up that were missed, and it brings up the cost of the project.

Justin Hembree stated to the TAC that every project that WACOG has submitted comes in over the original application award. This can be because of the timing of the projects or cost of materials going up by the time the project is implemented. Justin

Hembree is looking at doing a more in depth scoping before submitting future project applications.

Greg Froslic stated that he supports the scoping but the original \$700,000 was based on some factor already.

Alvin Stump stated that spending a little more up front saves the project in the long run.

Vinny Gallegos indicated that the cost of HSIP projects keeps going up is an issue and that there still needs to be conversations with ADOT regarding these issues to resolve them in the future.

4.3 Discussion and Possible Action to Approve Regional Transit Implementation Plan
Greg Froslic stated that this is an action item and after the presentation, there will be voting on this item.

Vinny Gallegos stated this is the last meeting for the Regional Transit Implementation Plan it has been a very productive year.

Phyllis Davis, Kittleson & Associates presented a PowerPoint presentation available at the Lake Havasu MPO office. Phyllis Davis presented the TAC the Final Transit Implementation Plan with the following items:

- The study identified the need/demand for transit service
- Determined local and regional needs
- Evaluated alternative service scenarios
- Created a realistic and sustainable short and long-term plan
- Study Process addressed the following:
 - Goals/Objectives
 - Understand current transit services available
 - Assess previous system
 - Community Profile
 - Determine transit demand
 - Community survey
 - Future conditions
 - Multimodal assessment
 - Identify and evaluate service options
 - Ground truth preferred service
 - Community Survey
 - Phased Implementation Plan
- Feasibility Study Findings
 - Phased implementation – start small, use data to re-evaluate routes/stops
 - Downtown fixed route service
 - Leverage technology to reduce first/last-mile connections
 - Initiate vanpool programs for key employment/education centers
- Implementation Plan Recommendations
 - Service Goals
 - Build a safe, effective, efficient and accessible transit service for residents and visitors
 - Increase/address the mobility needs of residents and visitors

- Identify reliable, sustainable, and adequate funding for continued transit operations
- Short-Term Service Plan
 - Pre-Kickoff (0-6 months)
 - Phase I Pilot Phase (7-12 months)
 - Phase II Adjustment Phase (13-18 months)
 - Phase III Enhancement Phase (19-24 months)
 - Develop Service and Stakeholder Partnerships
 - Fare Structure (Electronic fare payment system)
- Mid-Term (3-5 Years)
 - Continue Fixed-Route Service
 - Build partnerships with local businesses and stakeholders
 - Continue and expand vanpool programs
 - Implement a Southern Express Service Route
 - Implement a Microtransit Pilot Project
 - Evaluate Microtransit Pilot Project
- Long-Term (5+ Years)
 - Re-evaluate and update the transit service plan
 - Evaluate potential need for transit Tri-City connections
- Roles and Responsibility
 - Lake Havasu City
 - Internal City Transit Department
 - Transit Working Group (TWG)
 - Lake Havasu MPO
- Marketing Plan
 - System name and branding
 - Grand opening campaign
 - Rider guide
 - Website / Social Media
 - Community outreach
 - Advertising
- Partnership Opportunities
 - Mohave Community College
 - Go Havasu
 - Shops at Lake Havasu
 - Havasu Regional Medical Center
 - Arizona State University
 - Chemehuevi Indian Tribe
 - Mohave County
 - Local 5310 Service Providers

Jeanette Buckley asked how long the Downtown Circulator takes to run route. Phyllis Davis responded that it is typically 50 minutes with flag stops.

Patrick Cipres explained that Paratransit service is a complimentary service that follows the circulator route $\frac{3}{4}$ miles out.

Phyllis Davis advised the TAC that ADOT has given suggestions concerning vanpool service by selling extra seats if available.

Justin Hembree advised the TAC that in the next six months he would doing a Request for Proposals for an Inter-City Connection Plan this will be an 18-24 month project.

Patrick Cipres advised the TAC that NAIPTA uses Microtransit as a pilot for a future route typically they run the Microtransit for a year in an area.

David Lane asked Patrick Cipres if Uber and Lyft would share ridership data with Lake Havasu City if they are using the transit application. Patrick Cipres indicated that he would check with NAIPTA on how they obtain that data from Uber and Lyft.

Jess Knudson asked if the comments from Jill Dusenberry were added to the Transit Plan. Phyllis Davis advised that Patrick and she have reached out to Jill Dusenberry concerning her comments to make sure they added them to the plan.

Cal Sheehy asked about what happens to Havasu Mobility with this plan. Patrick Cipres stated that Havasu Mobility would keep running for the first 12 to 18 months with partnership from New Horizons. Patrick Cipres talked to New Horizons and they are agreement and want to collaborate with Lake Havasu City.

Vinny Gallegos thanked the TAC, Executive Board, Lake Havasu City and the MPO looks forward to being a partner with Lake Havasu City.

Motion

Jess Knudson presented a motion to approve the Regional Transit Feasibility and Implementation Plan. Motion was seconded by Stuart Schmeling.

Vote on Motion

The vote on the motion was unanimous.

5. AGENCY AND LHMPO UPDATES

Greg Froslic asked for agency updates no updates were given.

6. FUTURE AGENDA ITEMS

Greg Froslic asked for any future agenda items none were given.

7. UPCOMING MEETING SCHEDULE

- State Transportation Board Meeting: **January 17, 2020, 9:00 AM**, Yuma, AZ
- LHMPO Technical Advisory Committee Meeting: **January 28, 2020, 1:30 PM, CANCELLED** 900 London Bridge Road, Building B, Lake Havasu City, AZ 86403
- LHMPO Executive Board Meeting: **February 11, 2020 2:00 PM**, 2360 McCulloch Boulevard, Police Facility Meeting Room, Lake Havasu City, AZ 86403
- LHMPO Technical Advisory Committee Meeting: **February 25, 2020, 1:30 PM**, 900 London Bridge Road, Building B, Lake Havasu City, AZ 86403

8. CALL TO PUBLIC

There were no public comments

9. ADJOURN

Greg Froslic adjourned the meeting at 1:53 p.m.

**LAKE HAVASU MPO - TAC
REQUEST FOR ACTION
MARCH 3, 2020**

SUBJECT: **DISCUSSION AND UPDATE OF THE TRAFFIC SIGNAL AT
SWANSON & ACOMA**

SUBMITTED BY: Vinny Gallegos, MPO Director

AGENDA TYPE: **DISCUSSION and UPDATE**

ATTACHMENTS:

Request for Quotes: Updated Cost Estimate and Scope for the Acoma Boulevard /
Swanson Avenue Intersection Safety Improvements – HSIP FY20-21 Project

SUMMARY/BACKGROUND:

Lake Havasu MPO issued a Notice of Request for Quotes for an updated cost estimate and scope for the Acoma Boulevard/Swanson Avenue Intersection Safety Improvement HSIP FY20-FY21 project. The quotes are due to back to Lake Havasu MPO on March 10, 2020.

ACTION OPTION:

Discussion Only

OR

RECOMMENDATION:



Notice of Request for Quotes

Lake Havasu Metropolitan Planning Organization

**Updated Cost Estimate and Scope for the Acoma Boulevard / Swanson Avenue
Intersection Safety Improvements - HSIP FY20-FY21 Project
(LHMPO HSIP FY20-21 Project)**

Issued: February 18, 2020

Request for Quotes Due: Tuesday, March 10th by 2:00 pm

ADOT Project# MPD 197318.20-500.1

Issued by the Lake Havasu Metropolitan Planning Organization

REQUEST FOR QUOTES
Lake Havasu Metropolitan Planning Organization
LHMPO HSIP FY20-21 Project

The Lake Havasu Metropolitan Planning Organization (herein referred to as “LHMPO”) invites qualified firms to submit quotes with detailed costs per service requested per the scope of this RFQ, and including number of intervals or occurrences per service, to provide creative and professional services for a Updated Cost Estimate and Scope for the Acoma Boulevard / Swanson Avenue Intersection Safety Improvements

Quotes will be received until 2:00 pm on Tuesday March 10, 2020, at the LHMPO office, 900 London Bridge Road, Lake Havasu City, AZ 86404.

Any quotes received on or after 2:00 pm on the above stated date will be returned and will not be considered. This is **NOT** a bid process and selection of the final contractor will not solely be based on cost. Submittals must conform to the prepared Scope of Work, which is attached and also available upon request from the LHMPO office at (928) 453-2823 or by email GallegosV@lhcaz.gov

LHMPO reserves the right to reject any and all quotes and assumes no liability for the cost of preparing a response to this request.

Quotes will be accepted by email to GallegosV@lhcaz.gov or via standard mail or courier, with the outside of the proposal envelope to indicate the name and address of respondent, and addressed to LHMPO, 900 London Bridge Road, Lake Havasu City, AZ 86404. Please note on the outside of the envelope or in the subject line of the email: **Request for Quotes: Updated Cost Estimate and Scope for the Acoma Boulevard / Swanson Avenue Intersection Safety Improvements - HSIP FY20-FY21 Project (aka: LHMPO HSIP FY20-21 Project)**

INTRODUCTION AND BACKGROUND

The Lake Havasu Metropolitan Planning Organization (LHMPO) invites qualified firms to submit in response to the Request for Quotes (RFQ) a delineated proposal to provide professional services for **Updated Cost Estimate and Scope for Acoma Boulevard / Swanson Avenue Intersection Safety Improvements - HSIP FY20-FY21 Project (LHMPO HSIP FY20-21 Project)**. The Scope and Updated Cost Estimate is intended to provide the following:

The Lake Havasu MPO on behalf of Lake Havasu City (LHC) and the Arizona Department of Transportation (ADOT) is requesting a more detailed scope of work and updated cost estimate for the safety countermeasure improvements to the intersection of Acoma Boulevard / Swanson Avenue HSIP application for FY20-21. At this time, the HSIP application has been awarded for a traffic signal to be installed to this unsignalized intersection. Since the award of this project, the LHC has identified through their informal evaluation that the cost of the project may require greater funds than the initial award. Due to this issue, the MPO is seeking to better identify the scope and cost estimates related to the safety improvements for this intersection.

Additionally a queuing analysis should be conducted, which would include conducting peak period traffic counts. A more detailed intersection control evaluation (ICE) to determine the feasibility of any safety countermeasure alternative to a traffic signal with a relatively similar benefit / cost ratio.

The Lake Havasu MPO is seeking to secure the HSIP FY20-21 project and associated funds. In an effort to secure the associated funds it will be necessary to better ensure the scope and updated cost estimate for the project.

Additional background information related to the HSIP application is available at request through the Lake Havasu MPO.

INSTRUCTIONS

The Lake Havasu Metropolitan Planning Organization invites interested firms to submit written quotes relating to this solicitation. The LHMPO staff will evaluate each quote based upon the enclosed scoring process. The quotes will be ranked based on the merits of the submitted proposals, and then the top ranked firm(s) will be selected.

The Lake Havasu Metropolitan Planning Organization reserves the right to reject any or all quotes and to make any award which it considers to be in the best interest of the region. This quote is not a commitment to initiate a contract for services and is not to be considered a bid for services based on lowest cost.

Specific federal language is required to be in all LHMPO contracts/professional services agreements and will be provided to the selected firm during development of the final contract.

WITHDRAWAL OF QUOTES

Quotes may be withdrawn by written notice received at any time prior to the award.

DELIVERABLES/SUBMITTALS

One (1) bound hard copy **OR** One (1) electronic copy (PREFERRED) of the cost quote to be received no later than **2:00 pm, Tuesday, March 10, 2020**. Email submittals should be sent to GallegosV@lhcaz.gov and should the firm choose to submit a hard copy, the submittal should be addressed to:

Lake Havasu Metropolitan Planning Organization
900 London Bridge Road
Lake Havasu City, AZ 86404

Submitted proposals become the property of Lake Havasu Metropolitan Planning Organization and will not be returned.

RESPONSIBILITIES/COMPLIANCE

The Contractor shall comply with the Title VI Civil Rights Act of 1964, and Title 49, Code of Federal Regulations, part 21.

There is NO DBE GOAL associated with this project. Contractors must also maximize DBE participation in ADOT Federal-Aid funded contracts, make good faith efforts to meet any DBE goals stated in contract solicitations and must adhere to commitments made to utilize DBEs as indicated in the firm's submittal.

The Contractor shall comply with the Title VI Civil Rights Act of 1964, and Title 49, Code of Federal Regulations, part 21.

The Contractor shall comply with the FAST Act and applicable requirements.

LATE SUBMITTALS

Any quotes received after the exact time specified above will not be considered.

PREPARATION

Quote submittal of no more than three (3) printed 8 ½ x 11 **single sided** pages **not** including a front and/or back cover should be prepared providing a straightforward concise description of the Contractor's qualifications, team members and a detailed proposed cost by task and man hours to deliver the proposed work.

SIGNATURE AND REFERENCES

The quotes should be signed by the person in the Contractor's firm responsible for the decision as to the qualifications stated in the proposal. Quotes should also include references and contact information of the key staff and firm submitting the quote.

PREPARATION COSTS

All costs incurred for the quote preparation, presentation, or contract negotiations are the responsibility of the firm. LHMPO will not pay for any information solicited or received.

FUNDING

LHMPO is a designated Metropolitan Planning Organization (MPO) for Lake Havasu City, Arizona Urbanized Area and has been granted funds in accordance with Federal and State allocations. In support of the Campaign, LHMPO has budgeted Surface Transportation Program Block Grant (“STPBG”) funding for planning activities as identified in accordance with the LHMPO Unified Planning Work Program.

ESTIMATED PROJECT SCHEDULE

Tuesday February 18, 2020	Request for Quotes Distributed
Tuesday March 10, 2020	Request for Quotes due to LHMPO by 2pm
Wednesday March 11, 2020	LHMPO Staff / Committee review and select Quote
Wednesday March 11, 2020	Notice to proceed

REVIEW PROCESS

LHMPO Staff will evaluate quotes submitted for this project. Contractor selection will be based on a consensus approach utilizing the following criteria.

- 1) Cost Proposal
- 2) Project schedule
- 3) Specific experience of the Contractor and project staff in a project of this type
- 2) Project approach

After evaluation of the quotes, the top rated quote will be determined based upon a consensus of the LHMPO Staff Committee. If negotiations are unsuccessful, the LHMPO Administrator will terminate negotiation efforts and open negotiations with the 2nd ranked firm. This process will continue until negotiations are successful or should the decision be made that an award cannot be made and the project is terminated.

LHMPO reserves the right to reject any and all quotes.

This is not a bidding process.

Appendix A

General Assurance

Lake Havasu Metropolitan Planning Organization (“LHMPO”) HEREBY AGREES THAT, as a condition to receiving any Federal financial assistance from the Arizona Department of Transportation that it will comply with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d-42 U.S.C. 2000d-4 (hereinafter referred to as the Act), and all requirements imposed by or pursuant to Title 49, code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-Assisted Programs of the Department of Transportation – Effectuation of Title VI of the Civil Rights Act of 1964 (hereinafter referred to as the Regulations) and other pertinent directives, that no person in the United States shall, on the grounds of race, color, national origin, gender, age, or disability be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity, and HEREBY GIVES ASSURANCE THAT it will promptly take any measures necessary to effectuate this agreement. This assurance is required by subsection 21.7 (a) (1) of the Regulations, a copy of which is attached.

Specific Assurances

Federal-aid Highway Program Assurance

More specifically and without limiting the above general assurance, the Lake Havasu Metropolitan Planning Organization hereby gives the following specific assurances with its Federal-aid Highway Program.

1. That agrees that each “program” and each “facility” as defined in subsections 21.23(e) and 21.23(b) of the Regulations, will be (with regard to a “program”) conducted, or will be (with regard to a “facility”) operated in compliance with all requirements imposed by, or pursuant to, the Regulations.
2. That the Lake Havasu Metropolitan Planning Organization shall insert the following notifications in all solicitations for bids for work or material subject to the Regulations and made in connection with all Federal-aid Highway Programs and, in adapted form in all proposals for negotiated agreements:

The Lake Havasu Metropolitan Planning Organization, in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d-42 U.S.C. 2000d-4 and Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidders that it will affirmatively insure that in any contract entered into pursuant to this advertisement, minority business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, national origin, gender, age, or disability in consideration for an award.

3. That where the Lake Havasu Metropolitan Planning Organization receives Federal financial assistance to construct a facility, or part of a facility, the assurance shall extend to the entire facility and facilities operated in connection within.

4. That where the Lake Havasu Metropolitan Planning Organization receives Federal financial assistance in form, or for the acquisition of real property or an interest in real property, the assurance shall extend to rights to space on, over, or under such property.
5. That this assurance obligates the Lake Havasu Metropolitan Planning Organization for the period during which Federal financial assistance is extended to the program, except where the federal financial assistance is to provide, or is in the form of, personal property, or real property or interest therein or structures or improvements thereon, in which case the assurance obligates the Lake Havasu Metropolitan Planning Organization or any transferee for the longer of the following periods: (a) the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or (b) the period during which the Lake Havasu Metropolitan Planning Organization retains ownership or possession of the property.
6. The Lake Havasu Metropolitan Planning Organization shall provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom he delegates specific authority to give reasonable guarantee that it, other recipients, subgrantees, contractors, Sub-Contractors, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Act, the Regulations and this assurance.
7. The Lake Havasu Metropolitan Planning Organization agrees that the United States has right to seek judicial enforcement with regard to any matter arising under the Act, the Regulations, and this assurance.

DISADVANTAGED BUSINESS ENTERPRISES PROVISIONS

The Arizona Department of Transportation (hereinafter the Department) has established a Disadvantaged Business Enterprise (DBE) program in accordance with the regulations of the U.S. Department of Transportation (USDOT), 49 CFR Part 26. The Department has received Federal financial assistance from the U.S. Department of Transportation and as a condition of receiving this assistance, the Department has signed an assurance that it will comply with 49 CFR Part 26.

It is the policy of the Department to ensure that DBEs, as defined in Part 26, have an equal opportunity to receive and participate in USDOT-assisted contracts. It is also the policy of the Department:

1. To ensure nondiscrimination in the award and administration of USDOT-assisted contracts;
2. To create a level playing field on which DBEs can compete fairly for USDOT-assisted contracts;
3. To ensure that the DBE program is narrowly tailored in accordance with applicable law;
4. To ensure that only firms that fully meet 49 CFR Part 26 eligibility standards are counted as DBEs;
5. To help remove barriers to the participation of DBEs in USDOT-assisted contracts; and
6. To assist in the development of firms that can compete successfully in the market place outside the DBE program.

It is also the policy of the Department to facilitate and encourage participation of Small Business Concerns (SBCs) in USDOT-assisted contracts. The Contractor is encouraged to eliminate obstacles to contract performance by SBCs and to utilize SBCs when feasible

USDOT regulations require a recipient of federal funding and all of its subrecipients to implement an approved DBE Program that consists of establishing a statewide DBE utilization goal. The AGENCY as a subrecipient of the Department is required to follow the Department established DBE provisions.

Assurances of Non-Discrimination:

The Contractor, subrecipient, or Sub-Contractor shall not discriminate on the basis of race, color, sex or national origin in the performance of this contract. The Contractor shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of contracts. Failure by the Contractor to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy as the state deems appropriate. The Contractor, subrecipient, or subconsultant shall ensure that all subcontract agreements contain this non-discrimination assurance.

Definitions:

(A) Disadvantaged Business Enterprise (DBE): a for-profit small business concern which meets both of the following requirements:

- (1)** Is at least 51 percent owned by one or more socially and economically disadvantaged individuals or, in the case of any publicly owned business, at least 51 percent of the stock is owned by one or more such individuals; and,
- (2)** Whose management and daily business operations are controlled by one or more of the socially and economically disadvantaged individuals who own it.

(B) Socially and Economically Disadvantaged Individuals: any individual who is a citizen (or lawfully admitted permanent resident) of the United States and who is:

- (1)** Any individual who is found to be a socially and economically disadvantaged individual on a case-by-case basis.
- (2)** Any individual in the following groups, members of which are rebuttably presumed to be socially and economically disadvantaged:
 - (i)** "Black Americans," which includes persons having origins in any of the Black racial groups of Africa;
 - (ii)** "Hispanic Americans," which includes persons of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish or Portuguese culture or origin, regardless of race;
 - (iii)** "Native Americans," which includes persons who are American Indians, Eskimos, Aleuts, or Native Hawaiians;
 - (iv)** "Asian-Pacific Americans," which includes persons whose origins are from Japan, China, Taiwan, Korea, Burma (Myanmar), Vietnam, Laos, Cambodia (Kampuchea), Thailand, Malaysia, Indonesia, the Philippines, Brunei, Samoa, Guam, the U.S. Trust Territories of the Pacific Islands (Republic of Palau), the Commonwealth of the Northern Marianas Islands, Macao, Fiji, Tonga, Kiribati, Tuvalu, Nauru, Federated States of Micronesia, or Hong Kong;
 - (v)** "Subcontinent Asian Americans," which includes persons whose origins are from India, Pakistan, Bangladesh, Bhutan, the Maldives Islands, Nepal or Sri Lanka;

(vi) "Women;"

(vii) Any additional groups whose members are designated as socially and economically disadvantaged by the Small Business Administration (SBA), at such time as the SBA designation becomes effective.

(D) **Non-DBE:** any firm that is not a DBE.

(E) **RACE-CONSCIOUS:** a measure or program is one that is focused specifically on assisting only DBEs, including women-owned DBEs.

(F) **RACE-NEUTRAL:** a measure or program is one that is, or can be, used to assist all small businesses. For the purposes of this part, race-neutral includes gender-neutrality.

(G) **SMALL BUSINESS CONCERN:** a business that meets all of the following conditions:

- (1) Operates as a for-profit business registered to do business in Arizona;
- (2) Operates a place of business primarily within the U.S., or makes a significant contribution to the U.S. economy through payment of taxes or use of American products, materials, or labor;
- (3) Is independently owned and operated;
- (4) Is not dominate in its field on a national basis; and
- (5) Does not have annual gross receipts that exceed the Small Business Administration size standards average annual income criteria for its primary North American Industry Classification System (NAICS) code.

The Department has established an overall annual goal for DBE participation on Federal-aid contracts. The Department intends to meet the goal with a combination of race-conscious and race-neutral efforts. Race-conscious participation occurs where the CONTRACTOR uses a percentage of DBEs to meet a contract-specified goal. Race-neutral efforts are those that are, or can be, used to assist all small businesses or increase opportunities for all small businesses. The regulation, 49 CFR 26, defines race neutral as when a DBE wins a prime contract, is awarded a subcontract on a project without DBE goals, and is awarded a subcontract from a prime CONTRACTOR that did not consider the firm's DBE status.

GOALS:

The Department has not established contract goals for DBE participation in this contract. CONTRACTORS are still encouraged to employ reasonable means to obtain DBE participation. CONTRACTORS must retain records in accordance with these DBE specifications. The CONTRACTOR is notified that this record keeping is important to the Department so that it can track DBE participation where only race neutral efforts are employed.

COMPLIANCE:

The CONTRACTOR and its Sub-Contractors, Lower-tier Sub-Contractors and Vendors are subject to DBE compliance monitoring and are required to provide any requested DBE CONTRACT compliance-related data in hard copy or electronically as determined by the Department, including written agreements between the CONTRACTOR and Sub-Contractor DBEs.

PAYMENTS:

In accordance with the Arizona Prompt Payment Law (A.R.S. §28-411), the Agency shall issue payments to Contractors within 21 calendar days after receipt of complete and accurate Payment Report/Invoice unless proper objection is made under the statute. The law also requires the CONTRACTOR to pay its Sub-Contractors within 7 calendar days after receiving payment from the Agency, to the extent of each Sub-Contractor contractual interest in the payment, subject to provision of the statute.

REPORTING AND SANCTIONS:

- a. The Department is required to collect data on DBE and non-DBE participation to report to on Federal-aid projects. The CONTRACTOR is notified that such record keeping is required by the Department for tracking DBE participation.
- b. Therefore, after execution of this CONTRACT and before the first Payment Report/Invoice is submitted to the Agency, the CONTRACTOR is required to provide information through the Department's web based DBE system at www.adot.dbesystem.com and enter the name, contact information, and subcontract amounts for all Sub-Contractors, lower-tier Sub-Contractors and Direct Expense vendors performing any work on the project.
- c. The CONTRACTOR shall report the monthly payments made to all DBE, Non-DBE Sub-Contractors and Direct Expense Vendors, including all lower-tier Sub-Contractors, for labor, equipment, and materials.
- d. The CONTRACTOR shall provide all such required information for the current month by the 15th calendar day of the following month electronically through the Department's web based DBE system www.adot.dbesystem.com.
- e. All DBE, Non-DBE Sub-Contractors and Direct Expense Vendors, including all lower-tier Sub-Contractors, for labor, equipment, and materials shall confirm the payments received from the CONTRACTOR electronically through the Department's web based DBE system www.adot.dbesystem.com.
- f. If the CONTRACTOR and its Sub-Contractors do not provide all required DBE payment information the Agency shall deduct \$1,000 for each delinquent report, whether from the CONTRACTOR or any of its Sub-Contractors, from the progress payment for the current month, not as a penalty, but as liquidated damages. If by the following month, the required DBE payment information for the previous month has still not been provided, the Agency shall deduct an additional \$1,000 for each delinquent report. Such deductions shall continue for each subsequent month that the CONTRACTOR or its Sub-Contractors fail to provide the required payment information.
- g. The Agency, at its sole discretion, may terminate the CONTRACT at any time if the Agency determines that the CONTRACTOR is not satisfactorily meeting the DBE provisions stated in the CONTRACT.

COUNTING DBE PARTICIPATION:

Only the value of the work actually performed by the DBE can be credited toward DBE participation. Credit is given only after the DBE has been paid for the work performed.

At the completion of the contract, the CONTRACTOR shall submit to the Agency a *Certificate of Payments to DBE Firms* affidavit certifying that all DBEs were paid in full for material and/or work promised and performed under the terms of this CONTRACT.

The Contractor shall count only the value of the work actually performed by the DBE toward DBE participation.

- a. CONTRACTS created to artificially create DBE participation are not acceptable; the arrangement shall be within normal industry practices. The DBE shall perform a commercially useful function.
- b. Count the entire amount of that portion of a CONTRACT (or other CONTRACT not covered by paragraph (2) of this section) that is performed by the DBE's own forces. Firms shall include the cost of supplies and materials obtained by the DBE for the work on the CONTRACT, including supplies purchased or equipment leased by the DBE (except supplies and equipment the DBE Sub-Contractor purchases or leases from the CONTRACTOR or its affiliate).
- c. Count the entire amount of fees or commissions charged by a DBE firm for providing a bona fide service, such as professional, technical, Contractor, or managerial services, or for providing bonds or insurance specially required for the performance of a DOT-assisted contract, toward DBE goals, provided the fee is determined to be reasonable and not excessive as compared with the fees customarily allowed for similar services.
- d. When a DBE subcontracts part of the work of its contract to another firm, the value of the subcontracted work may be counted toward DBE goals only if the lower-tier Sub-Contractor is itself a DBE. Work that a DBE subcontracts to a non-DBE does not count toward DBE goals.
- e. It is presumed that the DBE is not performing a commercially useful function if: (a) a DBE does not perform or exercise responsibility for at least 30 percent (30%) of the total cost of its CONTRACT with its own work force; or (b) the DBE subcontracts a greater portion of the work of a CONTRACT than would be expected on the basis of normal industry practice for the type of work involved.

Participation by Small Business Concerns (SBCs):

It is ADOT's policy to facilitate and encourage participation by Small Business Concerns (SBCs) in ADOT contracts. ADOT encourages Contractors to take reasonable steps to eliminate obstacles to SBC's participation and to utilize SBCs in performing contracts.

Contractor shall take all reasonable steps to remove obstacles to SBC participation in the contract. ADOT encourages the Contractor to utilize SBCs. SBCs are registered in the Arizona Unified Transportation Registration and Certification System (AZ UTRACS).

**LAKE HAVASU MPO - TAC
REQUEST FOR ACTION
MARCH 3, 2020**

SUBJECT: **DISCUSSION AND POSSIBLE ACTION TO APPROVE THE
RFP FOR THE 2045 REGIONAL TRANSPORTATION PLAN**

SUBMITTED BY: Vinny Gallegos, MPO Director

AGENDA TYPE: **DISCUSSION and POSSIBLE ACTION**

ATTACHMENTS:

The Request for Proposals was sent to the TAC Committee in separate email.

SUMMARY/BACKGROUND:

Lake Havasu MPO is federally mandated every five years to produce a Regional Transportation Plan (RTP). The first and last MPO RTP was the 2040 RTP, which was issued on March 2016. This new RTP would be titled 2045 RTP. Comments from the TAC and Executive Board were solicited last year and every effort was made to incorporate those suggestions. No suggestion was rejected, but may still be pending additional feedback as to the best place to way to incorporate them and may be discussed at the TAC meeting.

Due to the limited resources available the proposed RFP emphasizes more of an “update” approach to the 2040 RTP, rather than many new tasks and elements for the 2045 RTP. There is some additional space to make the more unique or specific requests, but the TAC should discuss the best approach or grouping to those things in this RFP.

ACTION OPTION:

Motion to approve the Request for Proposals for the 2045 Regional Transportation Plan and recommend the Executive Board to approve MPO Staff to Advertise, Select Consultant and Initiate Contract Negotiations at the discretion of the RFP Selection Committee and MPO Director

OR

RECOMMENDATION:

Motion to approve the Request for Proposals for the 2045 Regional Transportation Plan and recommend the Executive Board to approve MPO Staff to Advertise, Select Consultant and Initiate Contract Negotiations at the discretion of the RFP Selection Committee and MPO Director

**LAKE HAVASU MPO - TAC
REQUEST FOR ACTION
MARCH 3, 2020**

SUBJECT: **DISCUSSION AND UPDATE OF SR95 WIRELESS SIGNAL CONNECTION**

SUBMITTED BY: Vinny Gallegos, MPO Director

AGENDA TYPE: **DISCUSSION and UPDATE**

ATTACHMENTS:

SUMMARY/BACKGROUND:

The Lake Havasu MPO and ADOT have discussed opportunities for improved SR95 Wireless Signal Connectivity and Technology. ADOT has identified SR95 as an opportunity for a joint technology improvement project utilizing wireless signal devices. This technology was identified in the 2040 RTP and remains a priority for the region as it will be referenced in the 2045 RTP. The 2040 identified this type of technology specifically for the safe and efficiency of the region's transportation network.

ACTION OPTION:

No motion required update only.

OR

RECOMMENDATION:

No motion required update only.