

RESOLUTION NO. 1850

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLEDAD
AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR
UMTA SECTION 18 FUNDS TO THE CALIFORNIA
DEPARTMENT OF TRANSPORTATION

BE IT RESOLVED by the City Council of the City of Soledad that the City Manager is hereby authorized to execute and submit for and in behalf of the City of Soledad an application for UMTA Section 18 funds in the amount of \$13,571.00 to the California Department of Transportation in the form of the grant application hereunto attached, marked "Exhibit A," and by reference made a part hereof.

PASSED AND ADOPTED by the City Council of the City of Soledad at a regular meeting duly held on the 27th day of April, 1988, by the following vote:

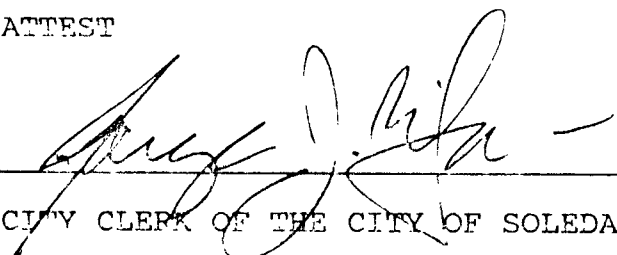
AYES, and in favor thereof, Councilmembers Campos, Ledesma, Untalon, Mayor Pro Tem Slagle, and Mayor Ortiz

NOES, Councilmembers: None

ABSENT, Councilmembers: None


MAYOR OF THE CITY OF SOLEDAD

ATTEST


CITY CLERK OF THE CITY OF SOLEDAD

Part 1. CERTIFICATIONS AND ASSURANCES OF THE APPLICANT**STATE OF CALIFORNIA
SECTION 18 PROJECT APPLICATION****General Information**

Name of Applicant: City of Soledad

Address: 647 Front Street/P. O. Box 156
Soledad, CA 93960

Contact Person. Jorge J. Rifa, City Manager Phone 408/678-3963

Project description. 1987/1988 Operating Expense

Amount of Federal Section 18 Funds Requested \$13,571.00

Certifications and Assurances

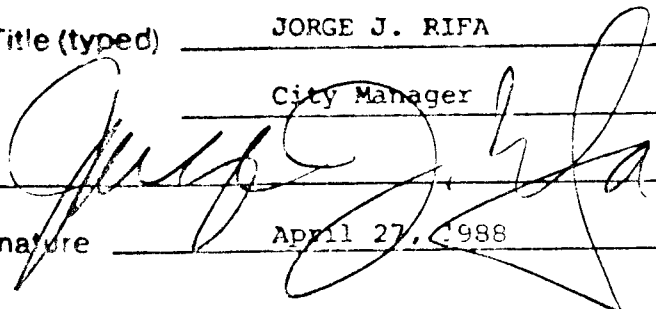
- 1 The applicant assures that no person, on the grounds of race color creed, national origin, sex, age, or handicap shall be excluded from participation in, or denied the benefits of, or be subject to discrimination under any project, program, or activity funded in whole or in part by Urban Mass Transportation Administration (UMTA)
- 2 The applicant assures that it shall not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin, and that it shall take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, religion, sex, or national origin.
- 3 The applicant certifies that it will conduct any program or operate any facility that receives or benefits from Federal financial assistance administered by UMTA in compliance with all requirements imposed by or pursuant to 49 CFR, Part 27, Nondiscrimination on the Basis of Handicap in Federally Assisted Programs and Activities receiving or Benefiting from Federal Assistance.
- 4 The applicant certifies that special efforts are being made to provide transportation that handicapped persons, including wheelchair users and semiambulatory persons, can use. This transportation shall be reasonable in comparison to the transportation provided to the general public and shall meet a significant fraction of the actual transportation needs of such persons within a reasonable time
5. The applicant has filed a Standard DOT Title VI Assurance signed and dated 4-27-88 with Caltrans. (date)

EXHIBIT "A"

- 6. The applicant assures and certifies that it will comply with the Federal statutes, regulations, executive orders and administrative requirements which relate to applications made to and grants received from UMTA. The applicant acknowledges receipt and awareness of the list of such statutes, regulations, executive orders and administrative requirements that is provided in Appendix A of UMTA Circular 9040 1A.
- 7. The applicant certifies its acceptance of the terms and conditions of the "Special Section 13(c) Warranty for Application to the Small Urban and Rural Program", as executed by the Secretary of Labor and the Secretary of Transportation on May 31, 1979. The applicant acknowledges receipt of a copy of this warranty and awareness of its provisions.
- 8. The applicant assures and certifies that its services funded by Section 18 are, and shall remain, open to the general public.
- 9. The applicant assures and certifies that the revenues generated by its incidental charter bus operations (if any) are, and shall remain, equal to or greater than the cost (including depreciation on Federally assisted equipment) of providing the service.
- 10. The applicant certifies that the contract and procurement procedures that are in effect and used by the applicant are in accordance and comply with the significant aspects of UMTA Circular 4220 1A, "Third Party Contracting Guidelines"
- 11. To the best of my knowledge and belief, data in this local application are true and correct, and the filing of the application by the person whose signature appears below has been duly authorized by the governing body of the applicant.

Certifying Representative

Name and Title (typed) JORGE J. RIFA
City Manager

Signature 

Date of Signature April 27, 1988

Part 2. CERTIFICATIONS AND ASSURANCES OF THE REGIONAL AGENCY

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STATE OF CALIFORNIA
SECTION 18 PROJECT APPLICATION

General Information

Name of Applicant City of Seledad

Project Description Operating Assistance FY 87/88

Name of Regional Agency Monterey County Transportation Commission

Contact Person Jorge J. Fafa, City Manager Phone 408/678-3963

Certifications and Assurances

1. The regional agency has approved, by resolution or minute order, the programming of Section 18 for this project in the following amount (s)
 - (a) From regional/county apportionment \$ 13,571
 - (b) From State Discretionary Reserve \$ _____
- 2 Some combination of State, local, or private funding sources has been or will be committed to provide the required local share
3. The applicant has, or will have by the time of delivery, sufficient funds to operate the vehicles and equipment purchased under this project, as applicable
- 4 The applicant has to the maximum extent feasible coordinated with other transportation providers and users in the region, including social service agencies capable of purchasing service

Identifying Representative

Name Ronald J. Lundquist

Signature _____

Title Deputy Executive Director

Date _____

3. PROJECT DESCRIPTION

Soledad Taxi is a one-vehicle demand responsive system. Service is provided with a seven passenger Ford Mini-Van.

Soledad Taxi serves all residents within Soledad for trips within Soledad regardless of trip purpose. Trips are also served without regard to trip purpose for trips originating or destined to the county unincorporated area within 2.5 miles of Soledad, the Mission, and Soledad Foothills. Some intercity trips are provided for medical appointments only and the full cost of the trip is charged, not the standard fare.

Soledad Taxi is operated by the city utilizing city staff for dispatching and driving.

Since Soledad Taxi is demand responsive, it can be particularly helpful to the elderly and handicapped. Door-to-door service is provided and assistance in boarding and exiting is available.

Soledad Taxi does not have any special equipment to provide for wheelchair users. However, Rural Health Project, Inc. (RHP) is wheelchair accessible and will provide rides for wheelchair users.

RHP is a private non-profit organization which provides demand responsive transportation primarily for the handicapped/disabled and individuals who are 60 years of age and older. A more thorough description of the coordination between Soledad Taxi and RHP is found in Part 7 of this application.

This grant is for Operating Assistance for the 1987/1988 Fiscal Year.

5. PRIVATE ENTERPRISE DESCRIPTION.

Greyhound Lines, Inc. is the only private-for-profit service in the Soledad area. Greyhound provides fixed-route intercity service along Highway 101 in South Monterey County and makes 3 stops northbound and 4 stops southbound in Soledad. Times are noted below as of May 15, 1983.

NORTHBOUND

8 15 A.M.

11:59 A.M.

4 45 P.M.

8 20 P.M.

SOUTHBOUND

9:35 A.M.

2:10 P.M.

6:10 P.M.

9 35 P.M.

Since Greyhound's service is limited to intercity service along Highway 101, Soledad Taxi is in no way in conflict with this service. Soledad Taxi coordinates its service by providing rides to the Greyhound stops within Soledad upon request. Any conflicts which may arise will be brought before the City Council.

DISADVANTAGED/WOMEN'S BUSINESS ENTERPRISE
PARTICIPATION REPORT

Project:

Operating Assistance, FY _____

Capital Description: _____

Preliminary Report

Final Report

- (A) Net Project Cost \$ _____
- (B) Federal Share of Project Cost \$ _____
- (C) Project Contracting Opportunities \$ _____
- (D) UMTA Funding Base (B+AxC) \$ _____
- (E) Amount Awarded to DBEs \$ _____
- (F) DBE Participation Level (E÷D) _____ %
- (G) Amount Award to WBEs \$ _____
- (H) WBE Participation Level (G÷D) _____ %

DBE/WBE Contracts/Subcontracts

<u>Name</u>	<u>Service/Equipment Supplied</u>	<u>DBE</u>	<u>WBE</u>	<u>Dollar Amt.</u>

7. DESCRIPTION OF EFFORTS TO COORDINATE SERVICES WITH SOCIAL SERVICE AGENCIES

All conditions as submitted previously in the Preliminary Program of Projects remain the same. Therefore, no new information is being provided in this section.

6. DESCRIPTION OF THE EXTENT OF PUBLIC INVOLVEMENT

This grant request is for operating assistance. Therefore, no information is being submitted under this part.

APPENDIX A

URBAN MASS TRANSPORTATION ADMINISTRATION CIVIL RIGHTS ASSURANCE

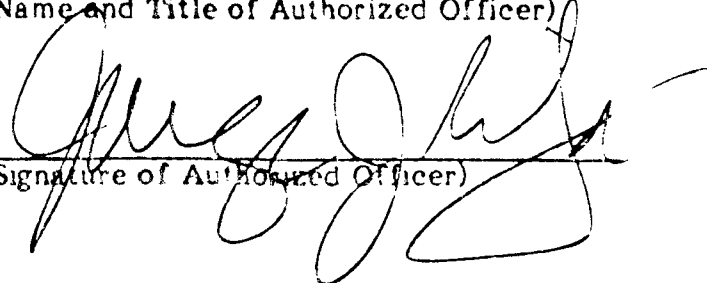
The CITY OF SOLEDAD HEREBY CERTIFIES THAT, as a condition of receiving Federal financial assistance under the Urban Mass Transportation Act of 1964, as amended, it will ensure that:

1. No person on the basis of race, color, or national origin will be subjected to discrimination in the level and quality of transportation services and transit-related benefits.
2. The CITY OF SOLEDAD will compile, maintain, and submit in a timely manner Title VI information required by UMTA Circular 1160.1A and in compliance with the Department of Transportation's Title VI regulation, 49 CFR Part 21.9.
3. The CITY OF SOLEDAD will make it known to the public that those person or persons alleging discrimination on the basis of race, color, or national origin as it relates to the provision of transportation services and transit-related benefits may file a complaint with the Urban Mass Transportation Administration and/or the U.S. Department of Transportation.

The person or persons whose signature appears below are authorized to sign this assurance on behalf of the grant applicant or recipient.

Jorge J. Rifa, City Manager
(Name and Title of Authorized Officer)

Date: April 27, 1988


(Signature of Authorized Officer)

APPENDIX B

DEPARTMENT OF TRANSPORTATION TITLE VI ASSURANCE

The City of Soledad (hereinafter referred to as the "Recipient") HEREBY AGREES THAT as a condition to receiving any Federal financial assistance from the Department of Transportation 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, to the end that in accordance with the Act, Regulations, and other pertinent directives, no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the Recipient receives Federal financial assistance from the Department of Transportation, including the Urban Mass Transportation Administration, 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) of the Regulations.

More specifically and without limiting the above general assurance, the Recipient hereby gives the following specific assurances with respect to its Section 18 program

1. That the Recipient 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 Recipient shall insert the following notification in all solicitations for bids for work or material subject to the Regulations and made in connection with all Section 18 projects and, in adapted form, in all proposals for negotiated agreements.

The City of Soledad, in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d to 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, or national origin in consideration for an award

3. That the Recipient shall insert the clauses of Appendix A of this assurance in every contract subject to this Act and the Regulations.
4. That the Recipient shall insert the clauses of Appendix B of this assurance, as a covenant running with the land, in any deed from the United States effecting a transfer of real property, structures, or improvements thereon, or interest therein.

5. That where the Recipient 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 therewith.
6. That where the Recipient receives Federal financial assistance in the 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
7. That where the Recipient receives Federal financial assistance to carry out a program of managerial training under Section 10(a) of the Urban Mass Transportation Act of 1964, as amended, the assurance shall obligate the recipient to make selection of the trainee or fellow without regard to race, color, or national origin.
8. That where the Recipient receives Federal financial assistance to carry out a program under the Urban Mass Transportation Act of 1964, as amended, the assurance shall obligate the recipient to assign transit operators and to furnish transit operators for charter purposes without regard to race, color, or national origin.
9. That where the Recipient receives Federal financial assistance to carry out a program under the Urban Mass Transportation Act of 1964, as amended, routing, scheduling, quality of service, frequency of service, age and quality of vehicles assigned to routes, quality of stations serving different routes, and location of routes may not be determined on the basis of race, color, or national origin.
10. That the Recipient shall include the appropriate clauses set forth in Appendix C of this assurance, as a covenant running with the land, in any future deeds, leases, permits, licenses, and similar agreements entered into by the Recipient with other parties: (a) for the subsequent transfer of real property acquired or improved under Section 18: and (b) for the construction or use of or access to space on, over, or under real property acquired, or improved under Section 18.
11. That the assurance obligates the Recipient for the period during which Federal financial assistance is extended to the Project, 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 Recipient 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 Recipient retains ownership or possession of the property.
12. The Recipient shall provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom he/she delegates specific authority to give reasonable guarantee that it, other recipients, subgrantees, contractors, subcontractors, 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.
13. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Act, the Regulations and this assurance.

(APPENDIX A TO TITLE VI ASSURANCE)

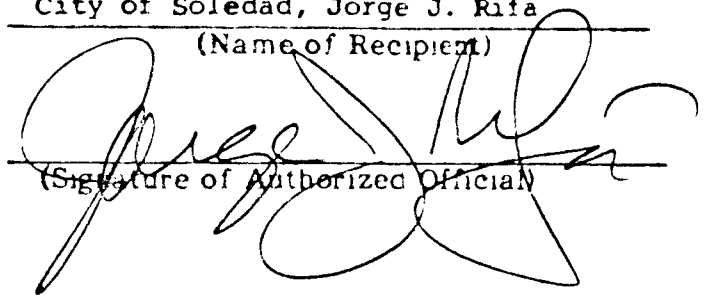
During the performance of this contract, the contractor, for itself, its assignees and successors in interest (hereinafter referred to as the "contractor") agrees as follows:

- (1) Compliance with Regulations The contractor shall comply with the Regulations relative to nondiscrimination in federally assisted programs of the Department of Transportation (hereinafter, "DOT") Title 49, Code of Federal Regulations, Part 21, as they may be amended from time to time, (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this contract.
- (2) Nondiscrimination: The contractor, with regard to the work performed by it during the contract, shall not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor shall not participate either directly or indirectly in the discrimination prohibited by Section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.
- (3) Solicitations for Subcontractors, Including Procurements of Materials and Equipment. In all solicitations either by competitive bidding or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the contractor of the contractor's obligations under this contract and the Regulations relative to nondiscrimination on the grounds of race, color, or national origin.
- (4) Information and Reports. The contractor shall provide all information and reports required by the Regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the City of Soledad or the Urban Mass Transportation Administration to be pertinent to ascertain compliance with such Regulations, orders and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information the contractor shall so certify to the City of Soledad, or the Urban Mass Transportation Administration as appropriate, and shall set forth what efforts it has made to obtain the information.
- (5) Sanctions for Noncompliance In the event of the contractor's noncompliance with nondiscrimination provisions of this contract, the City of Soledad shall impose contract sanctions as it or the Urban Mass Transportation Administration may determine to be appropriate, including, but not limited to:
 - (a) withholding of payments to the contractor under the contract until the contractor complies, and/or
 - (b) cancellation, termination, or suspension of the contract, in whole or in part.
- (6) Incorporation of Provisions The contractor shall include the provisions of paragraphs (1) through (6) in every subcontract, including procurements of

THIS ASSURANCE is given in consideration of and for the purpose of obtaining any and all Federal grants, loans, contracts, property, discounts or other Federal financial assistance extended after the date hereof to the Recipient by the Department of Transportation under the Section 18 program and is binding on it, other recipients, subgrantees, contractors, subcontractors, transferees, successors in interest and other participants in the Section 18 program. The person or persons whose signatures appear below are authorized to sign this assurance on behalf of the Recipient.

DATED: April 27, 1988

City of Soledad, Jorge J. Rifa
(Name of Recipient)


(Signature of Authorized Official)

Attachments:
Appendices A, B. and C

materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto. The contractor shall take such action with respect to any subcontract or procurement as the City of Soledad or the Urban Mass Transportation Administration may direct as a means of enforcing such provisions including sanctions for noncompliance provided, however, that, in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the contractor may request the City of Soledad, and, in addition, the contractor may request the United States to enter into such litigation to protect the interests of the United States.

(APPENDIX B TO TITLE VI ASSURANCE)

The following clauses shall be included in any and all deeds effecting or recording the transfer of real property, structures or improvements thereon, or interest therein from the United States.

(GRANTING CLAUSE)

NOW, THEREFORE, the Department of Transportation, as authorized by law, and upon the condition that the City of Soledad will accept title to the lands and maintain the project constructed thereon, in accordance with the Urban Mass Transportation Act of 1964, the Regulations for the Administration of Section 18 and the policies and procedures prescribed by the Urban Mass Transportation Administration of the Department of Transportation and, also in accordance with and in compliance with all requirements imposed by or pursuant to Title 40, 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 (hereinafter referred to as the Regulations) pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. 2000d to 2000d-4), does hereby remise, release, quitclaim and convey unto the City of Soledad all the right, title and interest of the Department of Transportation in and to said lands described in Exhibit "A" attached hereto and made part thereof.

(HABENDUM CLAUSE)

TO HAVE TO HOLD said lands and interests therein unto the City of Soledad and its successors forever, subject, however, to the covenants, conditions, restrictions and reservations herein contained as follows, which will remain in effect for the period during which the real property or structures are used for a purpose for which Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits and shall be binding on the City of Soledad, its successors and assigns.

The City of Soledad, in consideration of the conveyance of said lands and interests in lands, does hereby covenant and agree as a covenant running with the land for itself, its successors and assigns, that (1) no person shall on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination with regard to any facility located wholly or in part on, over or under such lands conveyed (,) and* (2) that the City of Soledad shall use the lands and interests in lands so conveyed, in compliance with 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, and as said Regulations may be amended, and (3) that in the event of breach of any of the above-mentioned nondiscrimination conditions, the Department shall have a right to re-enter said lands and facilities in said land, and the above described

land and facilities shall thereon revert to and vest in and become the absolute property of the Department of Transportation and its assigns as such interest existed prior to this instruction.

*Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to effectuate the purposes of Title VI of the Civil Rights Act of 1964.

(APPENDIX C TO TITLE VI ASSURANCE)

following clauses shall be included in all deeds, licenses, leases, permits, or si-
gements entered into by the City of Soledad pursuant to the
visions of Assurance 10(a).

(grantee, licensee, lessee, permittee, etc., as appropriate) for herself/ himself, his/her
rs, personal representatives, successors in interest, and assigns, as a part of the
consideration hereof, does hereby covenant and agree (in the case of deeds and leases add
as a "covenant running with the land") that in the event facilities are constructed,
maintained, or otherwise operated on the said property described in this (deed, license,
lease, permit, etc.) for a purpose for which a Department of Transportation program or
activity is extended or for another purpose involving the provision of similar services or
benefits, the (grantee, licensee, lessee, permittee, etc.) shall maintain and operate such
facilities and services in compliance with all other requirements imposed pursuant to
Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office
of the Secretary, Part 21, Nondiscrimination of federally-assisted programs of the
Department of Transportation - Effectuation of Title VI of the Civil Rights Act of 1964,
and as said Regulations may be amended.

(Include in licenses, leases, permits, etc.)*

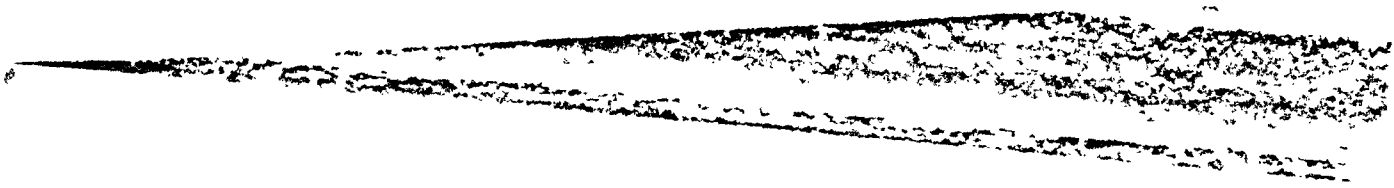
That in the event of breach of any of the above nondiscrimination
covenants, City of Soledad shall have the right to terminate the (license,
lease, permit, etc.) and to re-enter and repossess said land and the facilities thereon, and
hold the same as if said (licenses, lease, permit, etc.) had never been made or issued.

(Include in deeds)*

That in the event of breach of any of the above nondiscrimination covenants, City of Soledad
shall have the right to re-enter said lands and facilities thereon, and the above described
lands and facilities shall thereupon revert to and vest in and become the absolute
property of City of Soledad and its assigns.

The following shall be included in all deeds, licenses, leases, permits, or similar
agreements entered into by City of Soledad pursuant to the provisions of
Assurance 10(b).

The (grantee, licensee, lessee, permittee, etc., as appropriate) for herself/ himself, hi-/her
personal representatives, successors in interest, and assigns, as a part of the
consideration hereof, does hereby covenant and agree (in case of deeds, and leases add
"as a covenant running with the land") that (1) no person on the grounds of race, colo- or
national origin shall be excluded from participation in, be denied the benefits of, or be
otherwise subjected to discrimination in the use of said facilities, (2) that in the
construction of any improvements on, over or under such land and the furnishing services
thereon, no person on the grounds of race, color, or national origin shall be excluded from
the participation in, be denied the benefits of, or be otherwise subjected to
discrimination, (3) that the (grantee, licensee, lessee, permittee, etc.) shall use the
premises in compliance with all other 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), and as said Regulations may be amended.

(Include in licenses, leases, permits, etc.)*

That in the event of breach of any of the above nondiscrimination covenants, City of Soledad shall have the right to terminate the (license, lease, permit, etc.) and to re-enter and repossess said land and the facilities thereon, and hold the same as if said (license, lease, permit, etc.) had never been made or issued.

(Include in deeds)*

That in the event of breach of any of the above nondiscrimination covenants, City of Soledad shall have the right to re-enter said land and facilities thereon, and the above described lands and facilities shall thereupon revert to and vest in and become the absolute property of City of Soledad and its assigns.

*Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to effectuate the purpose of Title VI of the Civil Rights Act of 1964.