

**CITY OF LOS ANGELES
INTER-DEPARTMENTAL MEMORANDUM**

Date: June 20, 2013

To: The Honorable City Council
c/o City Clerk, Room 395
Attention: Honorable Bill Rosendahl, Chair, Transportation Committee

From: *for Detrus B. Allen*
Jaime de la Vega, General Manager
Department of Transportation

Subject: **EXTENSION OF LA EXPRESS PARK PROGRAM DOWNTOWN AND
EXPANSION TO WESTWOOD VILLAGE**

SUMMARY

This report recommends continuing the existing LA Express Park program in downtown Los Angeles through June 30, 2014, expanding the program to Westwood Village through a new federal grant, and changing rate setting authority previously approved by the City Council to improve parking management.

RECOMMENDATIONS

LA Express Park Program (Downtown Los Angeles)

1. APPROVE an extension of the LA Express Park program in downtown Los Angeles through Fiscal Year 2013-2014.
2. AUTHORIZE the Los Angeles Department of Transportation (LADOT) general manager to execute an amendment to the agreement (C-115942) with the Los Angeles County Metropolitan Transportation Authority (MTA) to extend the demonstration period of the LA Express Park program in downtown Los Angeles through February 2014, consistent with the current demonstration period for the ExpressLanes on the Harbor (I-110) and San Bernardino (I-10) Freeways.

LA Express Park Program (Westwood Village)

3. APPROVE the expansion of the LA Express Park program to Westwood Village and DIRECT the LADOT general manager to implement the program.
4. AUTHORIZE the LADOT general manager to execute a cooperative agreement with the Federal Highway Administration (FHWA) of the U.S. Department of Transportation and the State of California Department of Transportation (Caltrans) to receive \$600,272 for the LA Express Park – Westwood Village program, consistent with the attached draft agreement.

5. AUTHORIZE the appropriation of \$750,340 to implement the Westwood Village program as follows:
 - A. REQUEST the Controller to establish a new project account entitled "LA Express Park Westwood Village" (account number to be determined by Controller) in Transportation Grant Fund No. 655.
 - B. AUTHORIZE the LADOT general manager to receive \$600,272 in grant funds and deposit in new project account (5.A. above).
 - C. AUTHORIZE the LADOT general manager to transfer \$150,068 in matching funds from the Special Parking Revenue Fund (SPRF) No. 363, Account No. 4133, Fiscal Year 2012-2013 to new project account (5.A. above).
 - D. DIRECT the LADOT general manager to transfer any unexpended grant funds in new project account (5.A. above) to Special Parking Revenue Fund No. 363 upon project and grant close out.
6. AUTHORIZE the LADOT general manager and City Administrative Officer to make any technical corrections necessary to implement the intent of the recommendations in this report.

Rate Setting Authority

7. REQUEST the City Attorney to prepare and submit an ordinance amending Section 88.00.2 of the Los Angeles Municipal Code to expand the demand-based parking meter rate authority delegated to LADOT as follows:
 - A. Authority to increase rates by as much as 100% above the Council-approved rates prescribed in Section 88.00.
 - B. Authority to reduce rates to as low as \$0.50 per hour and a total of \$2.00 for up to ten hours.
 - C. Expansion of this authority to all Parking Meter Zones citywide.

DISCUSSION

LADOT recommendations are based on the success of the LA Express Park program in advancing multiple parking management goals. To date, downtown Los Angeles has seen:

- An average 11% decrease in hourly parking meter rates with 60% of spaces experiencing an average rate decrease.

- A 13% increase in curbside parking utilization
- A 2.4% increase in meter revenue

The impact on traffic congestion will be the subject of an upcoming USDOT consultant study.

The expansion of the LA Express Park program to Westwood Village is an opportunity for the City Council to implement successful parking management strategies in another part of the city at minimum cost (just over \$150,000).

The recommended matching funds are part of the fiscal year 2012-2013 SPRF appropriation that will not be spent.

The requested change to rate setting authority will enable LADOT to respond better to areas where the parking rate is at the current minimum or maximum, but is still inadequate to manage demand. Specifically, in some areas the minimum \$1.00 per hour rate is too high, resulting in under-utilization of curbside parking spaces. Therefore, LADOT wants authority to reduce the rates to \$0.50 per hour.

In other areas, even with \$6.00 per hour rates, there continues to be very strong demand and utilization of curbside parking spaces. Therefore, LADOT wants authority to increase the rates up to \$8.00 per hour to better manage demand. As noted in our prior report, a key premise of demand based pricing (based on studies by UCLA and others) is that local traffic congestion can be reduced if motorists circling the block looking for parking can be reduced. By pricing curbside spaces appropriately, we are seeking to have approximately 15% of all curbside spaces per block face available at all times to reduce the circling.

Based on the result to date, LADOT expects that fine tuning rates in different parts of the city should increase curbside parking utilization.

The rate setting authority is consistent with current authority approved by the City Council delegating authority to LADOT to change meter rates. LADOT has been making monthly adjustments as part of the LA Express Park program, with the positive impacts noted above.

BACKGROUND

The Mayor and City Council approved the LA Express Park program in April 2009 as part of MTA's Congestion Reduction Demonstration Initiatives (CF 07-2754). The program was launched on May 21, 2012, and the original one-year demonstration period ran from June 2012 to May 2013.

The FHWA awarded the City of Los Angeles in August 2012 a grant in the amount of \$600,272 for the expansion of the LA Express Park program into Westwood Village as part of the Value Pricing Pilot Program.

FISCAL IMPACT

The recommended actions would not have an impact on the General Fund, as front funds and matching funds for these projects are proposed to be provided from the Special Parking Revenue Fund (SPRF). The recommended actions may result in relatively small fiscal impacts to the Special Parking Revenue Fund (SPRF) as parking meter revenue fluctuates based on demand-based rates.

Attachments

JTV:dem

- c: Borja Leon, Deputy Mayor Transportation
- Detrich B. Allen, Executive Officer, LADOT
- Daniel Mitchell, Senior Transportation Engineer, LADOT

COOPERATIVE AGREEMENT
By and Between

FEDERAL HIGHWAY ADMINISTRATION
UNITED STATES DEPARTMENT OF TRANSPORTATION

AND

CALIFORNIA DEPARTMENT OF TRANSPORTATION

AND

CITY OF LOS ANGELES DEPARTMENT OF TRANSPORTATION

THIS COOPERATIVE AGREEMENT ("Agreement"), made and entered into this day of _____, 201X, by and between the California Department of Transportation, hereinafter referred to as "CALTRANS," the City of Los Angeles Department of Transportation, hereinafter referred to as "LADOT", and the Federal Highway Administration, United States Department of Transportation, hereinafter referred to as the "FHWA" (collectively referred to as the "Parties") hereby provides as follows:

WITNESSETH:

A. WHEREAS, Section 1012(b) of the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA), Public Law 102-240, as amended by section 1216(a) of the Transportation Equity Act for the 21st Century (TEA-21), and section 1604 (a) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA- LU), Pub. L. 109-59 (August 10, 2005), establishes the Value Pricing Pilot Program, hereinafter referred to as the "pilot program," and permits the FHWA to allow the collection of tolls as part of a value pricing pilot program established under this section; and

B. WHEREAS, section 1012(b) of ISTEA, as amended, authorizes the Secretary of Transportation to enter into cooperative agreements with as many as fifteen (15) State or local governments or public authorities to establish, maintain, and monitor value pricing pilot programs; and

C. WHEREAS, the overall objective of the pilot program is for the FHWA to support State and local governments or other public authorities to establish local value pricing pilot programs and to gather information about the role that various types of value pricing methods can play in improving the efficiency of transportation systems and in dealing with congestion, pollution, energy, and other problems related to automobile use in congested areas; and

D. WHEREAS, the FHWA published a solicitation memorandum on November 9, 2011 soliciting applications for twelve discretionary programs meeting certain guidelines set forth in that memorandum; and

E. WHEREAS, CALTRANS, pursuant to section 1012(b) of ISTEA, has requested that the FHWA enter into an agreement to establish, maintain, and monitor a value pricing project to implement a demand-based parking system in the Westwood area of the City of Los Angeles, as described in Attachment A, hereinafter referred to as the "Proposal" and incorporated herein by this reference; and

F. WHEREAS, and in accordance with the procedures established under the solicitation memorandum (November 9, 2011), the FHWA Review Group identified this Proposal as one with potential to promote the objectives of the value pricing pilot program. The FHWA approved the Proposal and determined the Proposal to be eligible for participation in the pilot program, and will reimburse CALTRANS for allowable costs (as described in the approval memorandum). See approval memorandum entitled "Value Pricing Pilot Program FY 2012 Grant Award" dated August 17, 2012, attached hereto as Attachment B and incorporated herein by this reference; and

G. WHEREAS, CALTRANS has selected LADOT to be the subrecipient for this project in accordance with State procedures;

H. WHEREAS, the value pricing project based upon the Proposal, hereinafter referred to as the "project" will be administered by LADOT with CALTRANS providing oversight. The purpose, scope and limits of the "project" are described in the approval memorandum.

NOW, THEREFORE, in consideration of the premises and the mutual undertakings of the parties hereto, and in conformity with all applicable laws, CALTRANS, LADOT, and the FHWA agree as follows:

1. Funding. CALTRANS shall be reimbursed by FHWA for allowable costs incurred in the performance of work under this Agreement in an amount NOT TO EXCEED \$600,272 in Federal Value Pricing Pilot Program Funds. Under no circumstances shall the total Federal funds reimbursement be more than 80% of the total project cost. Under this Agreement, LADOT will provide matching funds to CALTRANS ensuring that the non-Federal share is met, up to at least 20% of the total project costs and provide funds sufficient to complete the project. From the funds that are reimbursed by FHWA to CALTRANS, CALTRANS will reimburse LADOT for allowable costs incurred in the performance of work on the project once Program Supplement Agreement has been executed with LADOT to facilitate the reimbursement.

2. CALTRANS and LADOT Responsibilities. At all times, LADOT, as Caltrans' subrecipient, will bear the responsibility for conducting the project activities and will be responsible for managing the day-to-day project operations, with CALTRANS providing oversight as the Federal funding recipient, or by FHWA-approved subrecipients. In the event

that LADOT is unable to conduct the activities in this proposal, Caltrans shall take appropriate action to administer the project pursuant to this Agreement or terminate the project pursuant to 49 CFR 18.44, and LADOT shall reimburse Caltrans for the costs and expenses incurred by Caltrans to administer and/or terminate the project. In order to accomplish the objectives of the pricing pilot program as described in the project, CALTRANS or LADOT, or both, shall, subject to 49 C.F.R. Part 18, enter into any necessary agreement germane to the pilot program's purpose and to accomplish the tasks contained in the project.

3. FHWA Participation.

- a) Generally. The FHWA shall be considered a full participant in the project and shall have all of the rights and responsibilities afforded under Federal law. However, the FHWA shall not be responsible for performing any of the work described in the project. All work under this Agreement will be performed by LADOT staff and its consultant(s), with CALTRANS providing oversight as the Federal funding recipient, or by FHWA-approved subrecipients.
- b) Committee Membership. The FHWA shall be a member of all project management committees developed in furtherance of the project and shall be provided the opportunity for membership on all subcommittees, working groups, task forces, and other such groups related to the project. The FHWA will provide names, addresses, and phone numbers of FHWA committee representatives to the LADOT project manager.

4. Schedule. All work funded under this Agreement shall be accomplished in accordance with applicable law, in no event may the time for performance of the work funded under the pilot program exceed three (3) years after the effective date of this Agreement.¹

5. Reporting Requirements.

- a) Performance Reports. In accordance with 49 C.F.R. § 18.40(b), within thirty (30) days after the end of each quarter, LADOT shall submit to FHWA a quarterly project progress report that briefly summarizes work accomplished, work planned, problems encountered, expenditures, recommended solutions, and any other pertinent information. A sample quarterly report format can be obtained from FHWA. Additionally, at the end of each full year of the project, LADOT shall submit to FHWA a report summarizing all activities for the year, with a particular emphasis on what has been learned. The FHWA will provide names and addresses of the specific individuals designated to receive these documents.
- b) Intermediate Working Papers, etc. Copies of all intermediate working papers, project reports, major correspondence, meeting announcements, and other documents that may be produced as part of the project shall be supplied directly to the designated FHWA point-of-contact in the FHWA Division Office and to the FHWA Headquarters Value Pricing Pilot Team Contact as they are produced and should be discussed, as appropriate, in the quarterly reports.

¹ If the pricing pilot project remains active after the end of the three-year period, the FHWA may permit the tolling authority conferred pursuant to the pilot program to remain in effect except as otherwise provided by law.

- c) Financial Status Report. In accordance with 49 CFR Part 18.41(b), LADOT shall submit to FHWA a quarterly Standard Form 269 or 269a, Financial Status Report. The Financial Status Report is due thirty (30) days after the reporting period.
 - d) Final Report. LADOT shall provide a final report within ninety (90) days after the termination or expiration of this Agreement. The FHWA, in consultation with LADOT, will determine the final design and scope of the evaluation and report. Pursuant to Section 1012(b)(5) of ISTEA, as amended by section 1216(a) of TEA-21, the final report shall include at a minimum a summary of the results of the work under this Agreement. For implementation projects, this shall include a summary of the tasks performed under the Agreement and the results; a discussion of any planning, design, or other pre-implementation issues that arose on the pilot program and potentially could have significance to other value pricing pilot programs; how those issues were resolved; and any recommended follow-up actions by the FHWA or others to address those concerns.
6. Additional Requirements.
- a) All pricing projects must conform to 23 CFR 940.11 which requires a systems engineering analysis. Refer to CALTRANS Local Assistance Program Guide, Chapter 13 "Intelligent Transportation Systems (ITS) Program".
 - b) This Agreement is subject to the requirements of 49 C.F.R. Part 18 and related OMB Circulars, which concern the Department of Transportation's administrative requirements for grants and agreements with State and local governments. CALTRANS and LADOT agree to comply with those requirements.
 - c) CALTRANS and LADOT agree to comply with Environmental Protection Agency guidelines at 40 C.F.R. Part 247, which implements the Resource Conservation and Recovery Act of 1976 and relates to the procurement of recycled products.
 - d) CALTRANS and LADOT agree to comply with all applicable laws, regulations and FHWA requirements, including, but not limited to, 2 C.F.R. Part 1200, 49 C.F.R. Parts 11, 20, 21, 26, 27, and 32, and with the FHWA pilot program policies and procedures, including those contained in or referenced in the solicitation memorandum (November 9, 2011).
 - e) While the requirements of Section 508 of the Rehabilitation Act do not apply to assistance agreements, the U.S. DOT is subject to the Act's requirements that all documents posted on a U.S. DOT or U.S. DOT-hosted website comply with the accessibility standards of the Act. As such, all electronic and information technology products that are submitted under this Agreement must be Section 508-compliant so that they can be web posted without further modification. Accordingly, final deliverable reports prepared under this Agreement and submitted in electronic format must meet the requirements of Section 508 of the Rehabilitation Act of 1973, as amended. The act requires that all electronic products prepared for the Federal Government be accessible to persons with disabilities, including those with vision, hearing, cognitive, and mobility impairments. View Section 508 of the Rehabilitation Act (<http://www.access-board.gov/508/508standards.htm> - PART 1194) and the Federal IT Accessibility Initiative Home Page (<http://section508.gov>) for detailed information. The following paragraphs summarize the requirements for preparing U.S. DOT reports in conformance with Section 508 for eventual posting by U.S. DOT

to a U.S. DOT-sponsored website. NOTE: Quarterly Progress Reports and financial reports are not considered final deliverables and therefore the Section 508 requirements do not apply.

(i) Electronic documents with images

Provide a text equivalent for every non-text element (including photographs, charts and equations) in all publications prepared in electronic format. Use descriptions such as "alt" and "longdesc" for all non-text images or place them in element content. For all documents prepared, vendors must prepare one standard HTML format as described in this statement of work AND one text format that includes descriptions for all non-text images. "Text equivalent" means text sufficient to reasonably describe the image. Images that are merely decorative require only a very brief "text equivalent" description. However, images that convey information that is important to the content of the report require text sufficient to reasonably describe that image and its purpose within the context of the report.

(ii) Electronic documents with complex charts or data tables

When preparing tables that are heavily designed, prepare adequate alternate information so that assistive technologies can read them out. Identify row and column headers for data tables. Provide the information in a non-linear form. Markups shall be used to associate data cells and header cells for data tables that have two or more logical levels of row and column headers.

(iii) Electronic documents with forms

When electronic forms are designed to be completed on-line, the form shall allow people using assistive technology to access the information, field elements, and functionality required for completion and submission of the form, including all directions and cues.

7. Changes. CALTRANS and LADOT agree to obtain the prior approval of FHWA for any significant change related to the value pricing pilot program aspects of the project, as required by 49 C.F.R. § 18.30. This includes, but is not limited to:

- a) changes in overall project budget which result in a shift of \$25,000 or more of the original budget between tasks;
- b) contracting out, subgranting, or otherwise obtaining the services of a third party to perform activities which are central to the purposes of this award (excluding procurement of equipment, supplies, and general support services);
- c) any significant revision of the scope, goals, objectives or tasks of the project, or related activities (regardless of whether there is an associated budget revision requiring prior approval); and
- d) changes in key personnel, program manager, or prime contractor.

8. Intellectual Property. Intellectual property consists of copyrights, patents, and any other form of intellectual property rights covering any data bases, software, inventions, training manuals, systems design, and other proprietary information in any form or medium. Ownership of all intellectual property (including patents) shall be subject to a separate written agreement, and shall include provisions that permit the terms of this section to be satisfied. Intellectual property shall be treated as follows:

- a) Copyrights. The FHWA reserves a royalty-free, nonexclusive and irrevocable license to reproduce, publish or otherwise use, and to authorize others to use for Federal Government purposes, the following:
 - i. The copyright in any works developed under this Agreement, or under a subgrant or contract under this Agreement; and
 - ii. Any rights of copyright to which CALTRANS or LADOT, or their subgrantee or contractor purchases ownership with Federal financial assistance provided by this Agreement.
- b) Patents. Rights to inventions made under this Agreement shall be determined in accordance with 37 C.F.R. Section 401.14, which is hereby incorporated into this Agreement by reference subject to the following modifications:
 - i. The terms “to be performed by a small business firm or domestic non-profit organization” shall be deleted from paragraph (g)(1) of the clause;
 - ii. Paragraphs (g)(2) and (g)(3) of the clause shall be deleted; and
 - iii. Paragraph (1) of the clause, entitled “Communications” shall read as follows: “(1) communications. All notifications required by this clause shall be submitted to the FHWA Division office.”

9. Closeout. In accordance with 49 C.F.R. § 18.50, the FHWA shall close out the award provided for in this Agreement when all applicable administrative actions and required work provided for in this Agreement have been completed. CALTRANS and LADOT shall submit all final claims and required reports to FHWA within ninety (90) days after the termination or expiration of this Agreement.

10. Restrictions on Lobbying. CALTRANS and LADOT agree to comply with the requirements of 49 CFR Part 20, New Restrictions on Lobbying.

11. Debarment Certification. In accordance with 2 C.F.R. § 1200.335, CALTRANS and LADOT certify to the best of its knowledge and belief that neither they nor any of their principals: (1) are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by and Federal department or agency; (2) have been convicted, or had a civil judgment rendered against it or its principals, within the preceding three years of any of the offenses listed at 2 C.F.R. 1200.800(a); (3) are presently indicted for or otherwise criminally or civilly charged by a governmental entity with the commission of any of the offenses listed in 2 C.F.R. 1200.800(a); or (4) have had one or more public transactions terminated within the preceding three years for cause of default. In addition, in accordance with 2 C.F.R. §§ 1200.435 and 29.445, CALTRANS and LADOT will comply with subpart C of 2 C.F.R. Part 1200, will communicate to all lower tier participants of their obligation to comply with subpart C of 2 C.F.R. Part 1200, and will ensure that the requirement to comply with subpart C of 2 C.F.R. Part 1200 is expressly made a term or condition in any such lower tier transaction.

12. Drug-Free Workplace. In accordance with 49 C.F.R. § 32.400, CALTRANS and LADOT will comply with the Drug-Free Workplace requirements under subpart B of 49 C.F.R. Part 32.

13. Nondiscrimination. CALTRANS and LADOT hereby agree that, as a condition of receiving any Federal financial assistance under this agreement, they will comply with Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. § 2000d), related nondiscrimination statutes (i.e., 23 U.S.C. § 324, Section 504 of the Rehabilitation Act of 1973 as amended, and the Age Discrimination Act of 1975), and applicable regulatory requirements to the end that no person in the United States shall, on the grounds of race, color, national origin, sex, handicap, or age be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity for which CALTRANS or LADOT receive Federal financial assistance. The specific requirements of the Department of Transportation Civil Rights assurances (required by 49 C.F.R. §§ 21.7 and 27.9) are incorporated in the Agreement.

14. Termination. Termination of this Agreement shall be in accordance with 49 CFR 18.44.

15. Effective Date. This Agreement may be executed in counterparts with all of the signatures of the requesting parties thereby constituting a completed grant agreement and shall become effective upon execution by all the parties hereto.

16. Length of the Agreement/Expiration of Funds. Section 1012(b) of ISTEA, as amended, provides for a three-year limitation on funding of pre-implementation projects and a three-year limitation on funding of implementation projects. The three-year funding limitation for the pre-implementation project will begin on the date of the first disbursement of Federal funds for project activities under this Agreement.

17. Amendments. Amendments to this Agreement may only be made in writing, signed by the legally authorized representatives of both parties and specifically referred to as an amendment to this Agreement.

18. Execution. This Agreement will be prepared in triplicate so that each signatory will have an original Agreement.

19. Federal Funding Accountability and Transparency Act (FFATA). In accordance with 2 C.F.R. 170.220(a), the following term from Appendix A to 2 C.F.R. Part 170, which must be included in every grant award in which the total Federal funding is expected to equal or exceed \$25,000, applies to this Agreement:

“Reporting Subawards and Executive Compensation.

a. Reporting of first-tier subawards.

1. Applicability. Unless you are exempt as provided in paragraph d. of this award term, you must report each action that obligates \$25,000 or more in Federal funds that does not include Recovery funds (as defined in section 1512(a)(2) of the American Recovery and Reinvestment Act of 2009, Pub. L. 111-5) for a subaward to an entity (see definitions in paragraph e. of this award term).

2. Where and when to report.

i. You must report each obligating action described in paragraph a.1. of this award term to <http://www.fsrs.gov>.

ii. For subaward information, report no later than the end of the month following the month in which the obligation was made. (For example, if the obligation was made on November 7, 2010, the obligation must be reported by no later than December 31, 2010.)

3. What to report. You must report the information about each obligating action that the submission instructions posted at <http://www.fsrs.gov> specify.

b. Reporting Total Compensation of Recipient Executives.

1. Applicability and what to report. You must report total compensation for each of your five most highly compensated executives for the preceding completed fiscal year, if--

i. the total Federal funding authorized to date under this award is \$25,000 or more;

ii. in the preceding fiscal year, you received--

(A) 80 percent or more of your annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and

(B) \$25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and

iii. The public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at <http://www.sec.gov/answers/execomp.htm>.)

2. Where and when to report. You must report executive total compensation described in paragraph b.1. of this award term:

i. As part of your registration profile at <http://www.ccr.gov>.

ii. By the end of the month following the month in which this award is made, and annually thereafter.

c. Reporting of Total Compensation of Subrecipient Executives.

1. Applicability and what to report. Unless you are exempt as provided in paragraph d. of this award term, for each first-tier subrecipient under this award, you shall report the names and total compensation of each of the subrecipient's five most highly compensated executives for the subrecipient's preceding completed fiscal year, if--

i. in the subrecipient's preceding fiscal year, the subrecipient received--

(A) 80 percent or more of its annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and

(B) \$25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts), and Federal financial assistance subject to the Transparency Act (and subawards); and

ii. The public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (To

determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at <http://www.sec.gov/answers/execomp.htm>.)

2. Where and when to report. You must report subrecipient executive total compensation described in paragraph c.1. of this award term:

i. To the recipient.

ii. By the end of the month following the month during which you make the subaward. For example, if a subaward is obligated on any date during the month of October of a given year (i.e., between October 1 and 31), you must report any required compensation information of the subrecipient by November 30 of that year.

d. Exemptions

If, in the previous tax year, you had gross income, from all sources, under \$300,000, you are exempt from the requirements to report:

i. Subawards, and

ii. The total compensation of the five most highly compensated executives of any subrecipient.

e. Definitions. For purposes of this award term:

1. Entity means all of the following, as defined in 2 CFR part 25:

i. A Governmental organization, which is a State, local government, or Indian tribe;

ii. A foreign public entity;

iii. A domestic or foreign nonprofit organization;

iv. A domestic or foreign for-profit organization;

v. A Federal agency, but only as a subrecipient under an award or subaward to a non-Federal entity.

2. Executive means officers, managing partners, or any other employees in management positions.

3. Subaward:

i. This term means a legal instrument to provide support for the performance of any portion of the substantive project or program for which you received this award and that you as the recipient award to an eligible subrecipient.

ii. The term does not include your procurement of property and services needed to carry out the project or program (for further explanation, see Sec. ---- .210 of the attachment to OMB Circular A-133, "Audits of States, Local Governments, and Non-Profit Organizations").

iii. A subaward may be provided through any legal agreement, including an agreement that you or a subrecipient considers a contract.

4. Subrecipient means an entity that:

i. Receives a subaward from you (the recipient) under this award; and

ii. Is accountable to you for the use of the Federal funds provided by the subaward.

5. Total compensation means the cash and noncash dollar value earned by the executive during the recipient's or subrecipient's preceding fiscal year and includes the following (for more information see 17 CFR 229.402(c)(2)):

i. Salary and bonus.

ii. Awards of stock, stock options, and stock appreciation rights. Use the dollar amount recognized for financial statement reporting purposes with respect to the fiscal year in

accordance with the Statement of Financial Accounting Standards No. 123 (Revised 2004) (FAS 123R), Shared Based Payments.

iii. Earnings for services under non-equity incentive plans.

This does not include group life, health, hospitalization or medical reimbursement plans that do not discriminate in favor of executives, and are available generally to all salaried employees.

iv. Change in pension value. This is the change in present value of defined benefit and actuarial pension plans.

v. Above-market earnings on deferred compensation which is not tax-qualified.

vi. Other compensation, if the aggregate value of all such other compensation (e.g. severance, termination payments, value of life insurance paid on behalf of the employee, perquisites or property) for the executive exceeds \$10,000.”

[Signature Page to Follow]

IN WITNESS THEREOF, the Parties hereto have caused this instrument to be duly executed, and shall be effective as of the date in which the last of the Parties has executed this Agreement

California Department of Transportation (“CALTRANS”)

BY: _____ Date: _____
Name:
Title:

City of Los Angeles Department of Transportation (“LADOT”)

BY: _____ Date: _____
Name:
Title:

**Federal Highway Administration
U.S. Department of Transportation (“FHWA”)**

BY: _____ Date: _____
Name: Vincent P. Mammano
Title: Division Administrator

Attachments:

- A – Pilot Program Proposal
- B – Value Pricing Pilot Program FY 2012 Grant Award Allocation Memorandum

Project Narrative – LADOT Value Pricing Pilot Program Application for LA ExpressPark™ – Westwood Village

December 13, 2011

Contact Person: Peer Ghent, P.E.; Senior Management Analyst;
peer.ghent@lacity.org; 213.473.0651

Requesting Agency: City of Los Angeles, Department of Transportation (LADOT) Meter Operations Division. LADOT will be responsible for operating, maintaining and enforcing the intelligent parking management system, **LA Express Park™ - Westwood Village**.

Narrative:

As part of the USDOT Congestion Reduction Demonstration Initiative for Los Angeles, LADOT is currently developing and implementing an intelligent parking management system for downtown Los Angeles. This project, known as *ExpressPark™*, will be applying demand-based parking rates to manage the availability of on-street parking. The public will be informed of available parking spaces through a comprehensive parking guidance system. By reducing the time spent “cruising” for available parking, LADOT anticipates a reduction in traffic congestion and the associated pollution in the project area.

The Value Pricing Pilot Program offers the opportunity to apply the lessons learned from *ExpressPark™* to other congested areas within the City of Los Angeles. LADOT has identified two areas, Hollywood and Westwood. Both are popular destinations that are known for their traffic congestion. However, each has unique characteristics that make it suited for inclusion in the program. This application is for the Westwood area; LADOT is filing a separate application for the Hollywood area.

The Westwood area adjacent to UCLA has well defined boundaries: the Veterans’ cemetery, the UCLA campus, Wilshire Boulevard and the Holmby Hills residential area. All of the parking meters and pay stations have been upgraded, but there are no vehicle sensors installed. The City has one parking garage in the area with 366 parking spaces. There are 431 metered on-street parking spaces for a total of 817 City managed parking spaces in Westwood. In addition, there are several privately owned public parking facilities that can be included in the parking guidance portion of the project. LADOT has installed bicycle parking in Westwood, but there is potential demand for more bicycle parking as bicycles are very popular on campus.

The residential areas adjacent to the Westwood project area are all preferential parking districts. Generally underutilized for on-street parking, these districts are candidates for innovative programs designed to provide additional parking for the project area. For example, monthly parking permits could be sold selectively to merchants to provide parking for their employees. The revenue from these

permits could be applied to the preferential parking district to reduce the fees charged to the residents or for beautification projects within the district. Similar programs have been implemented elsewhere in California.

The goals of this program are similar to those of the downtown *ExpressPark*[™]:

1. Increase the availability of on-street parking
2. Reduce traffic congestion and pollution
3. Encourage a shift in travel choices
4. Improve the customer experience

LADOT will meet these goals through demand-based pricing and improved parking guidance. By achieving the "right" price, there should be 10% to 30% of the parking spaces on each block available most of the time. The parking guidance system will assist the driver in finding the available parking spaces on the street or in off-street facilities. It is anticipated that the principal benefit will be to reduce traffic congestion and the delays experienced by personal travelers. Of course, as traffic congestion is reduced, other vehicles including buses and commercial vehicles will be able to move faster through the area.

LADOT anticipates implementing the demand-based pricing in three phases. The first phase will adjust the base hourly rate to influence demand toward the project goals. The second phase will refine the rates by time of day to better fit the demand. Finally, in the third phase, rates per block will be adjusted selectively in real-time based on current demand.

The parking guidance system will provide real-time parking information for the motorist using multiple means. These include on-street dynamic message signs, cell phones using voice recognition, web-enabled mobile devices and in-vehicle navigation systems.

LADOT's experience with downtown *ExpressPark*[™] and its investment in new technology parking meters provide several advantages for the Value Pricing Pilot Program:

1. The proposed project will extend the experience installing and managing a state of the art intelligent parking management system.
2. The project is "shovel ready"; the downtown *ExpressPark*[™] parking management system will be available to manage this project. Most of the required investment in new technology has already been made by LADOT.
3. The successful public outreach for downtown *ExpressPark*[™] will pave the way for public outreach in this project area. LADOT plans to use the *ExpressPark*[™] brand for parking management in Westwood.
4. As an extension of the experience with downtown *ExpressPark*[™], this project should provide additional evidence that traffic congestion can be reduced by doing a better job of managing available parking.

Downtown *ExpressPark™* will be fully operational by May 2012. LADOT is prepared to initiate the Westwood project beginning May 2012. If LADOT is allowed to use the prime contractor for *ExpressPark™* to implement this project, it can install all of the capital equipment within four months and begin operations by the end of September 2012. The operating costs would then extend for three years, after which LADOT would be totally responsible for these costs.

Capital Costs:

Westwood – WV 1

| Item | Units | Cost per Unit | Total |
|--------------------------------------|--------------|----------------------|------------------|
| Sensors | 451 | \$265.47 | \$119,727 |
| Off-street lots | 1 | \$40,000 | 40,000 |
| Block level DMS | 3 | \$80,000 | 240,000 |
| Meter Enforcement | | | 20,000 |
| Meter Collection | | | 24,000 |
| Bicycle Parking | | | 43,000 |
| Total Capital Costs, Westwood | | | \$486,727 |

Operating Costs – 4 month installation and Year 1

Westwood

| Item | Units | Cost per Unit | Total |
|--|--------------|----------------------|------------------|
| Sensors | 451 | \$19.52 | \$105,642 |
| Off-street lots | 1 | \$1,013 | 1,013 |
| Block level DMS | 3 | \$1,000 | 3,000 |
| Meters – Comm. Costs | | | 17,311 |
| Meter Enforcement – Comm. Costs | | | 2,266 |
| Meter Collection | | | 138 |
| Public Outreach | | | 40,000 |
| Parking Management System - MERGE™ | | | 60,000 |
| Additional Staff Costs | | | 45,000 |
| Total Operating Costs, Westwood | | | \$264,370 |

The attached spreadsheet contains the project budget for the initial four months required to install the capital equipment and for the first three years of operation. LADOT proposes to share the costs for the installation period and the first year of operation. LADOT would be 100% responsible for the operating costs for Year 2 and beyond. Assuming an 80% federal share, the cost to FHWA would be \$600,272 and the cost to LADOT would be \$553,200.

It is difficult to estimate with precision the impact this project will have on livability and sustainability. To achieve available parking in the highest demand areas, the parking rates must be increased. This should encourage many to use other modes of transportation. For those who continue to drive into the area, there will

be less time spent searching for an available parking space. This should reduce congestion and the associated pollution.

Many of the patrons in Westwood are affiliated with UCLA. Most have the choice of driving to Westwood or leaving their vehicle on campus and walking into the Village. Bicycles are very popular at UCLA. In a coordinated effort to encourage bicycle travel to Westwood Village, this project will also include a bicycle parking component. LADOT will evaluate the existing supply and demand for bicycle parking in Westwood Village and enhance the supply where appropriate. These bicycle parking enhancements may include additional on-street bike racks, adding bike attachments for parking meter poles, converting underutilized on-street areas into "bicycle parking corrals," and providing secured bicycle parking in LADOT's Broxton parking garage. These bicycle parking enhancements will complement those provided by UCLA and will be promoted on the campus.

Much of the modern parking infrastructure in the project areas has been installed and funded locally from the City's Special Parking Revenue Fund (SPRF). The City plans to use SPRF for its 20% share of the project costs.

To evaluate the effectiveness of this project, LADOT will integrate the meter data with the vehicle sensor data to determine vehicle occupancy as a function of price and time of day. It will also use traffic data to estimate the impact of improved parking availability on traffic congestion. It anticipates that the metrics from the USDOT evaluation of *ExpressPark*[™] will prove useful in refining the effectiveness measures.

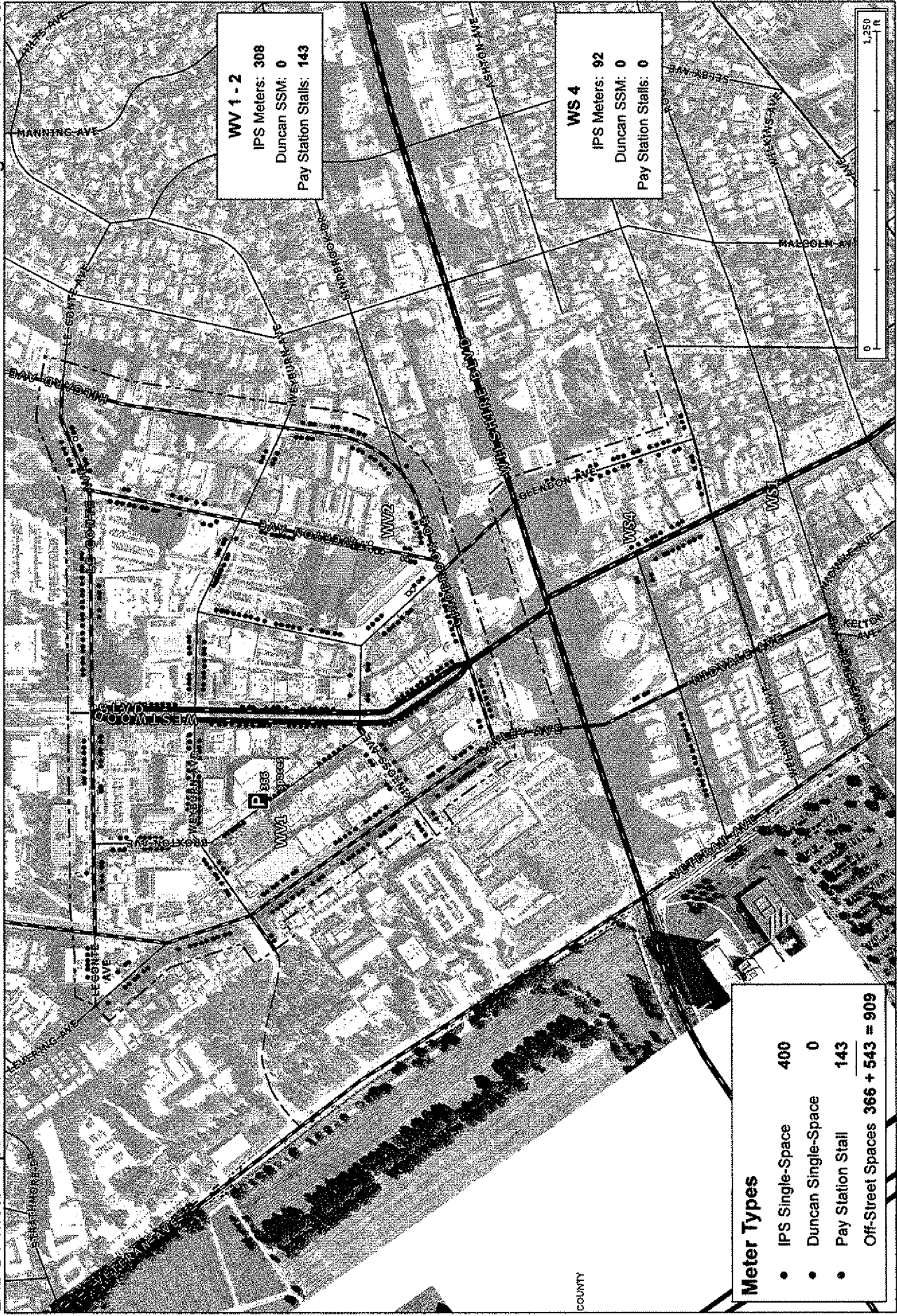
LADOT will be using the *ExpressPark*[™] project management team to manage this project. They are fully familiar with all of the applicable FHWA and Caltrans project management requirements.

Westwood Proposed Value Pricing Program Budget

| Item | Quantity | Unit Cost | Initial 4 Months | Year 1 | Year 2 | Year 3 | Totals |
|------------------------------|----------|-----------|---------------------|------------------|------------------|------------------|------------------|
| Capital | | | | | | | |
| Sensors | 451 | 265 | 119,727 | | | | |
| Off-street lots | 1 | 40,000 | 40,000 | | | | |
| Block level DMS | 3 | 80,000 | 240,000 | | | | |
| Meter Enforcement | | | | | | | |
| Handheld Computers | 3 | 4,350 | 13,051 | | | | |
| In-vehicle PCs | 1 | 6,271 | 6,271 | | | | |
| Meter Collection | | | | | | | |
| Coin cans | 308 | 62 | 19,173 | | | | |
| Coin collection canisters | 3 | 1,583 | 4,748 | | | | |
| Bicycle Parking | | | 43,000 | | | | |
| Total Capital Costs | | | \$485,970 | | | | \$485,970 |
| Operating Costs | | | | | | | |
| Sensors | 451 | \$234.24 | | \$105,642 | \$105,642 | \$105,642 | |
| Off-street lots | 1 | 1,013 | | 1,013 | 1,013 | 1,013 | |
| Block level DMS | 3 | 1,000 | | 3,000 | 3,000 | 3,000 | |
| Meters - Communication Costs | | | | 17,311 | 17,311 | 17,311 | |
| Meter Enforcement | | | | 2,266 | 2,266 | 2,266 | |
| Meter Collection | | | | 138 | 138 | 138 | |
| Public Outreach | | | 15,000 | 25,000 | 10,000 | | |
| Parking Management System | | | | 60,000 | 60,000 | 60,000 | |
| Additional Staff Costs | | | 15,000 | 20,000 | 15,000 | | |
| Total Operating Costs | | | \$30,000 | \$234,370 | \$214,370 | \$189,370 | \$668,111 |

TOTAL, Capital Costs plus 3 Years Operating Costs

\$1,154,081



WV 1 - 2
 IPS Meters: 308
 Duncan SSM: 0
 Pay Station Stalls: 143

WS 4
 IPS Meters: 92
 Duncan SSM: 0
 Pay Station Stalls: 0

Meter Types

- IPS Single-Space 400
- Duncan Single-Space 0
- Pay Station Stall 143

Off-Street Spaces 366 + 543 = 909

