

AGENDA
Board of Directors Meeting
July 10, 2019

*******Start Time: 10:00 a.m. (CLOSED SESSION)*******
1170 W. 3rd Street, San Bernardino, CA 92410, 2nd Fl. (The Super Chief)

******Convene Regular Meeting at 10:30 a.m.******

LOCATION

San Bernardino County Transportation Authority
Santa Fe Depot – First Floor Lobby Board Room
1170 W. 3rd Street, San Bernardino, CA

Board of Directors

President

Darcy McNaboe, Mayor
City of Grand Terrace

Vice-President

Frank Navarro, Mayor
City of Colton

Gabriel Reyes, Mayor
City of Adelanto

Art Bishop, Council Member
Town of Apple Valley

Julie McIntyre, Mayor
City of Barstow

Bill Jahn, Council Member
City of Big Bear Lake

Eunice Ulloa, Mayor
City of Chino

Ray Marquez, Council Member
City of Chino Hills

Acquanetta Warren, Mayor
City of Fontana

Bill Holland, Mayor Pro Tem
City of Hesperia

Larry McCallon, Mayor Pro Tem
City of Highland

Rhodes “Dusty” Rigsby, Mayor
City of Loma Linda

John Dutrey, Mayor
City of Montclair

Edward Paget, Vice Mayor
City of Needles

Alan Wapner, Mayor Pro Tem
City of Ontario

L. Dennis Michael, Mayor
City of Rancho Cucamonga

Toni Momberger, Council Member
City of Redlands

Deborah Robertson, Mayor
City of Rialto

John Valdivia, Mayor
City of San Bernardino

Joel Klink, Mayor Pro Tem
City of Twentynine Palms

Debbie Stone, Mayor
City of Upland

Jim Cox, Council Member
City of Victorville

David Avila, Mayor Pro Tem
City of Yucaipa

Rick Denison, Council Member
Town of Yucca Valley

Robert Lovingood, Supervisor
County of San Bernardino

Janice Rutherford, Supervisor
County of San Bernardino

Dawn Rowe, Supervisor
County of San Bernardino

Curt Hagman, Supervisor
County of San Bernardino

Josie Gonzales, Supervisor
County of San Bernardino

Michael Beauchamp, Caltrans
Ex-Officio Member

Ray Wolfe, *Executive Director*

Julianna Tillquist, *General Counsel*

**San Bernardino County Transportation Authority
San Bernardino Council of Governments**

AGENDA

**Board of Directors Meeting
July 10, 2019**

*****10:00 a.m. (CLOSED SESSION)***
1170 W. 3rd St., 2nd Fl. (The Super Chief)
San Bernardino, CA**

CLOSED SESSION

1. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Pursuant to Government Code Section 54956.9(d)(1)--18 cases

- a. SBCTA--*In re: Lumbermen's Mutual Casualty Company, In Liquidation*
Office of Special Deputy Receiver, Docket No. 12 CH 24227
Circuit Court of Cook County, Illinois
- b. SBCTA--*San Bernardino County Transportation Commission v. Jong Uk Byun, Central Metal, Inc.*
San Bernardino Superior Court Case No. CIVDS 1302767
- c. SBCTA--*Central Metal, Inc. v. Shimmick Construction Company, Inc.*
San Bernardino Superior Court Case No. CIVDS 1518775
- d. SBCTA--*Central Metal, Inc. v. San Bernardino County Transportation Commission*
San Bernardino Superior Court Case No. CIVDS 1602934
- e. SBCTA--*Michael Foster v. State of California, County of San Bernardino, San Bernardino Associated Governments*
San Bernardino Superior Court Case No. CIVDS 1605806
- f. SANBAG--*Abel Diaz and Martha Diaz, et al. v. Bluegill Construction, SAMAS, San Bernardino Associated Governments and Security Bank of California*
San Bernardino Superior Court Case No. CIVDS 1620712
- g. SBCTA--*Gilbert Ramos and Rosa Ramos v. San Bernardino County Transportation Authority, Caltrans*
San Bernardino Superior Court Case No. CIVDS 1707564
- h. SBCTA--*Tressy Capps, Ly Kou, Stephen Rogers, Lorena Masonis v. California Department of Transportation, San Bernardino County Transportation Authority*
San Bernardino Superior Court Case No. CIVDS 1711731
- i. SBCTA--*Southern California Edison v. SBCTA, Heirs and Devisees of Dee Kimura, et al.*
San Bernardino Superior Court Case No. CIVDS 1717318
- j. SBCTA--*Southern California Edison v. SBCTA, SCRRA, et al.*
San Bernardino Superior Court Case No. CIVDS 1717085
- k. SBCTA--*Southern California Edison v. SBCTA, BNSF, et al.*
San Bernardino Superior Court Case No. CIVDS 1811360
- l. SBCTA--*Billy Ardt, Inc.; KLR Property, LLC v. SBCTA*
San Bernardino Superior Court Case No. CIVDS 1813981
- m. SBCTA--*Southern California Edison v. SBCTA, BNSF, et al.*
San Bernardino Superior Court Case No. CIVDS 1818929
- n. SBCTA--*Southern California Edison v. SBCTA, BNSF, et al.*
San Bernardino Superior Court Case No. CIVDS 1819117

- o. SBCTA--*SBCTA v. Kris Wyatt, Randy Wyatt and Wyatt's Paint and Body*
San Bernardino Superior Court Case No. CIVDS 1907554
- p. SBCTA--*SBCTA v. Rosa Lopez, Jose Lopez, Michael Kent Lawson and Frankie Lawson, Trustees*
San Bernardino Superior Court Case No. CIVDS 1907603
- q. SBCTA--*Tressy Capps v. San Bernardino County Transportation Authority*
San Bernardino Superior Court Case No. CIVSMCFS 1807536
- r. SBCTA--*Emily Chen v. San Bernardino County Transportation Authority, Michael Baker Intl., et al.*
Orange County Superior Court Case No. 30-2018-01034245-CU-OE-CJC

**** Convene Regular Meeting at 10:30 a.m. ****
1170 W. 3rd Street, 1st Floor Lobby Board Room, San Bernardino

To obtain additional information on any items, please contact the staff person listed under each item. You are encouraged to obtain any clarifying information prior to the meeting to allow the Board to move expeditiously in its deliberations. Additional ***"Meeting Procedures"*** and agenda explanations are attached to the end of this agenda.

CALL TO ORDER

(Meeting Chaired by Darcy McNaboe)

- i. Pledge of Allegiance
- ii. Attendance
- iii. Announcements
Calendar of Events
- iv. Agenda Notices/Modifications

Pg. 25

Possible Conflict of Interest Issues

Note agenda item contractors, subcontractors and agents which may require member abstentions due to conflict of interest and financial interests. Board Member abstentions shall be stated under this item for recordation on the appropriate item.

1. Information Relative to Possible Conflict of Interest

Pg. 26

Note agenda items and contractors/subcontractors, which may require member abstentions due to possible conflicts of interest.

This item is prepared monthly for review by Board and Committee members.

CONSENT CALENDAR

Items listed on the Consent Calendar are expected to be routine and non-controversial. These items have been discussed at Policy Committee meetings and made available for public review as noted in the agenda. The Consent Calendar will be acted upon as a single motion. Items on the Consent Calendar may be removed for discussion by Board Member Request. Items pulled from the consent calendar will be brought up immediately following the vote on the Consent Calendar.

Consent - Administrative Matters

2. May 2019 Procurement Report

Pg. 29

Receive the May 2019 Procurement Report.

Presenter: Hilda Flores

This item was received by the General Policy Committee on June 12, 2019.

3. Environmental Policy and Approval Authority

Pg. 37

That the Board, acting as the San Bernardino County Transportation Authority and as the San Bernardino Associated Governments:

Adopt Policy No. 50100 that directs the preparation of an environmental procedures manual and delegates certain approvals under the California Environmental Quality Act.

Presenter: Paula Beauchamp

This item was reviewed and unanimously recommended for approval by the General Policy Committee on June 12, 2019. SBCTA General Counsel has reviewed this item and the draft policy.

4. Board Presidential Appointments

Pg. 41

Receive and file the following Board President appointments:

A. Note the Presidential appointment of Supervisor Janice Rutherford to the Visioning Ad Hoc Committee, replacing Supervisor Robert Lovingood. The members appointed to the Visioning Ad Hoc Committee are: Eunice Ulloa and John Dutrey representing the West Valley; Julie McIntyre and Rebekah Swanson representing the Mountain/Desert; John Valdivia and Darcy McNaboe representing the East Valley; and Janice Rutherford representing County Board of Supervisors.

B. Note the Presidential appointment of Council Member Toni Momberger to the Southern California Association of Governments (SCAG) Energy and Environment Committee; and the appointment of Mayor John Dutrey to the SCAG Transportation Committee.

C. Note the vacancy on the SCAG Community, Economic, and Human Development Committee.

Presenter: Vicki Watson

This item has not received prior policy committee or technical advisory committee review. This agenda item is presented to apprise the Board of the recent Presidential appointments.

5. Update on Implementation of Records Management and Retention Policy 10105

Pg. 43

Receive an update on the status of implementation of San Bernardino County Transportation Authority's Records Management and Retention Policy No. 10105.

Presenter: Vicki Watson

This item was received by the General Policy Committee on June 12, 2019.

6. Fiscal Year 2018/2019 Initiatives and Action Plan - Fourth Quarter Report

Pg. 45

Receive the Fiscal Year 2018/2019 Initiatives and Action Plan - Fourth Quarter Report.

Presenter: Raymond Wolfe

This item was received by the General Policy Committee on June 12, 2019.

Consent - Air Quality/Traveler Services

7. **Annual Agreement between the California Department of Transportation and San Bernardino County Transportation Authority for the Freeway Service Patrol Program Funding** Pg. 46

That the Board, acting as the San Bernardino County Transportation Authority:

Adopt Resolution No. 19-128 authorizing the Executive Director or his designee to execute Agreement No. 19-1002112 between the California Department of Transportation (Caltrans) and San Bernardino County Transportation Authority (SBCTA) to accept the Freeway Service Patrol (FSP) Program funds for the operation and management of FSP services in a not-to-exceed amount of \$1,484,167, and to match those funds with Department of Motor Vehicle funds in the amount of \$371,042, for a total contract not-to-exceed amount of \$1,855,209, and to execute any Program Supplements. **Presenter: Jenny Herrera**

This item was reviewed and unanimously recommended for approval by the General Policy Committee on June 12, 2019. SBCTA General Counsel and the Procurement Manager have reviewed this item and the draft agreement.

Consent - Project Delivery

8. **On Call Right-of-Way Legal Services Contract No. 15-1001302 Amendment 1** Pg. 57

That the Board, acting as the San Bernardino County Transportation Authority:

Approve Amendment No. 1 to Contract No. 15-1001302 with Woodruff, Spradlin & Smart for On-Call Right-of-Way Legal Services in support of the Major Projects Program for an additional \$3,700,000 for a new not-to-exceed amount of \$9,700,000 and amend the original contract duration by two years to end on February 28, 2023. **Presenter: Paula Beauchamp**

This item was reviewed and recommended for approval (13-0-0) without a quorum of the Board present at the Board of Directors Metro Valley Study Session on June 13, 2019. SBCTA General Counsel, Procurement Manager and Risk Manager have reviewed this item and the draft amendment.

9. **San Bernardino Valley Coordination Traffic Signal System Update** Pg. 62

Receive update on the status of the San Bernardino Valley Coordination Traffic Signal System. **Presenter: Paula Beauchamp**

This item was received by the Board of Directors Metro Valley Study Session on June 13, 2019.

10. **Interstate 215 University Parkway Interchange Cooperative Agreement with the City of San Bernardino** Pg. 65

That the Board, acting as the San Bernardino County Transportation Authority:

Approve Cooperative Agreement No. 19-1002205 with the City of San Bernardino (City) for the Project Approval and Environmental Document, Plans, Specifications, and Estimates, Right-of-Way, and Construction phases of the Interstate 215 University Parkway Interchange Project (Project) with an effective date of June 30, 2018. San Bernardino County Transportation Authority's total contribution to Project costs is \$7,597,295 and the City's contribution is \$1,995,621. The total receivable amount from the City is \$1,827,821.13 due to prior expenditures of \$167,799.87 made under the previous Cooperative Agreement No. 16-1001335. **Presenter: Paula Beauchamp**

This item was reviewed and recommended for approval (13-0-0) without a quorum of the Board present at the Board of Directors Metro Valley Study Session on June 13, 2019. SBCTA General Counsel, Procurement Manager and Risk Manager have reviewed this item and the draft cooperative agreement.

11. Award Construction Management Services Contract 19-1002072 for the State Route 210 Pepper Avenue Interchange Establish Existing Planting Project Pg. 79

That the Board, acting as the San Bernardino County Transportation Authority:

A. Authorize the award and execution of Contract No. 19-1002072 with TRC Vali Cooper & Associates, Inc. for Construction Management Services for the State Route 210 Pepper Avenue Interchange Establish Existing Planting Project in the amount of \$249,927.29, upon staff's finalization of terms and General Counsel's approval as to legal form.

B. Approve a contingency amount for Contract No. 19-1002072 of \$24,992.73 and authorize the Executive Director or designee to release contingency as necessary for the project.

Presenter: Paula Beauchamp

This item was reviewed and recommended for approval (13-0-0) without a quorum of the Board present at the Board of Directors Metro Valley Study Session on June 13, 2019. SBCTA General Counsel, Procurement Manager, and Risk Manager have reviewed this item and a draft of the contract.

12. Mt. Vernon Viaduct Federal Highway Bridge Program Construction High Cost Agreement Pg. 106

That the Board, acting as the San Bernardino County Transportation Authority:

Authorize the Board President to approve and execute Contract No. 19-1002231 with the California Department of Transportation upon General Counsel's final approval as to form, for funding reimbursement for the Construction phase of the Mt. Vernon Viaduct project, where San Bernardino County Transportation Authority will be responsible for the initial funding of the phase, with repayment of 88.53% of the costs from the Federal Highway Bridge Program anticipated to start in Federal Fiscal Year 2024/2025, at a planned not-to-exceed amount of \$20 million per year.

Presenter: Paula Beauchamp

This item was reviewed and recommended for approval (13-0-0) without a quorum of the Board present at the Board of Directors Metro Valley Study Session on June 13, 2019. SBCTA General Counsel has reviewed this item and the draft agreement.

Consent - Regional/Subregional Planning

13. Award of Contracts for On-Call Planning/Consultant Services Pg. 115

That the Board, acting as the San Bernardino County Transportation Authority (SBCTA) and the San Bernardino Associated Governments (SBCOG):

A. Award Contract 19-1002103 to Alta Planning + Design, for On-Call Planning Services for a three year contract with two one-year options for an amount described in Recommendation G for the initial three year term.

B. Award Contract 19-1002185 to Michael Baker International for On-Call Planning Services for a three year contract with two one-year options for an amount described in Recommendation G for the initial three year term.

C. Award Contract 19-1002186 to Fehr & Peers for On-Call Planning Services for a three year contract with two one-year options for an amount described in Recommendation G for the initial three year term.

D. Award Contract 19-1002187 to Cambridge Systematics for On-Call Planning Services for a three year contract with two one-year options for an amount described in Recommendation G for the initial three year term.

Agenda Item 13 (cont.)

E. Award Contract 19-1002188 to HDR Engineering for On-Call Planning Services for a three year contract with two one-year options for an amount described in Recommendation G for the initial three year term.

F. Award Contract 19-1002189 to Dudek for On-Call Planning Services for a three year contract with two one-year options for an amount described in Recommendation G for the initial three year term.

G. Approve a total not-to-exceed amount of \$1,195,000 (\$750,000 Planning & \$445,000 Council of Governments) for Alta Planning + Design (19-1002103), Michael Baker International (19-1002185), Fehr & Peers (19-1002186), Cambridge Systematics (19-1002187), HDR Engineering (19-1002188), and Dudek (19-1002189).

Presenter: Steve Smith

This item was reviewed and unanimously recommended for approval by the General Policy Committee on June 12, 2019. SBCTA's General Counsel, Procurement Manager and Risk Manager have reviewed this item and the draft contracts.

14. 2019 Interim Update to Development Mitigation Nexus Study

Pg. 130

That the Board, acting as the San Bernardino County Transportation Authority:

Approve the addition of projects to the Development Mitigation Nexus Study Arterial Project List as shown in Attachment 1. **Presenter: Steve Smith**

This item was reviewed and unanimously recommended for approval by the General Policy Committee on June 12, 2019.

15. 2019 Transportation Development Act Award of Article 3 Bicycle and Pedestrian Facilities and Transit Stop Access Improvement Projects

Pg. 133

That the Board, acting as the San Bernardino County Transportation Authority:

A. Award Transportation Development Act (TDA) Article 3 funds for Bicycle and Pedestrian Facilities projects in the amount of \$2,155,862 as identified in Attachment A to this item.

B. Award TDA Article 3 funds for Transit Stop Access Improvement projects in the amount of \$538,965 as identified in Attachment B to this item. **Presenter: Steve Smith**

This item was reviewed and unanimously recommended for approval by the General Policy Committee on June 12, 2019.

16. Cooperative Agreement No. 19-1002228 between SBCTA and Metro for SR-18/138 Corridor Study

Pg. 140

That the Board, acting as the San Bernardino County Transportation Authority:

A. Approve Cooperative Agreement No. 19-1002228 between San Bernardino County Transportation Authority (SBCTA) and Los Angeles County Metropolitan Transportation Authority (Metro) for collaboration on the State Route (SR) 18/138 Corridor Study, committing to fund 50% (\$500,000) of the cost to prepare the Project Study Report-Project Development Support (PSR-PDS) for a total project cost not-to-exceed \$1,000,000, to be funded with Measure I 2010-2040 Victor Valley Subarea Project Development and Traffic Management Systems funds.

B. Authorize the Executive Director to make modifications to the scope of work, through negotiations with Caltrans Districts 7 and 8, and to approve the final scope of work while remaining within the budget of the Cooperative Agreement. **Presenter: Steve Smith**

Agenda Item 16 (cont.)

This item was unanimously recommended for approval by the Mountain/Desert Policy Committee on June 21, 2019. SBCTA General Counsel, Risk Manager and Procurement Manager have reviewed this item and the draft agreement.

Consent - Transit

17. Rialto Metrolink Station - Phase II Parking Lot Expansion - Pedestrian Pathway

Pg. 154

That the Board, acting as the San Bernardino County Transportation Authority:

Approve exceptions to Rail Property Policy No. 31602, specific to a pedestrian pathway supporting the Rialto Metrolink Station Parking Lot Expansion, to allow the Executive Director to approve a 20 year Lease Agreement with the City of Rialto, and waive annual administration fees for said pedestrian pathway, to be located within the San Gabriel Subdivision Right-of-Way.

Presenter: Carrie Schindler

This item was reviewed and unanimously recommended for approval by the Transit Committee on June 13, 2019. SBCTA's General Counsel has reviewed this item.

Consent - Transportation Programming and Fund Administration

18. Measure I 2019 Population Estimates

Pg. 157

That the Board, acting as the San Bernardino County Transportation Authority:

Adopt the 2019 Population Estimates in Attachment B for use in the allocation of Measure I Local Street Projects Program and Transportation Development Act funds and in the apportionment of shares of certain State and Federal funds.

Presenter: Andrea Zureick

This item was reviewed and unanimously recommended for approval by the General Policy Committee on June 12, 2019.

19. Ranchero Corridor Widening Project Funding Plan

Pg. 168

That the Board, acting as the San Bernardino County Transportation Authority:

Approve the allocation of \$12.678 million of Senate Bill 1 Local Partnership Program (LPP) formulaic funds to the Ranchero Road Corridor Widening Project in the City of Hesperia and County of San Bernardino. **Presenter: Andrea Zureick**

This item was reviewed and unanimously recommended for approval by the General Policy Committee on June 12, 2019.

20. Capital Project Needs Analysis Submittals and Funding Allocations for Valley Major Street Program/Arterial Sub-Program for Fiscal Year 2019/2020

Pg. 170

That the Board, acting as the San Bernardino County Transportation Authority:

A. Approve the Measure I Funding Allocations for the Valley Major Street Program/Arterial Sub-Program for Fiscal Year 2019/2020 as referenced in Table 1 of this Agenda Item.

B. Approve the Project List for the Measure I Valley Major Street Program/Arterial Sub-Program for Fiscal Year 2019/2020 as referenced in Attachment A to this Agenda Item.

Presenter: Andrea Zureick

This item was reviewed and recommended for approval (13-0-0) without a quorum of the Board present at the Board of Directors Metro Valley Study Session on June 13, 2019.

21. Fiscal Year 2019/2020 Transit Operator Allocations

Pg. 176

That the Board, acting as the San Bernardino County Transportation Authority:

A. Approve Fiscal Year 2019/2020 Transit Operator Funding Allocations, as indicated in Attachment 1, to the City of Needles, Morongo Basin Transit Authority, Mountain Area Regional Transit Authority, Omnitrans, and Victor Valley Transit Authority.

B. Approve the revised Congestion Mitigation and Air Quality allocation plan from Fiscal Year 2019/2020 to 2028/2029 as indicated in Attachment 2.

C. Approve revisions to the transit agencies' Short Range Transit Plans (SRTP) revenue assumptions to reflect the final allocation amounts as identified in Attachment 3.

Presenter: Andrea Zureick

This item was reviewed and unanimously recommended for approval by the Transit Committee on June 13, 2019.

22. Fiscal Year 2019/2020 State of Good Repair Program Allocations

Pg. 186

That the Board, acting as the San Bernardino County Transportation Authority:

A. Allocate \$3,505,480 of State of Good Repair Program – Population Share and Operator Share funding to the following projects:

- i. Joshua Tree Operations Center Roadway Project (Morongo Basin Transit Authority (MBTA)) - \$29,640
- ii. Yucca Valley Video Surveillance Project (MBTA) - \$16,451
- iii. Bus Shelter Rehabilitation (MBTA) - \$38,934
- iv. Photovoltaic Illuminated Bus Stop Project (MBTA) - \$26,291
- v. Bus Stop Improvements (Mountain Transit) - \$77,590
- vi. Preventative Maintenance (City of Needles) - \$7,680
- vii. Barstow Battery Electric Bus Infrastructure (Victor Valley Transit Authority (VVTA)) - \$250,279
- viii. Barstow CNG Station Fueling Upgrade (VVTA) - \$214,042
- ix. Regional Bus Replacement (VVTA) - \$186,733
- x. Paratransit Replacement Vehicles (VVTA) - \$40,229
- xi. Roof Repairs and Energy Reduction Project (Omnitrans) - \$215,633
- xii. Metrolink Capital Maintenance (Southern California Regional Rail Authority (SCRRA)) - \$2,401,978

B. Approve Resolution No. 19-131 authorizing the San Bernardino County Transportation Authority Executive Director, or his designee, to submit project nominations to the California Department of Transportation for Fiscal Year 2019/2020 State of Good Repair Program funds for the projects listed above. **Presenter: Andrea Zureick**

This item was reviewed and unanimously recommended for approval by the Transit Committee on June 13, 2019. SBCTA General Counsel has reviewed this item and resolution.

23. Consolidated Transportation Services Agency Budget for Fiscal Year 2019/2020

Pg. 193

That the Board, acting as the San Bernardino County Transportation Authority:

Approve the Omnitrans Specialized Transportation Services budget for Consolidated Transportation Services Agency activities for Fiscal Year 2019/2020.

Presenter: Andrea Zureick

This item was reviewed and unanimously recommended for approval by the Transit Committee on June 13, 2019.

- 24. Transportation Development Act Unmet Needs Hearings for Fiscal Year 2019/2020** Pg. 197
- That the Board, acting as the San Bernardino County Transportation Authority:
- A. Adopt definitions of “Unmet Transit Needs” and “Reasonable to Meet” as identified in Attachment A.
- B. Set times, dates and locations for Transportation Development Act Unmet Transit Needs Public Hearings. **Presenter: Andrea Zureick**
- This item was reviewed and unanimously recommended for approval by the Transit Committee on June 13, 2019.**
- 25. Amendment No. 5 to Funding Agreement with the City of Victorville for Green Tree Boulevard** Pg. 201
- That the Board, acting as the San Bernardino County Transportation Authority:
- A. Allocate \$8,903,400 of federal Surface Transportation Program and \$7,544,194 of federal Highway Infrastructure Program funds to the Green Tree Boulevard Project in the City of Victorville for the Public Share of the Construction Phase.
- B. Approve Amendment No. 5 to Project Funding Agreement 15-1001115 for the Green Tree Boulevard Project in the City of Victorville to include the funding plan and Public Share commitment for the project through the Construction Phase, to be effective on the date of its execution by all parties to the agreement. **Presenter: Andrea Zureick**
- This item was unanimously recommended for approval by the Mountain/Desert Policy Committee on June 21, 2019. SBCTA General Counsel has reviewed this item and the draft amendment.**
- 26. Bear Valley Road Overhead at BNSF Railroad Project Funding Agreement with the City of Victorville** Pg. 209
- That the Board, acting as the San Bernardino County Transportation Authority:
- A. Allocate \$1,633,758 of Federal Surface Transportation Program funds to the Bear Valley Road Overhead at BNSF Railroad Project in the City of Victorville.
- B. Approve Project Funding Agreement 19-1002212 with the City of Victorville for the Construction Phase of the Bear Valley Road Overhead at BNSF Railroad Project in the City of Victorville. **Presenter: Andrea Zureick**
- This item was unanimously recommended for approval by the Mountain/Desert Policy Committee on June 21, 2019. SBCTA General Counsel and Procurement Manager have reviewed this item and the draft agreement.**
- 27. Split Rock Ave Bridge at Flood Control Channel Funding Agreement with the City of Twentynine Palms** Pg. 221
- That the Board, acting as the San Bernardino County Transportation Authority:
- A. Approve an allocation of \$285,560 in Measure I Morongo Basin Major Local Highway Projects Program Funds to the Split Rock Avenue Bridge at Flood Control Channel Project in the City of Twentynine Palms.
- B. Approve Funding Agreement No. 19-1002195 with the City of Twentynine Palms for the Split Rock Avenue Bridge at Flood Control Channel Project.
Presenter: Andrea Zureick
- This item was unanimously recommended for approval by the Mountain/Desert Policy Committee on June 21, 2019. SBCTA General Counsel and Procurement Manager have reviewed this item and the draft agreement.**

28. Amendment No. 1 to Funding Agreement for First Avenue Bridge over Mojave River Pg. 232

That the Board, acting as the San Bernardino County Transportation Authority:

A. Approve a scope modification for Agreement No. 15-1001118 to include the Mojave River Overflow Area adjacent to the First Avenue Bridge over Mojave River Project (Project).

B. Allocate an additional \$4,225,014 for the First Avenue Bridge over Mojave River and Overflow Area, bringing the total allocation to \$7,403,885 consisting of \$1,267,435 in North Desert Major Local Highway Projects Program funds and \$6,136,450 in federal Surface Transportation Program funds.

C. Approve Amendment No. 1 to Agreement No. 15-1001118, with the City of Barstow, modifying the Project scope and increasing the not-to-exceed amount, as set forth in Recommendations A and B, above, and extending the termination date of the contract to June 1, 2026.

Presenter: Andrea Zureick

This item was unanimously recommended for approval by the Mountain/Desert Policy Committee on June 21, 2019. SBCTA General Counsel and Procurement Manager have reviewed this item and the draft agreement.

29. Amendment No. 1 to Funding Agreement 15-1001119 First Avenue Bridge over BNSF Project with the City of Barstow Pg. 241

That the Board, acting as the San Bernardino County Transportation Authority:

A. Allocate an additional \$2,896,500 in Measure I 2010-2040 North Desert Subarea Major Local Highway Projects Program funding to the North First Avenue Bridge over BNSF Project in the City of Barstow.

B. Approve Amendment No. 1 to 15-1001119 with the City of Barstow to increase the funding amount to \$7,823,592 and to extend the termination date to January 31, 2024.

Presenter: Andrea Zureick

This item was unanimously recommended for approval by the Mountain/Desert Policy Committee on June 21, 2019. SBCTA General Counsel and Procurement Manager have reviewed this item and the draft agreement.

30. Rock Springs Bridge over Mojave River Funding Agreement with the County of San Bernardino Pg. 248

That the Board, acting as the San Bernardino County Transportation Authority:

A. Approve an allocation of \$1,456,938 in Public Share funding from the Measure I Victor Valley Subarea Major Local Highway Projects Program for the Rock Springs Bridge over Mojave River Project.

B. Approve Funding Agreement 19-1002202 with the County of San Bernardino for the Rock Springs Bridge over Mojave River Project in the County of San Bernardino effective on the date of its execution by all parties to the agreement.

Presenter: Andrea Zureick

This item was unanimously recommended for approval by the Mountain/Desert Policy Committee on June 21, 2019. SBCTA General Counsel and Procurement Manager have reviewed this item and the draft agreement.

31. Advance Expenditure Agreement with City of Big Bear Lake for Moonridge Road Project Pg. 260

That the Board, acting as the San Bernardino County Transportation Authority:

A. Allocate \$1,500,000 in Measure I Mountains Subarea Major Local Highway Projects Program Funds to the City of Big Bear Lake for the Moonridge Road Project.

B. Approve Advance Expenditure Agreement No. 19-1002192 with the City of Big Bear Lake for future reimbursement of \$1,500,000 in Measure I Mountains Subarea Major Local Highway Projects Program Funds for the Moonridge Road Project.

Presenter: Andrea Zureick

This item was unanimously recommended for approval by the Mountain/Desert Policy Committee on June 21, 2019. SBCTA General Counsel, Procurement Manager, and Risk Manager have reviewed this item and the draft agreement.

32. Amendment No. 1 to 16-1001422 Advance Expenditure Agreement for the SR62/Encelia to Larrea Project in the City of Twentynine Palms Pg. 271

That the Board, acting as the San Bernardino County Transportation Authority:

A. Allocate an additional \$300,000 of Measure I Morongo Basin Subarea Major Local Highway Projects Program Funds to the City of Twentynine Palms for the State Route 62 between Encelia Avenue and Larrea Avenue project.

B. Approve Amendment No. 1 to the Advance Expenditure Agreement 16-1001422 with the City of Twentynine Palms to increase the future reimbursement of Measure I Morongo Basin Subarea Major Local Highway Projects Program Funds for the State Route 62 between Encelia Avenue and Larrea Avenue project (Project) from \$100,000 to \$400,000.

Presenter: Andrea Zureick

This item was unanimously recommended for approval by the Mountain/Desert Policy Committee on June 21, 2019. SBCTA General Counsel and Procurement Manager have reviewed this item and the draft amendment.

33. City of Yucaipa Measure I Major Streets Program Arterial Sub-Program Advanced Funding Request Pg. 279

That the Board, acting as the San Bernardino County Transportation Authority:

Approve an advance of up to five years of the City of Yucaipa's estimated equitable share of Measure I Major Street Project Program/Arterial Sub-program funds for various arterial widening projects in an estimated amount of \$6 million, to be taken from allocated but unused Arterial Sub-program Funds.

Presenter: Andrea Zureick

This item was reviewed and recommended for approval (13-0-0) without a quorum of the Board present at the Board of Directors Metro Valley Study Session on June 13, 2019.

Consent Calendar Items Pulled for Discussion

Items removed from the Consent Calendar shall be taken under this item in the order they were presented on the agenda.

DISCUSSION ITEMS

Discussion - Project Delivery

34. Hearings to Consider Resolutions of Necessity for Property Interests for the Interstate 10 Corridor Contract 1 Project in the Cities of Montclair, Upland and Ontario Pg. 282

That the Board of Directors, acting as the San Bernardino County Transportation Authority:

A. Conduct public hearings to consider condemnation of interests in real property required for the Interstate 10 Corridor Contract I Project (hereinafter "Project") in the Cities of Montclair, Upland and Ontario.

B. Upon completion of a public hearing, that the Board of Directors adopt the Resolution of Necessity No. 19-132 authorizing and directing General Counsel, or her designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring interests in real property for the Project from: Diane M. Hannegan, an unmarried woman (Assessor's Parcel Number [APN] 0108-381-23) (hereinafter "Hannegan Property"). The Resolution must be approved by at least a two-thirds majority; and

C. Upon completion of a public hearing, that the Board of Directors adopt the Resolution of Necessity No. 19-133 authorizing and directing General Counsel, or her designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring an interest in real property for the Project from: Misty Lake Properties, L.P., a California limited partnership (APN 0108-381-30) (hereinafter "Misty Lake Property"). The Resolution must be approved by at least a two-thirds majority; and

D. Upon completion of a public hearing, that the Board of Directors adopt the Resolution of Necessity No. 19-134 authorizing and directing General Counsel, or her designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring an interest in real property for the Project from: CubeSmart, L.P., a Delaware limited partnership (APN 0108-501-43) (hereinafter "CubeSmart Property"). The Resolution must be approved by at least a two-thirds majority; and

E. Upon completion of a public hearing, that the Board of Directors adopt the Resolution of Necessity No. 19-136 authorizing and directing General Counsel, or her designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring interests in real property for the Project from: Charles and Helen De Berard, Trustees of the De Berard Family Trust, dated June 21, 1983 (APN 0110-172-09) (hereinafter "De Berard Trust Property"). The Resolution must be approved by at least a two-thirds majority; and

F. Upon completion of a public hearing, that the Board of Directors adopt the Resolution of Necessity No. 19-137 authorizing and directing General Counsel, or her designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring interests in real property for the Project from: HP Lodging, LLC, a suspended/forfeited California limited liability company (APN 0110-172-10) (hereinafter "HP Lodging Property"). The Resolution must be approved by at least a two-thirds majority; and

G. Upon completion of a public hearing, that the Board of Directors adopt the Resolution of Necessity No. 19-139 authorizing and directing General Counsel, or her designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring interests in real property for the Project from: DS Hotel Investments, Inc., a California corporation (APN 0110-191-33) (hereinafter "DS Hotel Property"). The Resolution must be approved by at least a two-thirds majority; and

Agenda Item 34 (cont.)

H. Upon completion of a public hearing, that the Board of Directors adopt the Resolution of Necessity No. 19-140 authorizing and directing General Counsel, or her designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring interests in real property for the Project from: Maria Mercedes Tamayo and Anastacio Tamayo, wife and husband and Jonathan Tamayo, a single man and Fernando Tamayo, a single man, all as joint tenants (APN 0110-422-08) (hereinafter “Tamayo Property”). The Resolution must be approved by at least a two-thirds majority; and

I. Upon completion of a public hearing, that the Board of Directors adopt the Resolution of Necessity No. 19-143 authorizing and directing General Counsel, or her designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring interests in real property for the Project from: Margaret E. Purdy, Trustee, 1995 Margaret E. Purdy Family Trust, dated November 10, 1995 (APN 0110-422-13) (hereinafter “Purdy Trust Property”). The Resolution must be approved by at least a two-thirds majority; and

J. Upon completion of a public hearing, that the Board of Directors adopt the Resolution of Necessity No. 19-147 authorizing and directing General Counsel, or her designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring interests in real property for the Project from: Rexford Industrial Realty, LP, a Maryland limited partnership (APN 0210-191-16) (hereinafter “Rexford Industrial Property”). The Resolution must be approved by at least a two-thirds majority; and

K. Upon completion of a public hearing, that the Board of Directors adopt the Resolution of Necessity No. 19-148 authorizing and directing General Counsel, or her designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring interests in real property for the Project from: Southwest Regional Council of Carpenters (APN 0210-193-20) (hereinafter “Southwest Regional Property”). The Resolution must be approved by at least a two-thirds majority; and

L. Upon completion of a public hearing, that the Board of Directors adopt the Resolution of Necessity No. 19-149 authorizing and directing General Counsel, or her designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring interests in real property for the Project from: Laro Marquoia, LLC, a California limited liability company, who took title as Laro Marquoia, LLC, a Delaware limited liability company (APN 0210-212-28) (hereinafter “Laro Marquoia Property” [prev. Laro Properties]). The Resolution must be approved by at least a two-thirds majority; and

M. Upon completion of a public hearing, that the Board of Directors adopt the Resolution of Necessity No. 19-151 authorizing and directing General Counsel, or her designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring interests in real property for the Project from: Virginia R. Witt, a widow (APN 1008-261-10) (hereinafter “Witt Property”). The Resolution must be approved by at least a two-thirds majority; and

N. Upon completion of a public hearing, that the Board of Directors adopt the Resolution of Necessity No. 19-153 authorizing and directing General Counsel, or her designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring an interest in real property for the Project from: Larry A. Schroeder and Leticia M. Schroeder, husband and wife as joint tenants (APN 1047-262-10) (hereinafter “Schroeder Property” [prev. Cobbold Trust]). The Resolution must be approved by at least a two-thirds majority; and

Agenda Item 34 (cont.)

O. Upon completion of a public hearing, that the Board of Directors adopt the Resolution of Necessity No. 19-154 authorizing and directing General Counsel, or her designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring an interest in real property for the Project from: Mary E. Epps, a widow (APN 1047-262-11) (hereinafter “Epps Property”). The Resolution must be approved by at least a two-thirds majority; and

P. Upon completion of a public hearing, that the Board of Directors adopt the Resolution of Necessity No. 19-155 authorizing and directing General Counsel, or her designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring an interest in real property for the Project from: Mukhti Investment Group, LLC (APN 1047-262-12) (hereinafter “Mukhti Investment Property”). The Resolution must be approved by at least a two-thirds majority; and

Q. Upon completion of a public hearing, that the Board of Directors adopt the Resolution of Necessity No. 19-158 authorizing and directing General Counsel, or her designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring interests in real property for the Project from: Charles W. Copeland, Successor Trustee of the Carole J. Copeland Living Trust, dated August 8, 2007 (APN 1047-281-37) (hereinafter “Copeland Trust Property”). The Resolution must be approved by at least a two-thirds majority; and

R. Upon completion of a public hearing, that the Board of Directors adopt the Resolution of Necessity No. 19-159 authorizing and directing General Counsel, or her designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring interests in real property for the Project from: Michael Bang, a single man (APN 1047-281-54) (hereinafter “Bang Property”). The Resolution must be approved by at least a two-thirds majority; and

S. Upon completion of a public hearing, that the Board of Directors adopt the Resolution of Necessity No. 19-160 authorizing and directing General Counsel, or her designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring interests in real property for the Project from: Nichole C. Hotaling, a single woman, and Albert Becerra, a single man, as joint tenants (APN 1047-294-15) (hereinafter “Hotaling-Becerra Property”). The Resolution must be approved by at least a two-thirds majority; and

T. Upon completion of a public hearing, that the Board of Directors adopt the Resolution of Necessity No. 19-161 authorizing and directing General Counsel, or her designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring interests in real property for the Project from: Guy Cognet a single man and Marlyn Velazquez Becerra, a single woman as joint tenants (APN 1047-294-16) (hereinafter “Cognet-Becerra Property”). The Resolution must be approved by at least a two-thirds majority; and

U. Upon completion of a public hearing, that the Board of Directors adopt the Resolution of Necessity No. 19-162 authorizing and directing General Counsel, or her designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring an interest in real property for the Project from each and every owner of those condominiums comprising the Euclid Garden Homeowner’s Association (APN 1047-424-61) (hereinafter “Euclid Garden Property”). The Resolution must be approved by at least a two-thirds majority. **Presenter: Brenda Schimpf**

Agenda Item 34 (cont.)

This item was reviewed and recommended (13-0-0; Abstained: Hagman (Recommendation K)) to proceed to Hearings of Resolutions of Necessity by the Board of Directors without a quorum of the Board present at the Board of Directors Metro Valley Study Session on June 13, 2019. SBCTA General Counsel has reviewed this item and the draft Resolutions of Necessity.

35. State Route 210 Pepper Ave - Award EEP Contract No. 19-1002073

Pg. 311

That the Board, acting in its capacity as the San Bernardino County Transportation Authority:

A. Award Contract No. 19-1002073 to the lowest responsive, responsible bidder for the State Route 210 (SR 210) Pepper Avenue Establish Existing Planting (EEP) Project, in an amount not-to-exceed \$300,000.00.

B. Approve a contingency amount for Contract No. 19-1002073 on the SR 210 Pepper Avenue EEP Project totaling 10% of the contract amount.

Presenter: Henry Stultz

This item has not received prior policy committee or technical advisory committee review. SBCTA General Counsel and Procurement Manager have reviewed this item and a draft of the IFB.

Discussion - Transit

36. Zero Emissions Multiple Unit Determination of Propulsion Technology

Pg. 313

That the Board acting as the San Bernardino County Transportation Authority:

A. Receive a presentation on the Zero Emission Multiple Unit Concept Feasibility Study.

B. Adopt the hydrogen fuel cell-battery hybrid option as the preferred propulsion technology for the Diesel Multiple Unit to Zero or near-zero Emission Multiple Unit Project as supported and demonstrated by the research completed in Phase I.

C. Direct staff to further develop the hydrogen fuel cell-battery hybrid alternative propulsion technology for implementation as part of the future Arrow Service.

Presenter: Carrie Schindler

This item was reviewed and unanimously recommended for approval by the Transit Committee on June 13, 2019, with a recommendation that a full presentation be made to the Board of Directors.

Discussion - Administrative Matters

37. Signature Delegation Policy No. 34509

Pg. 334

That the Board, acting as the San Bernardino County Transportation Authority:

Approve revisions to San Bernardino County Transportation Authority Policy No. 34509 to allow additional delegation of signatory and approval authority for various documents, excluding those pertaining to environmental approvals, associated with project delivery and administration of ongoing programs.

Presenter: Paula Beauchamp

This item was reviewed and unanimously recommended for approval by the General Policy Committee on June 12, 2019. SBCTA General Counsel has reviewed this item and the proposed policy.

Discussion - Legislative/Public Outreach

38. State and Federal Legislative Update

Pg. 339

Receive and file the July 2019 State and Federal Legislative Update.

Presenter: Otis Greer

This item has not received prior policy committee or technical advisory committee review.

Discussion - Air Quality/Traveler Services

39. Release of Request for Proposal No. 19-1002171 for Freeway Service Patrol Beats 5 and 27

Pg. 373

That the Board, acting as the San Bernardino County Transportation Authority, approve release of Request for Proposal 19-1002171 for the procurement of tow operator services for Freeway Service Patrol Beats 5 and 27.

Presenter: Jenny Herrera

This item has not received prior policy committee or technical advisory committee review. SBCTA's General Counsel, Procurement Manager and Risk Manager have reviewed this item.

Discussion - Council of Governments

40. Resolution No. 20-001 Authorizing Placement of Assessments on the Tax Roll Related to the Property Assessed Clean Energy Program

Pg. 401

That the Board, acting as the San Bernardino Associated Governments (SBCOG):

Approve Resolution No. 20-001 authorizing the placement of assessments related to the Property Assessed Clean Energy program on the tax roll for Fiscal Year 2019/2020.

Presenter: Duane Baker

This item has not received prior policy committee or technical advisory committee review. SBCOG General Counsel has reviewed this item and the Resolution.

41. Agreement with the Auditor-Controller/Treasurer/Tax Collector for the Collection of Special Taxes, Fees, and Assessments for Fiscal Year 2019/2020 as required by the HERO Program

Pg. 406

That the Board, acting as the San Bernardino Associated Governments:

Approve Agreement No. 19-1002243 with the San Bernardino County Auditor-Controller/Treasurer/Tax Collector providing for the collection of special assessments related to the San Bernardino Associated Governments Home Energy Renovation Opportunity Program for Fiscal Year 2019/2020 and authorize the Executive Director or his designee to execute the final Agreement.

Presenter: Duane Baker

This item has not received prior policy committee or technical advisory committee review. SBCTA General Counsel has reviewed this item and the agreement.

42. Contract 19-1002152 for Grant Writing Services

Pg. 412

That the Board, acting as the San Bernardino Associated Governments (SBCOG):

Approve Contract 19-1002152 with Blais and Associates, Inc. for Grant Writing Services for \$195,910.00 for a two-year term, with two optional two-year extensions.

Presenter: Monique Reza-Arellano

This item has had no prior policy committee or technical advisory committee review. SBCTA General Counsel, Risk Manager and Procurement Manager have reviewed this item and the draft contract.

Public Comment

Brief Comments from the General Public

Comments from Board Members

Brief Comments from Board Members

Executive Director's Comments

Brief Comments from the Executive Director

ADJOURNMENT

Additional Information

Attendance

Pg. 418

Acronym List

Pg. 420

Agency Reports

Mobile Source Air Pollution Reduction Review Committee Agency Report

Pg. 423

Committee Membership

Representatives on SCAG Committees

Pg. 426

Appointments to External Agencies

Pg. 427

Committee Membership

Pg. 429

Mission Statement

Mission Statement

Pg. 435

Meeting Procedures and Rules of Conduct

Meeting Procedures - The Ralph M. Brown Act is the state law which guarantees the public's right to attend and participate in meetings of local legislative bodies. These rules have been adopted by the Board of Directors in accordance with the Brown Act, Government Code 54950 et seq., and shall apply at all meetings of the Board of Directors and Policy Committees.

Accessibility - The SBCTA meeting facility is accessible to persons with disabilities. If assistive listening devices or other auxiliary aids or services are needed in order to participate in the public meeting, requests should be made through the Clerk of the Board at least three (3) business days prior to the Board meeting. The Clerk's telephone number is (909) 884-8276 and office is located at 1170 W. 3rd Street, 2nd Floor, San Bernardino, CA.

Agendas – All agendas are posted at 1170 W. 3rd Street, 1st Floor, San Bernardino at least 72 hours in advance of the meeting. Staff reports related to agenda items may be reviewed at the SBCTA offices located at 1170 W. 3rd Street, 2nd Floor, San Bernardino and our website: www.gosbcta.com.

Agenda Actions – Items listed on both the "Consent Calendar" and "Discussion" contain recommended actions. The Board of Directors will generally consider items in the order listed on the agenda. However, items may be considered in any order. New agenda items can be added and action taken by two-thirds vote of the Board of Directors or unanimous vote of members present as provided in the Ralph M. Brown Act Government Code Sec. 54954.2(b).

Closed Session Agenda Items – Consideration of closed session items excludes members of the public. These items include issues related to personnel, pending litigation, labor negotiations and real estate negotiations. Prior to each closed session, the Chair will announce the subject matter of the closed session. If action is taken in closed session, the Chair may report the action to the public at the conclusion of the closed session.

Public Testimony on an Item – Members of the public are afforded an opportunity to speak on any listed item. Individuals wishing to address the Board of Directors or Policy Committee Members should complete a "Request to Speak" form, provided at the rear of the meeting room, and present it to the Clerk prior to the Board's consideration of the item. A "Request to Speak" form must be completed for each item an individual wishes to speak on. When recognized by the Chair, speakers should be prepared to step forward and announce their name and address for the record. In the interest of facilitating the business of the Board, speakers are limited to three (3) minutes on each item. Additionally, a twelve (12) minute limitation is established for the total amount of time any one individual may address the Board at any one meeting. The Chair or a majority of the Board may establish a different time limit as appropriate, and parties to agenda items shall not be subject to the time limitations. Members of the public requesting information be distributed to the Board of Directors must provide 40 copies of such information in advance of the meeting, except for noticed public hearings. Information provided as public testimony is not read into the record by the Clerk.

The Consent Calendar is considered a single item, thus the three (3) minute rule applies. Consent Calendar items can be pulled at Board member request and will be brought up individually at the specified time in the agenda allowing further public comment on those items.

Agenda Times – The Board is concerned that discussion take place in a timely and efficient manner. Agendas may be prepared with estimated times for categorical areas and certain topics to be discussed. These times may vary according to the length of presentation and amount of resulting discussion on agenda items.

Public Comment – At the end of the agenda, an opportunity is also provided for members of the public to speak on any subject within the Board’s authority. Matters raised under “Public Comment” may not be acted upon at that meeting. “Public Testimony on any Item” still applies.

Disruptive or Prohibited Conduct – If any meeting of the Board is willfully disrupted by a person or by a group of persons so as to render the orderly conduct of the meeting impossible, the Chair may recess the meeting or order the person, group or groups of person willfully disrupting the meeting to leave the meeting or to be removed from the meeting. Disruptive or prohibited conduct includes without limitation addressing the Board without first being recognized, not addressing the subject before the Board, repetitiously addressing the same subject, failing to relinquish the podium when requested to do so, bringing into the meeting any type of object that could be used as a weapon, including without limitation sticks affixed to signs, or otherwise preventing the Board from conducting its meeting in an orderly manner. Your cooperation is appreciated!

General Practices for Conducting Meetings of Board of Directors and Policy Committees

Attendance.

- The Chair of the Board or a Policy Committee (Chair) has the option of taking attendance by Roll Call or Self-Introductions. If attendance is taken by Roll Call, the Clerk of the Board will call out by jurisdiction or supervisorial district. The Member or Alternate will respond by stating his/her name. If attendance is by Self-Introduction, the Member or Alternate will state his/her name and jurisdiction or supervisorial district.
- A Member/Alternate, who arrives after attendance is taken, shall announce his/her name prior to voting on any item.
- A Member/Alternate, who wishes to leave the meeting after attendance is taken but before remaining items are voted on, shall announce his/her name and that he/she is leaving the meeting.

Basic Agenda Item Discussion.

- The Chair announces the agenda item number and states the subject.
- The Chair calls upon the appropriate staff member or Board Member to report on the item.
- The Chair asks members of the Board/Committee if they have any questions or comments on the item. General discussion ensues.
- The Chair calls for public comment based on “Request to Speak” forms which may be submitted.
- Following public comment, the Chair announces that public comment is closed and asks if there is any further discussion by members of the Board/Committee.
- The Chair calls for a motion from members of the Board/Committee.
- Upon a motion, the Chair announces the name of the member who makes the motion. Motions require a second by a member of the Board/Committee. Upon a second, the Chair announces the name of the Member who made the second, and the vote is taken.
- The “aye” votes in favor of the motion shall be made collectively. Any Member who wishes to oppose or abstain from voting on the motion, shall individually and orally state the Member’s “nay” vote or abstention. Members present who do not individually and orally state their “nay” vote or abstention shall be deemed, and reported to the public, to have voted “aye” on the motion.

The Vote as specified in the SANBAG Bylaws.

- Each Member of the Board of Directors shall have one vote. In the absence of the official representative, the alternate shall be entitled to vote. (Board of Directors only.)
- Voting may be either by voice or roll call vote. A roll call vote shall be conducted upon the demand of five official representatives present, or at the discretion of the presiding officer.

Amendment or Substitute Motion.

- Occasionally a Board Member offers a substitute motion before the vote on a previous motion. In instances where there is a motion and a second, the maker of the original motion is asked if he or she would like to amend his or her motion to include the substitution or withdraw the motion on the floor. If the maker of the original motion does not want to amend or withdraw, the substitute motion is voted upon first, and if it fails, then the original motion is considered.
- Occasionally, a motion dies for lack of a second.

Call for the Question.

- At times, a Member of the Board/Committee may “Call for the Question.”
- Upon a “Call for the Question,” the Chair may order that the debate stop or may allow for limited further comment to provide clarity on the proceedings.
- Alternatively and at the Chair’s discretion, the Chair may call for a vote of the Board/Committee to determine whether or not debate is stopped.
- The Chair re-states the motion before the Board/Committee and calls for the vote on the item.

The Chair.

- At all times, meetings are conducted in accordance with the Chair’s direction.
- These general practices provide guidelines for orderly conduct.
- From time-to-time circumstances require deviation from general practice.
- Deviation from general practice is at the discretion of the Chair.

Courtesy and Decorum.

- These general practices provide for business of the Board/Committee to be conducted efficiently, fairly and with full participation.
- It is the responsibility of the Chair and Members to maintain common courtesy and decorum.

Adopted By SANBAG Board of Directors January 2008

Revised March 2014

Revised May 4, 2016



Important Dates to Remember...

July 2019

SBCTA Meetings – Cancelled:

SBCTA Meetings – Scheduled:

General Policy Committee			Next Meeting: August 14 9:00 am
Transit Committee			Next Meeting: August 15 9:00 am
Metro Valley Study Session			Next Meeting: August 15 9:30 am
I-10/I-15 Corridor Joint Sub-Committee			Next Meeting: August 15 10:00 am
Mountain/Desert Committee			Next Meeting: August 16 9:30 am Mojave Desert AQMD

Other Meetings/Events:

Redlands Passenger Rail Project Groundbreaking	July 19	10:00 am	Redlands, CA
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SBCTA Offices will be CLOSED:

- July 4th, Fourth of July
- July 5th, day after Fourth of July

For additional information, please call SBCTA at (909) 884-8276

Minute Action

AGENDA ITEM: 1

Date: July 10, 2019

Subject:

Information Relative to Possible Conflict of Interest

Recommendation:

Note agenda items and contractors/subcontractors, which may require member abstentions due to possible conflicts of interest.

Background:

In accordance with California Government Code 84308, members of the Board may not participate in any action concerning a contract where they have received a campaign contribution of more than \$250 in the prior twelve months from an entity or individual, except for the initial award of a competitively bid public works contract. This agenda contains recommendations for action relative to the following contractors:

Item No.	Contract No.	Principals & Agents	Subcontractors
8	15-1001302	Woodruff, Spradlin & Smart <i>Craig Farrinton</i>	None
11	19-1002072	TRC Vali Cooper & Associates, Inc. <i>Edward Durazo</i>	None
13A	19-1002103	Alta Planning + Design <i>Sam Corbett</i>	None
13B	19-1002185	Michael Baker International <i>Rameeta Garewal</i>	None
13C	19-1002186	Fehr & Peers <i>Jason Pack</i>	The Safe Routes to School National Partnership
13D	19-1002187	Cambridge Systematics, Inc. <i>James J. Brogan</i>	None
13E	19-1002188	HDR Engineering, Inc. <i>Thomas T. Kim</i>	AMMA Transit Planning and CityWorks People+Places, Inc.
13F	19-1002189	Dudek <i>Joe Monaco</i>	None
34B	APN 0108-381-23	Diane M. Hannegan	None
34C	APN 0108-381-30	Misty Lake Properties, L.P. <i>Shawn Nourafshan</i>	None

Entity: San Bernardino Council of Governments, San Bernardino County Transportation Authority

Board of Directors Agenda Item

July 10, 2019

Page 2

34D	APN 0108-501-43	CubeSmart, L.P. <i>Garret Brouwer</i>	None
34E	APN 0110-172-09	De Berard Family Trust <i>Charles and Helen De Berard</i>	None
34F	APN 0110-172-10	HP Lodging, LLC <i>Harshad Patel</i>	None
34G	APN 0110-191-33	DS Hotel Investments, Inc. <i>Anil Patel</i>	None
34H	APN 0110-422-08	Maria Mercedes Tamayo Anastacio Tamayo Jonathan Tamayo Fernando Tamayo	None
34I	APN 0110-422-13	Margaret E. Purdy Family Trust <i>Margaret E. Purdy</i>	None
34J	APN 0210-191-16	Rexford Industrial Realty, LP <i>Brad Pierce</i>	None
34K	APN 0210-193-20	Southwest Regional Council of Carpenters <i>Alice C. Chen</i>	None
34L	APN 0210-212-28	Laro Marquoia, LLC <i>Gregg Dawley</i>	None
34M	APN 1008-261-10	Virginia R. Witt	None
34N	APN 1047-262-10	Larry A. Schroeder Leticia M. Schroeder	None
34O	APN 1047-262-11	Mary E. Epps	None
34P	APN 1047-262-12	Mukhti Investment Group, LLC <i>Dave Dhillon</i>	None
34Q	APN 1047-281-37	Carole J. Copeland Living Trust <i>Charles W. Copeland</i>	None
34R	APN 1047-281-54	Michael Bang	None
34S	APN 1047-294-15	Nichole C. Hotaling Albert Becerra	None
34T	APN 1047-294-16	Guy Cognet Marilyn Velazquez Becerra	None

34U	APN 1047-424-61	Euclid Garden Homeowner's Association <i>Vintage Management Consultants</i>	None
42	19-1002152	Blais & Associates, Inc. <i>Andrea Owen</i>	None

Financial Impact:

This item has no direct impact on the budget.

Reviewed By:

This item is prepared monthly for review by Board and Committee members.

Responsible Staff:

Approved
Board of Directors
Date: July 10, 2019
Witnessed By:

Minute Action

AGENDA ITEM: 2

Date: July 10, 2019

Subject:

May 2019 Procurement Report

Recommendation:

Receive the May 2019 Procurement Report.

Background:

The Board of Directors adopted the Contracting and Procurement Policy (Policy No. 11000) on January 3, 1997, and approved the last revision on January 4, 2017. The Board of Directors authorized the Executive Director, or designee, to approve: a) contracts and purchase orders up to \$100,000 and for purchase orders originally \$100,000 or more, increasing the purchase order amount up to 10% of the original purchase order value, not-to-exceed \$25,000; b) amendments with a zero dollar value; c) amendments to exercise the option term if the option term was approved by the Board of Directors in the original contract; d) amendments that cumulatively do not exceed 50% of the original contract value or \$100,000, whichever is less; and e) release Request for Proposals (RFP), Request for Qualifications (RFQ) and Invitation for Bids (IFB) for proposed contracts from which funding has been approved in the Annual Budget, and are estimated not-to-exceed \$1,000,000.

The Board of Directors further authorized General Counsel to award and execute legal services contracts up to \$100,000 with outside counsel as needed. A list of all Contracts and Purchase Orders that were executed by the Executive Director and/or General Counsel during the month of May 2019 is presented herein as Attachment A, and all RFPs and IFBs are presented in Attachment B.

Financial Impact:

This item is consistent with the Fiscal Year 2018/2019 Budget. Presentation of the monthly procurement report demonstrates compliance with the Contracting and Procurement Policy.

Reviewed By:

This item was received by the General Policy Committee on June 12, 2019.

Responsible Staff:

Hilda Flores, Chief Financial Officer

Approved
Board of Directors
Date: July 10, 2019

Witnessed By:

Entity: San Bernardino Council of Governments, San Bernardino County Transportation Authority

Attachment A

May Contract Actions

New Contracts Executed:

Contract No.	Description of Specific Services	Vendor Name	Dollar Amount	Description of Overall Program
19-1002217	On-Line Legal Research Database	West Publishing	\$26,032.01	On-Line Legal Research Database for General Counsel and Legislative Affairs research use.
19-1002216	Study on the impacts of Automation in San Bernardino County	SEI Consult, LLC	\$24,500.00	Study on the impacts of Automation in San Bernardino County to provide insight to the region about the impact automation will have on the workforce over the next 20 years.

Attachment: May Procurement report Attachment A (5872 : May 2019 Procurement Report)

Attachment A

May Amendment Actions

Contract Amendments Executed:

Contract No. & Amendment No.	Reason for Amendment (include a description of the amendment)	Vendor Name	Previous Amendments & Dollar Values	Dollar Amount of Amendment	Amended Contract Total
16-1001554 Amendment 2	Extended the contract expiration date by one year. Project: National Trails Highway Resurfacing Project funding agreement	County of San Bernardino	Original \$2,800,000.00 Amendment 1 \$602,303.00	\$0.00	\$3,402,303.00
C12247 Amendment 5	Exercised the fourth option year. Project: Special tax and assessment engineering services for the PACE Program	David Taussig and Associates	Original \$0.00 Amendment 1 \$0.00 Amendment 2 \$0.00 Amendment 3 \$0.00 Amendment 4 \$0.00	\$0.00	\$0.00
C12245 Amendment 6	Exercised the fourth option year. Project: Legal services to assist in the formation, implementation and ongoing operation of the financing mechanism for the PACE Program	Best, Best, & Krieger	Original \$0.00 Amendment 1 \$0.00 Amendment 2 \$0.00 Amendment 3 \$0.00 Amendment 4 \$0.00 Amendment 6 \$0.00	\$0.00	\$0.00

Attachment: May Procurement report Attachment A (5872 : May 2019 Procurement Report)

Attachment A

May Contract Task Order Actions

Contract Task Order (CTO) Executed:

Contract No. & CTO No.	Description of CTO	Vendor Name	Contract Amount	Previously Issued CTOs	Dollar Amount of CTO
19-1002000 CTO 1	Public outreach for I-10 Corridor Contract 1 Project.	Costin Public Outreach	\$6,000,000.00	Various CTOs totaling \$596,120.00 not including CTO 1	Original \$241,600.00 Total \$241,600.00
19-1002000 CTO 3	Public outreach for US 395 Widening.	Costin Public Outreach	\$6,000,000.00	Various CTOs totaling \$733,850.00 not including CTO 3	Original \$103,870.00 Total \$103,870.00
19-1002000 CTO 4	Public outreach for SR 210 Widening/Baseline Interchange	Costin Public Outreach	\$6,000,000.00	Various CTOs totaling \$517,820.00 not including CTO 4	Original \$319,900.00 Total \$319,900.00
19-1002000 CTO 5	Public outreach for I-215 University Interchange.	Costin Public Outreach	\$6,000,000.00	Various CTOs totaling \$722,620.00 not including CTO 5	Original \$115,100.00 Total \$115,100.00
19-1002000 CTO 6	Event Management for the 2019 Business 2 Business event.	Costin Public Outreach	\$6,000,000.00	Various CTOs totaling \$780,470.00 not including CTO 6	Original \$57,250.00 Total \$57,250.00

Attachment: May Procurement report Attachment A (5872 : May 2019 Procurement Report)

Contract No. & CTO No.	Description of CTO	Vendor Name	Contract Amount	Previously Issued CTOs	Dollar Amount of CTO
18-1001909 CTO 2 Amendment 1	Additional Potholing inspection services for I-10 at Cedar Avenue Interchange.	Overland Pacific Cutler, Inc.	\$6,000,000.00 Shared with Bender Rosenthal (18-1001823), Property Specialists Inc. (18-1001906) & Epic Land Solutions (18-1001907)		Original \$736,805.80 Amendment 1 \$67,200.00 Total \$804,005.80
18-1001907 CTO 7	Right-of-Way services for SR 60 Archibald Interchange (continued service from C12242 CTO 19).	Epic Land Solutions	\$6,000,000.00 Shared with Bender Rosenthal (18-1001823), Property Specialists Inc. (18-1001906) & Overland Pacific & Cutler (18-1001909)	Various CTOs totaling \$62,687.48 not including CTO 7	Original \$76,690.00 Total \$76,690.00
C12242 CTO 16 Amendment 4	Additional resources for SBCTA Right-of-Way agents to assist with resolution of issues with the property title and finalize the sale of the excess property.	Epic Land Solutions	\$6,000,000.00 Shared with HDR (C12243) & Overland, Pacific & Culter (C12244)	Various CTOs totaling \$1,284,763.63 not including CTO 16	Original \$38,677.00 Amendment 1 \$2,300.00 Amendment 2 \$12,250.00 Amendment 3 \$2,800.00 Amendment 4 \$2,400.00 Total \$58,427.00

Attachment: May Procurement report Attachment A (5872 : May 2019 Procurement Report)

Attachment A

May Purchase Order Actions

Purchase Orders:

PO No.	PO Issue Date	Vendor Name	Description of Services	PO Dollar Amount
4001908	5/7/19	G/M Business Interiors	Office Reconfigurations for various offices at SBCTA	\$98,500.00
4001910	5/9/19	San Gabriel Valley Co.	Water supply for the I-10 Citrus Interchange	\$20,000.00
4001912	5/9/19	A&I Reprographics	Reprographics services for the I-215 Landscape project bid documents	\$13,352.19
4001916	5/15/19	AT&T	Monthly Internet Services coverage February to June 2019	\$17,000.00
4001914	5/15/19	UCR Forecast LLC	Speaker fee for Christopher Thornberg at 2019 City-County Conference	\$5,124.34

Attachment: May Procurement report Attachment A (5872 : May 2019 Procurement Report)

Attachment A

May Purchase Order Amendment Actions

Purchase Order Amendments Executed:

Purchase Order No. & Amendment No.	Description of Services and Reason for Amendment	Vendor Name	Previous Amendments & Dollar Values	Dollar Amount of Amendment	Amended PO Total
None					

Attachment: May Procurement report Attachment A (5872 : May 2019 Procurement Report)

Attachment B
May RFP's and IFB's

Release of RFP's and IFB's

Release Date	RFP/IFB No.	Description of Services	Anticipated Dollar Amount	Anticipated Award Date	Description of Overall Program and Program Budget
None					

Minute Action

AGENDA ITEM: 3

Date: July 10, 2019

Subject:

Environmental Policy and Approval Authority

Recommendation:

That the Board, acting as the San Bernardino County Transportation Authority and as the San Bernardino Associated Governments:

Adopt Policy No. 50100 that directs the preparation of an environmental procedures manual and delegates certain approvals under the California Environmental Quality Act.

Background:

The California Environmental Quality Act (CEQA) requires public agencies to identify significant impacts on the environment resulting from its actions. San Bernardino County Transportation Authority (SBCTA) and the San Bernardino Associated Governments, dba San Bernardino Council of Governments (SBCOG), as public agencies, are required to comply with CEQA for activities that receive discretionary approval by the SBCTA or SBCOG governing board and result in either a direct physical change in the environment or a reasonably foreseeable indirect change in the environment.

Policy No. 50100 addresses the requirements of CEQA by directing the preparation of the SBCTA/SBCOG Environmental Procedures Manual. The manual would provide direction to staff and consultants in following certain procedures to comply with CEQA, including the recent CEQA guideline changes to incorporate Senate Bill 743, addressing Transportation Impacts, and various California bills pertaining to climate change requirements. The manual would be developed to incorporate CEQA procedures for both Planning and Capital Improvement projects.

This policy also assigns delegation of some approvals under CEQA and clarifies which actions or approvals may not be delegated by the Board of Directors (Board) in accordance with the law. Approval of these various documents by the designated staff members in lieu of the Board would streamline processing of various reports and aid in the overall delivery of projects. Staff is requesting the Board delegate authority to the Executive Director or designated staff members for the following:

- Determination of Lead Agency status
- Determination of exemption from CEQA
- Approval and Filing of Notices
- Preparation of Initial Study and Determination Whether to Prepare Draft Environmental Impact Report (EIR) or Negative Declaration

Board action is still required to approve a Negative Declaration, review and consider a Final EIR, to make findings regarding mitigation measures, and to adopt a Statement of Overriding Considerations.

Entity: San Bernardino Council of Governments, San Bernardino County Transportation Authority

Board of Directors Agenda Item

July 10, 2019

Page 2

Staff recommends that the Board adopt Policy No. 50100, direct the preparation of the SBCTA/SBCOG Environmental Procedures Manual, and delegate approval authority as set forth in the policy.

Financial Impact:

This item has no impact on the Fiscal Year 2019/2020 Budget.

Reviewed By:

This item was reviewed and unanimously recommended for approval by the General Policy Committee on June 12, 2019. SBCTA General Counsel has reviewed this item and the draft policy.

Responsible Staff:

Paula Beauchamp, Director of Project Delivery and Toll Operations

Approved
Board of Directors
Date: July 10, 2019

Witnessed By:

San Bernardino Council of Governments
San Bernardino County Transportation Authority

San Bernardino County Transportation Authority and San Bernardino Associated Governments	Policy	50100
Adopted by the Board of Directors	July 10, 2019	Revised
Environmental Policy and Approval Authority	Revision No.	

Important Notice: A hardcopy of this document may not be the document currently in effect. The current version is always the version on the SBCTA Intranet.

Table of Contents

| Purpose | References | Policy | Revision History |

I. PURPOSE

This policy delegates certain signature and approval authority and directs the preparation and maintenance of an environmental procedures manual, all pursuant to the California Environmental Quality Act (CEQA).

II. REFERENCES

Public Resources Code § 21082

14 California Code of Regulations §§ 15022, 15025, 15091, 15093

Procedure 50100, SBCTA/SBCOG Environmental Procedures Manual

III. POLICY

This policy delegates authority for certain approvals pursuant to CEQA. SBCTA and SANBAG (dba "SBCOG") are required to comply with State statutes and regulations, including CEQA, Public Resources Code (PRC) §§ 21000-21177, and CEQA Guidelines, California Code of Regulations (CCR), Title 14, Division 6, Chapter 3, §§ 15000-15387. This policy is adopted pursuant to PRC § 21082 and 14 CCR §15022, which require public agencies to develop policies and procedures consistent with CEQA and the CEQA Guidelines for administering the agency's responsibilities under CEQA. This policy further directs the preparation of the SBCTA/SBCOG Environmental Procedures Manual (Procedure 50100) which shall be maintained on the SBCTA Intranet. This policy shall be amended to conform to amendments to the CEQA guidelines within 120 days after the effective date of the CEQA amendment.

A. Signature Authority

This policy shall apply to all projects for which SBCTA or SBCOG is the CEQA lead or responsible agency. In all circumstances, the Executive Director is authorized to approve and sign any listed documents.

Documents	Signature and Approval Authority
Determination of Lead Agency Status	Executive Director or Designee
CEQA Exemption Determination (form no. 201) ¹	Department Director or Designee
Notices: Notice of Exemption, Notice of Preparation of Draft EIR, Notice of Intent to Adopt a Negative Declaration or Mitigated Negative Declaration, Notice of Availability, Notice of Opportunity for a Public Hearing, Notice of Completion of Draft EIR, and Notice of Determination	Department Director or Designee
CEQA Responsible Agency Certification (form no. 202) ¹	Department Director or Designee
Preparation of the Initial Study and Determination to Prepare Draft EIR or Negative Declaration	Department Director or Designee
Response to Notice of Preparation as to Contents of an Environmental Impact Report as Responsible Agency	Director of Planning or Designee
Comments on Adequacy of Draft Environmental Impact Report or Negative Declaration as Responsible Agency	Director of Planning or Designee
Approval of updates or revisions to the Environmental Procedures Manual (Procedure 50100)	Director of Planning or Designee

¹ Must be approved as to form by SBCTA's/SBCOG's General Counsel or designee.

The following actions require approval of the Board of Directors in accordance with 14 CCR §15025. A staff report providing the background, history, analysis, and staff recommendation is required. Related documents and pertinent correspondence that would be used as basis for approval of the Board shall be attached to the staff report or clearly referenced. A link to access electronic copies of the documents or reference to where hard copies are available for review by the members of the Board shall be included in the staff report.

1. Approval of a Negative Declaration
2. Review and Consideration of the Final Environmental Impact Report
3. Findings Regarding Avoiding or Substantially Lessening Significant Environmental Effects (Mitigation Measures) (CEQA Guideline § 15091 (a))
4. Statement of Overriding Considerations

IV. REVISION HISTORY

Revision No.	Revisions	Adopted

Minute Action

AGENDA ITEM: 4

Date: July 10, 2019

Subject:

Board Presidential Appointments

Recommendation:

Receive and file the following Board President appointments:

A. Note the Presidential appointment of Supervisor Janice Rutherford to the Visioning Ad Hoc Committee, replacing Supervisor Robert Lovingood. The members appointed to the Visioning Ad Hoc Committee are: Eunice Ulloa and John Dutrey representing the West Valley; Julie McIntyre and Rebekah Swanson representing the Mountain/Desert; John Valdivia and Darcy McNaboe representing the East Valley; and Janice Rutherford representing County Board of Supervisors.

B. Note the Presidential appointment of Council Member Toni Momberger to the Southern California Association of Governments (SCAG) Energy and Environment Committee; and the appointment of Mayor John Dutrey to the SCAG Transportation Committee.

C. Note the vacancy on the SCAG Community, Economic, and Human Development Committee.

Background:

San Bernardino County Transportation Authority (SBCTA) Policy No. 10001 authorizes the SBCTA President to make Presidential appointments to SBCTA regular or special committees and Southern California Association of Governments (SCAG) Policy Committees. The policy also states that Presidential appointments will be reported to the Board.

Recommendation A:

The focus of the Visioning Ad Hoc Committee is to reform the current San Bernardino Associated Government (SANBAG) Mission Statement. This is a seven member Ad Hoc Committee, consisting of one County Supervisor and two representatives from the East Valley, West Valley and Mountain Desert subareas, with the President serving as a representative of their jurisdiction. Caucuses of the SBCTA Board of Directors to select members to the Ad Hoc Committee took place on June 5, 2019. The members of the Visioning Ad Hoc Committee were: Eunice Ulloa and John Dutrey representing the West Valley; Julie McIntyre and Rebekah Swanson representing the Mountain/Desert; John Valdivia and Darcy McNaboe representing the East Valley; and Robert Lovingood representing County Board of Supervisors. Since the announcement of these appointments at the June 2019 Board meeting there has been one change. Janice Rutherford has replaced Robert Lovingood representing the County Board of Supervisors.

Recommendation B:

Council Member Toni Momberger was appointed to the SCAG Energy and Environment Committee. Mayor John Dutrey was appointed to the SCAG Transportation Committee.

Recommendation C:

There is currently one vacancy on the SCAG Community, Economic, and Human Development Committee. Any Board Member interested in filling this position should notify Vicki Watson, Clerk of the Board.

Entity: San Bernardino County Transportation Authority

Board of Directors Agenda Item
July 10, 2019
Page 2

Financial Impact:

This item does not impact the Fiscal Year 2019/2020 budget.

Reviewed By:

This item has not received prior policy committee or technical advisory committee review. This agenda item is presented to apprise the Board of the recent Presidential appointments.

Responsible Staff:

Vicki Watson, Clerk of the Board

Approved
Board of Directors
Date: July 10, 2019

Witnessed By:

Minute Action

AGENDA ITEM: 5

Date: July 10, 2019

Subject:

Update on Implementation of Records Management and Retention Policy 10105

Recommendation:

Receive an update on the status of implementation of San Bernardino County Transportation Authority's Records Management and Retention Policy No. 10105.

Background:

In July 2018, the San Bernardino County Transportation Authority (SBCTA) Board of Directors adopted Records Management Policy No. 10105. The purpose of this policy is to comply with state, federal and contractual requirements; ensure records are kept only as long as they have some operation, legal, financial or historical value; establish legal documentation of the agencies' normal course of business for the management, retention and destruction of the agencies' records; and evidence the agencies' accountability to the public as trustees of public records.

At the time of Board approval, we acknowledged the significant amount of time and resources needed to implement the policy. It was anticipated, we would have full implementation and compliance with the policy by June of 2019. Although work has been proceeding to bring us into compliance with the policy, we are not yet in a position of full compliance and enforcement.

One of the most significant factors has been the upgrade of our network servers and software necessary to implement the policy. This work was just recently completed in March. Now that this segment of the process has been completed we can begin to focus on re-structuring our document storage databases to facilitate storing documents in accordance with the policy. This process is significant, as we have over thirty years of electronic documents stored within our database that must be segregated by retention period and also provide a means for efficiently creating and storing documents.

Another factor is the complexity of determining retention periods based on whether or not local, state or federal funding is involved. A project may not be initiated with federal funds; however, over the course of the project federal funds may be added. We are working on developing a process to ensure that if a project becomes federalized we can easily "flag" these documents with the correct federal retention period. Failure to retain these documents for the required period could result in large penalties. We need to take great care before we can send documents for destruction.

In addition to our electronic records we have offsite paper records. These records when boxed for offsite storage were not segregated by funding type or retention date. Our offsite documents will also require review to determine whether or not the records are being kept according to the policy.

Entity: San Bernardino Council of Governments, San Bernardino County Transportation Authority

Board of Directors Agenda Item

July 10, 2019

Page 2

Lastly, as we review and work to implement the Retention Schedules approved by the Board, we have identified areas where we may need to make some modifications. We will bring these modifications back to the Board for approval.

Currently, we are working diligently to create the necessary processes and procedures to achieve full implementation of the Records Retention Policy by January 2020. We will continue to provide updates to the Board on our progress.

Financial Impact:

This item does not have a financial impact on the Fiscal Year 2019/2020 budget.

Reviewed By:

This item was received by the General Policy Committee on June 12, 2019.

Responsible Staff:

Vicki Watson, Clerk of the Board

Approved
Board of Directors
Date: July 10, 2019

Witnessed By:

Minute Action

AGENDA ITEM: 6

Date: July 10, 2019

Subject:

Fiscal Year 2018/2019 Initiatives and Action Plan - Fourth Quarter Report

Recommendation:

Receive the Fiscal Year 2018/2019 Initiatives and Action Plan - Fourth Quarter Report.

Background:

The San Bernardino County Transportation Authority's (SBCTA) Fiscal Year 2018/2019 Initiatives and Action Plan establish the Board of Directors priorities for the year. The Executive Director uses this as a tool with the Executive Management Team to evaluate SBCTA's progress in achieving the Board's priorities. The SBCTA Fiscal Year 2018/2019 Initiatives and Action Plan Fourth Quarter report will be provided as a separate attachment.

Financial Impact:

This item does not impact the Fiscal Year 2018/2019 budget.

Reviewed By:

This item was received by the General Policy Committee on June 12, 2019.

Responsible Staff:

Raymond Wolfe, Executive Director

Approved
Board of Directors
Date: July 10, 2019

Witnessed By:

Entity: San Bernardino Council of Governments, San Bernardino County Transportation Authority

Minute Action

AGENDA ITEM: 7

Date: July 10, 2019

Subject:

Annual Agreement between the California Department of Transportation and San Bernardino County Transportation Authority for the Freeway Service Patrol Program Funding

Recommendation:

That the Board, acting as the San Bernardino County Transportation Authority:

Adopt Resolution No. 19-128 authorizing the Executive Director or his designee to execute Agreement No. 19-1002112 between the California Department of Transportation (Caltrans) and San Bernardino County Transportation Authority (SBCTA) to accept the Freeway Service Patrol (FSP) Program funds for the operation and management of FSP services in a not-to-exceed amount of \$1,484,167, and to match those funds with Department of Motor Vehicle funds in the amount of \$371,042, for a total contract not-to-exceed amount of \$1,855,209, and to execute any Program Supplements.

Background:

SBCTA began pursuit of funding for the Freeway Service Patrol (FSP) Program in Fiscal Year (FY) 2004/2005. FSP consists of a fleet of tow trucks that patrol on selected San Bernardino County freeways during peak periods of congestion to assist motorists with their disabled vehicles. The segment of highway that the tow trucks patrol up and down is referred to as a “Beat.” Over the years, the FSP program has demonstrated many benefits to the motoring public by reducing the amount of time a motorist is in an unsafe situation, reducing traffic congestion, as well as decreasing fuel consumption, vehicular emissions, and secondary incidents. SBCTA began FSP operations on January 3, 2006, and now has seventeen (17) primary tow trucks on eight (8) separate Beats in operation. The services are provided Monday through Friday in two (2) separate shifts to accommodate peak traffic hours: one from 5:30 a.m. to 9:00 a.m. and the other from 2:00 p.m. to 7:00 p.m. FSP recently adopted a “Weekend Service Pilot,” which provides FSP services along five (5) of the eight (8) Beats on Saturdays and Sundays from 10:00 a.m. to 6:00 p.m.

The FSP program is managed through SBCTA staff and is supervised in the field by the California Highway Patrol (CHP).

The FSP program currently operates on the following eight (8) freeway Beats:

Beat 9: I-10 Indian Hill (Los Angeles County line) to Haven Avenue

Beat 10: I-10 Haven Avenue to Sierra Avenue

Beat 11: I-10 Sierra Avenue to Waterman Avenue

Beat 5: SR-60 Reservoir Street (Los Angeles County line) to Milliken Avenue

Beat 23: I-15 Jurupa Street (Riverside County line) to Sierra Avenue

Beat 14: I-215 Center Street (Riverside County line) to Devore Road

Beat 29: I-10 Waterman Avenue to Yucaipa Boulevard

Beat 31: SR-210 Los Angeles County line to Citrus Avenue

This program is funded through a combination of three (3) funding sources: State FSP Funds, Senate Bill 1 (SB1) FSP Funds, and Department of Motor Vehicle/Service Authority for Freeway Emergency (DMV/SAFE) Funds. State FSP funds are allocated on an annual basis to

Entity: San Bernardino County Transportation Authority

Board of Directors Agenda Item

July 10, 2019

Page 2

participating agencies through a formula that is based on population, urban freeway lane miles, and levels of congestion within those areas. Please refer to the attached agreement which stipulates the FY 2018/2019 State contribution in the amount of \$1,484,167. These funds must be expended within the three (3) fiscal years of obligation; therefore, any funds not claimed in the current fiscal year may be carried over and expended in subsequent years.

Staff recommends the Board adopt Resolution No. 19-128, authorizing the Executive Director or his designee to execute Agreement No. 19-1002112 and Program Supplements.

Financial Impact:

This item is consistent with the Fiscal Year 2018/2019 and 2019/2020 Budget for Task 704, which is where funds are expected to be drawn down from. Approval of this item will provide \$1,484,167 in State FSP revenue and will authorize \$371,042 in local match from DMV/SAFE funds. These funds will be used over the next 3 years.

Reviewed By:

This item was reviewed and unanimously recommended for approval by the General Policy Committee on June 12, 2019. SBCTA General Counsel and the Procurement Manager have reviewed this item and the draft agreement.

Responsible Staff:

Jenny Herrera, Management Analyst III

Approved
Board of Directors
Date: July 10, 2019

Witnessed By:

RESOLUTION No. 19-128

RESOLUTION OF THE SAN BERNARDINO COUNTY TRANSPORTATION AUTHORITY,
DELEGATING AUTHORITY TO EXECUTIVE DIRECTOR OR DESIGNEE TO EXECUTE
FREEWAY SERVICE PATROL PROGRAM FUND TRANSFER AGREEMENT WITH
CALIFORNIA DEPARTMENT OF TRANSPORTATION AND PROGRAM SUPPLEMENTS
THERE TO

Whereas, the San Bernardino County Transportation Authority (“SBCTA” or “Authority”) is authorized under state law, including Sections 130000 et seq, and 130809 of the California Public Utilities Code, to enter into binding agreements with public and private parties for a variety of purposes, and also to enact resolutions and ordinances; and

Whereas, the Authority is eligible to receive State funding for Freeway Service Patrol (FSP) programs through the California Department of Transportation; and

Whereas, SBCTA must enter a Freeway Service Patrol Program Fund Transfer Agreement with the California Department of Transportation before such funds can be claimed; and

Whereas, the Authority wishes to authorize its Executive Director or his designee to execute the Freeway Service Patrol Program Fund Transfer Agreement with the California Department of Transportation, on behalf of the Authority, and also any Program Supplemental Agreements.

Now, therefore, be it resolved by the San Bernardino County Transportation Authority, as follows:

Section 1. The Executive Director of SBCTA or his designee is authorized to execute the Freeway Service Patrol Program Fund Transfer Agreement on behalf of the Authority, and is further authorized to execute project-specific Program Supplements, provided that the SBCTA Board has taken prior action to approve the specific project and project costs.

Section 2. This resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED at a meeting of the San Bernardino County Transportation Authority held on July 10, 2019.

Darcy McNaboe, President

ATTEST:

Vicki Watson, Clerk of the Board

Attachment: Res 19-128 (5879 : Annual Agreement between Caltrans and SBCTA for FSP Funding)

Contract Summary Sheet

7.b

General Contract Information

Contract No: 19-1002112 Amendment No.: _____ Sole Source? N/A
 Vendor No.: 00450 Vendor/Customer Name: California Department of Transportation
 Description: Freeway Service Patrol Funds
 Estimated Start Date: 07/01/2018 Expiration Date: 06/30/2020 Revised Expiration Date: _____
 List Any SBCTA Related Contracts Nos.: _____

Dollar Amount							
Original Contract		\$	1,484,167.00	Original Contingency		\$	-
Prior Amendments		\$	-	Prior Amendments		\$	-
Current Amendment		\$	-	Current Amendment		\$	-
Total/Revised Contract Value		\$	1,484,167.00	Total Contingency Value		\$	-
	Total Dollar Authority (Contract Value and Contingency)					\$	1,484,167.00

Contract Authorization

Board of Directors _____ Date: 07/10/2019 Board _____ Item # 5879

Contract Management (Internal Purposes Only)

Receivable _____ Receivable _____ No Budget Adjustment _____

Accounts Payable											
Total Contract Funding: \$						Total Contingency: \$					
GL: I					-	GL: I					-
GL: I					-	GL: I					-
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GL: I					-	GL: I					-

Accounts Receivable											
Total Contract Funding: \$						1,484,167.00					
Funding Agreement No: <u>FSP19-6507(015)</u>						Reversion Date: <u>06/30/2021</u>					
GL: I	2820	15	0704	0000	42213014	1,484,167.00	GL: I				-
GL: I							GL: I				-
GL: I							GL: I				-
GL: I							GL: I				-
GL: I							GL: I				-

JENNY HERRERA
Project Manager (Print Name)

DUANE A BAKER
Task Manager (Print Name)

Additional Notes: 20% MATCH IN THE AMOUNT OF 371,042 anticipated from SAFE 2810 funds.

Attachment: Contract Summary Sheet (5879 : Annual Agreement between Caltrans and SBCTA for FSP Funding)

TO: STATE CONTROLLER'S OFFICE Claims Audits 3301 "C" Street, Rm 404 Sacramento, CA 95816	DATE PREPARED 12/12/2018	PROJECT NUMBER 0819000037
	REQUISITION NUMBER / CONTRACT NUMBER: RQS - 2660 - 081900000391	

FROM **Department of Transportation**

SUBJECT:
Encumbrance Document

VENDOR / LOCAL AGENCY:
San Bernardino County Transportation Authority

\$1,484,167.00

PROCUREMENT TYPE:
Local Assistance

[illegible]

ADA Notice For individuals with sensory disabilities, this document is available in alternate formats. For information, call (916) 654-6410 or TDD (916) -3880 or write Records and Forms Management, 1120 N. Street, MS-89, Sacramento, CA 95814.

**FREEWAY SERVICE PATROL PROGRAM
FUND TRANSFER AGREEMENT (Non Federal)**

Agreement No. FSP19-6507(015)
Project No. FSP19-6507(015)

Location: 08-SBD-0-SBCT
AMS Adv ID:0819000037

THIS AGREEMENT, effective on July 1, 2018, is between the State of California, acting by and through the Department of Transportation, hereinafter referred to as STATE, and the San Bernardino County Transportation Authority, a public agency, hereinafter referred to as "ADMINISTERING AGENCY".

WHEREAS, Streets and Highways Code (S&HC) Section 2560 et seq., authorizes STATE and administering agencies to develop and implement a Freeway Service Patrol (FSP) program on traffic-congested urban freeways throughout the state; and

WHEREAS, STATE has distributed available State Highway Account funds to administering agencies participating in the FSP Program in accordance with S&HC Section 2562; and

WHEREAS, ADMINISTERING AGENCY has applied to STATE and has been selected to receive funds from the FSP Program for the purpose of Freeway Service Patrol, hereinafter referred to as "PROJECT"; and

WHEREAS, proposed PROJECT funding is as follows:

Total Cost	State Funds	Local Funds	
\$1,855,209.00	\$1,484,167.00	\$371,042.00	; and

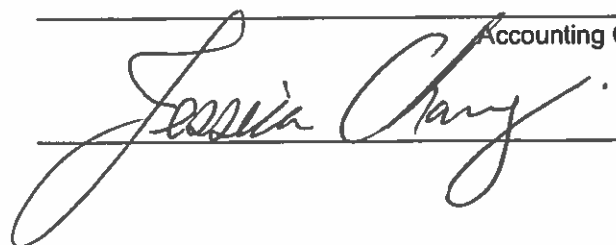
WHEREAS, STATE is required to enter into an agreement with ADMINISTERING AGENCY to delineate the respective responsibilities of the parties relative to prosecution of said PROJECT; and

WHEREAS, STATE and ADMINISTERING AGENCY mutually desire to cooperate and jointly participate in the FSP program and desire to specify herein the terms and conditions under which the FSP program is to be conducted; and

WHEREAS, ADMINISTERING AGENCY has approved entering into this Agreement under authority of Resolution No. _____ approved by ADMINISTERING AGENCY on _____, a copy of which is attached.

For Caltrans Use Only

I hereby Certify upon my own personal knowledge that budgeted funds are available for this encumbrance

	Accounting Officer	Date	\$
		12/12/18	1,484,167.00

NOW, THEREFORE, the parties agree as follows:

SECTION I

STATE AGREES:

1. To define or specify, in cooperation with ADMINISTERING AGENCY, the limits of the State Highway segments to be served by the FSP as well as the nature and amount of the FSP dedicated equipment, if any that is to be funded under the FSP program.
2. To pay ADMINISTERING AGENCY the STATE's share, an amount not to exceed \$1,484,167.00, of eligible participating PROJECT costs.
3. To make reimbursements to ADMINISTERING AGENCY, as promptly as state fiscal procedures will permit, but not more often than monthly in arrears, upon receipt of an original and two signed copies of invoices in the proper form covering actual allowable costs incurred for the prior sequential month's period of the Progress Payment Invoice.
4. When conducting an audit of the costs claimed by ADMINISTERING AGENCY under the provisions of this Agreement, STATE will rely to the maximum extent possible on any prior audit of ADMINISTERING AGENCY performed pursuant to the provisions of state and federal laws. In the absence of such an audit, work of other auditors will be relied upon to the extent that work is acceptable to STATE when planning and conducting additional audits.

SECTION II

ADMINISTERING AGENCY AGREES:

1. To commit and contribute matching funds from ADMINISTERING AGENCY resources, which shall be an amount not less than 25% of the amount provided by STATE from the State Highway Account.
2. The ADMINISTERING AGENCY's detailed PROJECT Cost Proposal is attached hereto and made an express part of this Agreement. The detailed PROJECT Cost Proposal reflects the provisions and/or regulations of Section III, Article 8, of this agreement.
3. To use all state funds paid hereunder only for those transportation-related PROJECT purposes that conform to Article XIX of the California State Constitution.

4. STATE funds provided to ADMINISTERING AGENCY or sub-recipient(s) under this Agreement shall not be used for administrative purposes by ADMINISTERING AGENCY or sub-recipient(s). Said administrative costs may be credited toward ADMINISTERING AGENCY's or sub-recipient's PROJECT matching funds provided claimed administrative costs are specified on ADMINISTERING AGENCY's invoice submittal. If said administrative costs are "indirect", as defined in 2 CFR, Part 200, Uniform Administrative Requirements, Cost Principles and Audit Requirement for Federal Awards, the costs must be allocated in accordance with an Indirect Cost Allocation Plan (ICAP), submitted, reviewed, and approved in accordance with Caltrans Audits and Investigations requirements which may be accessed at: www.dot.ca.gov/hq/audits/.

5. To develop, in cooperation with STATE, advertise, award, and administer PROJECT contract(s) in accordance with ADMINISTERING AGENCY competitive procurement procedures, in compliance with Public Contract Code (PCC) 10335-10381 (non-A&E services), and other applicable STATE and FEDERAL regulations.

6. Upon award of contract for PROJECT, to prepare and submit to STATE an original and two signed copies of progress invoicing for STATE's share of actual expenditures for allowable PROJECT costs.

7. Said invoicing shall evidence the expenditure of ADMINISTERING AGENCY's PROJECT participation in paying not less than 20% of all allowable PROJECT costs and shall contain the information described in Chapter 5 of the Local Assistance Procedures Manual (LAPM). Invoicing shall demonstrate ADMINISTERING AGENCY'S PROJECT participation by showing a matched expenditure of funds of at least 25% of the amount provided by the STATE. ADMINISTERING AGENCY invoices shall be submitted to:

State of California
Department of Transportation
Division of Traffic Operations, MS 36
Office of System Management Operations
1120 "N" Street
Sacramento, CA 95814

8. Within 60 days after completion of PROJECT work to be reimbursed under this Agreement, to prepare a final invoice reporting all actual eligible costs expended, including all costs paid by ADMINISTERING AGENCY and submit that signed invoice, along with any refund due STATE, to the address referenced above under Section II, Article 7. Backup information submitted with said final invoice shall include all FSP operational contract invoices paid by ADMINISTERING AGENCY to contracted operators included in expenditures billed to STATE under this Agreement.

9. COST PRINCIPLES

A) ADMINISTERING AGENCY agrees to comply with, and require all sub-recipients and project sponsors to comply with 2 CFR, Part 200, Uniform Administrative Requirements, Cost Principles and Audit Requirement for Federal Awards, and all applicable Federal and State laws and regulations.

B) ADMINISTERING AGENCY agrees, and will assure that its contractors and subcontractors will be obligated to agree, that Contract Cost Principles and Procedures, 48 CFR, Federal Acquisition Regulations System, Chapter 1, Part 31, et seq., and all applicable Federal and State laws and regulations, shall be used to determine the allowability of individual PROJECT cost items.

C) Any Fund expenditures for costs for which ADMINISTERING AGENCY has received payment or credit that are determined by subsequent audit to be unallowable under 2 CFR, Part 200, or 48 CFR, Chapter 1, Part 3, are subject to repayment by ADMINISTERING AGENCY to STATE. Should ADMINISTERING AGENCY fail to reimburse Fund moneys due STATE within 30 days of demand, or within such other period as may be agreed in writing between the Parties hereto, STATE is authorized to intercept and withhold future payments due ADMINISTERING AGENCY from STATE or any third-party source, including, but not limited to, the State Treasurer, the State Controller, and the California Transportation Commission.

10. THIRD PARTY CONTRACTING

A) ADMINISTERING AGENCY shall not award a non-A&E contract over \$5,000, construction contract over \$10,000, or other contracts over \$25,000 (excluding professional service contracts of the type which are required to be procured in accordance with Government Code sections 4525 (d), (e), and (f)) on the basis of a noncompetitive negotiation for work to be performed under this AGREEMENT without the prior written approval of STATE.

B) Any subcontract or agreement entered into by ADMINISTERING AGENCY as a result of disbursing Funds received pursuant to this Agreement shall contain all of the fiscal provisions (Section II, Paragraphs 4, 9, 11, 12, & 13) of this Agreement, and shall mandate that travel and per diem reimbursements and third-party contract reimbursements to subcontractors will be allowable as project costs only after those costs are incurred and paid for by the subcontractors.

C) In addition to the above, the preaward requirements of third party contractor/consultants with ADMINISTERING AGENCY should be consistent with Local Program Procedures as published by STATE.

11. ACCOUNTING SYSTEM

ADMINISTERING AGENCY, its contractors and subcontractors shall establish and maintain an accounting system and records that properly accumulate and segregate Fund expenditures by line item for the PROJECT. The accounting system of ADMINISTERING AGENCY, its contractors, and all subcontractors shall conform to Generally Accepted Accounting Principles (GAAP), enable the determination of incurred costs at interim points of completion, and provide support for reimbursement payment vouchers or invoices.

12. RIGHT TO AUDIT

For the purpose of determining compliance with this Agreement and other matters connected with the performance of ADMINISTERING AGENCY's contracts with third parties, ADMINISTERING AGENCY, ADMINISTERING AGENCY'S contractors, and subcontractors, and STATE shall each maintain and make available for inspection all books, documents, papers, accounting records, and other evidence pertaining to the performance of such contracts, including, but not limited to the costs of administering those various contracts. All of the above referenced parties shall make such materials available at their respective offices at all reasonable times for three years from the date of final payment of Funds to ADMINISTERING AGENCY. STATE, the California State Auditor, or any duly authorized representative of STATE or the United States Department of Transportation shall each have access to any books, records, and documents that are pertinent for audits, examinations, excerpts, and transactions, and ADMINISTERING AGENCY shall furnish copies thereof if requested.

13. TRAVEL AND SUBSISTENCE

Payments to ADMINISTERING AGENCY for travel and subsistence expenses of ADMINISTERING AGENCY forces and its subcontractors claimed for reimbursement or applied as local match credit shall not exceed rates authorized to be paid exempt non-represented State employees under current State Department of Personnel Administration (DPA) rules. If the rates invoiced are in excess of those authorized DPA rates, then ADMINISTERING AGENCY is responsible for the cost difference and any overpayments shall be reimbursed to STATE on demand.

SECTION III

IT IS MUTUALLY AGREED:

1. All obligations of STATE under the terms of this Agreement are subject to the appropriation of resources by the Legislature and the encumbrance of funds under this Agreement. Funding and reimbursement is available only upon the passage of the State Budget Act containing these STATE funds. The starting date of eligible reimbursable activities shall be JULY 1, 2018.
2. All obligations of ADMINISTERING AGENCY under the terms of this Agreement are subject to authorization and allocation of resources by ADMINISTERING AGENCY.
3. ADMINISTERING AGENCY and STATE shall jointly define the initial FSP program as well as the appropriate level of FSP funding recommendations and scope of service and equipment required to provide and manage the FSP program. No changes shall be made in these unless mutually agreed to in writing by the parties to this Agreement.
4. Nothing in the provisions of this Agreement is intended to create duties or obligations to or rights in third parties not parties to this Agreement or affect the legal liability of either party to this Agreement by imposing any standard of care with respect to the maintenance of State highways different from the standard of care imposed by law.
5. Neither STATE nor any officer or employee thereof is responsible for any injury, damage or liability occurring or arising by reason of anything done or omitted to be done by ADMINISTERING

AGENCY under or in connection with any work, authority, or jurisdiction delegated to ADMINISTERING AGENCY under this Agreement. It is understood and agreed that, pursuant to Government Code Section 895.4, ADMINISTERING AGENCY shall fully defend, indemnify, and save harmless the State of California, its officers, and employees from all claims, suits, or actions of every name, kind, and description brought for or on account of injury (as defined in Government Code Section 810.8) occurring by reason of anything done or omitted to be done by ADMINISTERING AGENCY under or in connection with any work, authority, or jurisdiction delegated to ADMINISTERING AGENCY under this Agreement.

6. Neither ADMINISTERING AGENCY nor any officer or employee thereof is responsible for any injury, damage, or liability occurring or arising by reason of anything done or omitted to be done by STATE under or in connection with any work, authority, or jurisdiction delegated to STATE under this Agreement. It is understood and agreed that, pursuant to Government Code Section 895.4, STATE shall fully defend, indemnify, and save harmless ADMINISTERING AGENCY, its officers, and employees from all claims, suits or actions of every name, kind, and description brought for or on account of injury (as defined in Government Code Section 810.8) occurring by reason of anything done or omitted to be done by STATE under or in connection with any work, authority, or jurisdiction delegated to STATE under this Agreement.

7. ADMINISTERING AGENCY will maintain an inventory of all non-expendable PROJECT equipment, defined as having a useful life of at least two years and an acquisition cost of \$500 or more, paid for with PROJECT funds. ADMINISTERING AGENCY shall define in PROJECT contract who shall take ownership of all equipment at the conclusion of the Project.

8. In the event that ADMINISTERING AGENCY fails to operate the PROJECT commenced and reimbursed under this Agreement in accordance with the terms of this Agreement or fails to comply with applicable Federal and State laws and regulations, STATE reserves the right to terminate funding for PROJECT, or portions thereof, upon written notice to ADMINISTERING AGENCY.

9. This Agreement shall terminate on June 30, 2020. However, the non-expendable equipment and liability clauses shall remain in effect until terminated or modified in writing by mutual agreement.

STATE OF CALIFORNIA

Department of Transportation

San Bernardino County Transportation Authority

By: _____

By: _____

Office of Project Implementation
Division of Local Assistance

Title: _____

DATE: _____

DATE: _____

Minute Action

AGENDA ITEM: 8

Date: July 10, 2019

Subject:

On Call Right-of-Way Legal Services Contract No. 15-1001302 Amendment 1

Recommendation:

That the Board, acting as the San Bernardino County Transportation Authority:

Approve Amendment No. 1 to Contract No. 15-1001302 with Woodruff, Spradlin & Smart for On-Call Right-of-Way Legal Services in support of the Major Projects Program for an additional \$3,700,000 for a new not-to-exceed amount of \$9,700,000 and amend the original contract duration by two years to end on February 28, 2023.

Background:

The San Bernardino County Transportation Authority (SBCTA) Board of Directors (Board) approved Contract No. 15-1001302 with Woodruff, Spradlin & Smart (WSS) to provide on-call Right-of-Way (ROW) legal services in support of the Major Projects Program. Since that time, the firm has assisted Project Delivery in ROW acquisition, property owner negotiations, mediation, property disposal, and resolution of complicated real property issues leading to ROW clearance and certification for several projects. Their assistance was instrumental on: Interstate 10 (I-10) Tippecanoe; Laurel, Lenwood, Hunts Lane, and Palm Avenue Grade Separations; US 395; State Route 210 (SR 210) Lane Addition and Base Line Interchange; State Route 60 (SR 60) Archibald and Central Interchanges; Interstate 215 (I-215) Bi-County and Barton Road Interchange; Interstate 15 (I-15) Baseline Interchange; I-15 and I-215 Devore Interchange; Mt. Vernon Viaduct; and I-10 Corridor Contract 1.

Presently, the I-10 Corridor Contract 1 project is in the ROW phase and WSS is assisting SBCTA in acquiring rights for the construction of the facility and relocation of utilities. WSS attorneys and staff are efficiently preparing agreements, providing input on mitigation and negotiations, preparing resolution of necessity documents, filing complaints, and serving as our contact with property owner legal representatives. As the phase progresses, there will be greater involvement due to necessary court action and upcoming complicated commercial property acquisitions.

Preparatory to acquisition of the properties needed for I-10 Corridor Contract 1 and Mount Vernon Viaduct, and closeout of all acquisition litigation associated with I-215 Barton Road and US 395 an estimate was requested from WSS by SBCTA staff. As of February 2019, the current contract had two years remaining and a balance of approximately \$1,300,000. WSS determined that the ROW for these projects may be done for \$5,000,000 with a four-year duration. This is a very low estimate because of SBCTA's record of avoiding condemnation through the courts. In addition, WSS, who have not escalated their prices since 2016, offered to maintain the same billing rates (\$325 per hour) through February 28, 2021, and requested a modest increase thereafter, to \$330 for Associates and \$340 for Partners, through February 28, 2023. Given other hourly rates ranging from \$395 to \$595 on other legal contracts, these billing rates are quite favorable and make available greater services to our agency. The amendment of the contract factors in the current remaining duration and contract balance.

Entity: San Bernardino County Transportation Authority

Board of Directors Agenda Item

July 10, 2019

Page 2

As a result, this amendment requests \$3,700,000 and a two-year extension to the current duration.

To provide continuity in acquisition of property for I-215 Barton Road, I-10 Corridor Contract 1 and the Mount Vernon Viaduct, staff recommends approval of Amendment No.1 to Contract No. 15-1001302 with WSS for continued ROW on-call legal services in support of the Major Projects Program.

Financial Impact:

This item is consistent with the Fiscal Year 2019/2020 Budget.

Reviewed By:

This item was reviewed and recommended for approval (13-0-0) without a quorum of the Board present at the Board of Directors Metro Valley Study Session on June 13, 2019. SBCTA General Counsel, Procurement Manager and Risk Manager have reviewed this item and the draft amendment.

Responsible Staff:

Paula Beauchamp, Director of Project Delivery and Toll Operations

Approved
Board of Directors
Date: July 10, 2019

Witnessed By:

General Contract Information

Contract No: 15-1001302 Amendment No.: 1 Sole Source? No
 Vendor No.: 02420 Vendor/Customer Name: Woodruff, Spradlin & Smart
 Description: On Call ROW Legal Services for Major Projects Program
 Estimated Start Date: 02/28/2016 Expiration Date: 02/28/2021 Revised Expiration Date: 02/28/2023
 List Any SBCTA Related Contracts Nos.: _____

Dollar Amount							
Original Contract		\$	6,000,000.00	Original Contingency		\$	-
Prior Amendments		\$	-	Prior Amendments		\$	-
Current Amendment		\$	3,700,000.00	Current Amendment		\$	-
Total/Revised Contract Value		\$	9,700,000.00	Total Contingency Value		\$	-
	Total Dollar Authority (Contract Value and Contingency)					\$	9,700,000.00

Contract Authorization

Board of Directors _____ Date: 07/10/2019 Board _____ Item # 5863

Contract Management (Internal Purposes Only)

Payable _____ Other Contracts _____ No Budget Adjustment _____

Accounts Payable									
Total Contract Funding: \$					9,700,000.00	Total Contingency: \$			
GL: Mult 40 Mult 52200					9,700,000.00	GL:			
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Accounts Receivable									
Total Contract Funding: \$					-	Reversion Date: _____			
Funding Agreement No: _____						GL:			
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GL:					-	GL:			
GL:					-	GL:			
GL:					-	GL:			
GL:					-	GL:			

Julianna Tillquist

Paula Beauchamp

Project Manager (Print Name)

Task Manager (Print Name)

Additional Notes: This contract is on multi Tasks, Subtasks and Funds

Attachment: Contract Summary Sheet (5863 : On-Call Right-of-Way Legal Services 15-1001302 Amendment 1)

AMENDMENT NO. 1 TO CONTRACT NO. 15-1001302**FOR****ON CALL RIGHT-OF-WAY LEGAL SERVICES****(WOODRUFF, SPRADLIN & SMART)**

This AMENDMENT No. 1 to Contract No. 15-1001302 is made by and between Woodruff, Spradlin & Smart ("ATTORNEY") and the San Bernardino County Transportation Authority ("SBCTA"). ATTORNEY and SBCTA are each a "Party" and collectively "Parties".

RECITALS:

- A. SBCTA, under Contract No. 15-1001302, engaged the services of ATTORNEY to provide On Call Right-of-Way Legal Services ("Contract"); and
- B. The Parties desire to amend the Contract to extend the Contract for two years through February 28, 2023, and to increase the price by \$3,700,000.00. for a not to exceed amount of \$9,700,000.00.

NOW, THEREFORE, in consideration of the terms and conditions set forth herein, CONSULTANT and SBCTA agree as follows:

- 1. All references in the Contract to the San Bernardino County Transportation Authority as SANBAG shall mean SBCTA.
- 2. Article 2 PERIOD OF PERFORMANCE is deleted and replaced in its entirety to read as follows:

The Period of Performance by ATTORNEY under this Contract shall commence upon issuance of a written Notice to Proceed issued by SBCTA, unless agreed otherwise, and shall continue in full force and effect through February 28, 2023.

- 3. Article 3 COMPENSATION, Paragraph 3.2, is deleted and replaced in its entirety to read as follows:

“3.2 The total Contract Not-To-Exceed Amount is Nine Million Seven Hundred Thousand Dollars (\$9,700,000.00). All Work provided under this Contract are to be performed as set forth in Attachment A, Scope of Work, and shall be reimbursed pursuant to Attachment B.1 Billing Rate Schedule, which is attached herein and by this reference is incorporated and made part of this Contract. The hourly labor rates identified in Attachment B.1 shall remain fixed for the term of this Contract and include CONSULTANT's direct labor costs, indirect costs, and profit. All expenses shall be reimbursed for the amount identified in Attachment B.1. Any travel expenses must be

pre-approved by SBCTA and shall be reimbursed for per diem expenses at a rate not to exceed the currently authorized rates for state employees under the State Department of Personnel Administration rules. SBCTA will not reimburse CONSULTANT for any expenses not shown in Attachment B.1 or agreed to and approved by SBCTA as required under this Contract.”

4. “Exhibit B” shall be deleted and replaced in its entirety with “Exhibit B.1”
5. The Recitals set forth above are incorporated herein by this reference.
6. Except as amended by this Amendment No. 1, all other provisions of the Contract shall remain in full force and effect and are incorporated herein by this reference
7. This Amendment No. 1 is effective upon execution by SBCTA.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment No. 1 below.

CONSULTANT

By: _____
 Craig G. Farrington
 Director and Co-Chair

Date: _____

**SAN BERNARDINO COUNTY
 TRANSPORTATION AUTHORITY**

By: _____
 Darcy McNaboe
 Board President

Date: _____

APPROVED AS TO FORM:

By: _____
 Julianna K. Tillquist
 General Counsel

CONCURRENCE:

By: _____
 Jeffery Hill
 Procurement Manager

Minute Action

AGENDA ITEM: 9

Date: July 10, 2019

Subject:

San Bernardino Valley Coordination Traffic Signal System Update

Recommendation:

Receive update on the status of the San Bernardino Valley Coordination Traffic Signal System.

Background:

Starting in 2002, in conjunction with the local agencies, implementation of the San Bernardino Valley Coordinated Traffic Signal System (SBVCTSS) was initiated with the system Master Plan and an investment of over \$15 million. Implementation of signal coordination occurred in various phases designated as Tiers 1, 2, 3 and 4, and included approximately 1,250 signalized intersections controlled by sixteen (16) separate local agencies and the California Department of Transportation (Caltrans). Tiers 1 and 2 were completed in 2008, while Tiers 3 and 4 were completed in 2014. At the time of system ‘turn-on’, the system showed significant improvements in arterial travel times and reductions in stops and delays.

In July 2011, the San Bernardino County Transportation Authority (SBCTA) Board of Directors (Board) approved Memorandum of Understanding (MOU) C11223 between SBCTA and local agencies providing direction for the operation and maintenance of the SBVCTSS which expired in September 2016. In April 2015, based on input from the Transportation Technical Advisory Committee and the City Managers Technical Advisory Committee, a plan was developed to maintain the system in order to continue to provide benefits to the traveling public. In September 2015, this plan was presented to the Board where they directed staff to proceed with implementation.

On September 7, 2016 the SBCTA Board authorized the release of a Request for Proposal to retain a consultant to support the SBVCTSS. In addition, the Board approved draft templates for Cooperative Agreements between SBCTA and local agencies establishing responsibilities to maintain, monitor, assess and fund the SBVCTSS. The agreement templates were developed in collaboration with a Signal Coordination Sub-Committee consisting of public works staff from five (5) valley jurisdictions.

In support of the SBVCTSS, SBCTA received \$1 million in grant funding from the Mobile Source Air Pollution Reduction Review Committee (MSRC). Additional funding for the maintenance and update of the system is provided through Valley Measure I Traffic Management Systems (TMS) funds.

Based on the draft agreements approved by the Board in September 2016, agreements have been executed with all but one jurisdiction in the Valley. Redlands has chosen not to participate in the program. The agreements stipulate the following:

- SBCTA or the local agency will be the lead agency for updating system timing plans. The local agency is responsible for funding 50% of the signals updated within their

Entity: San Bernardino County Transportation Authority

jurisdiction. SBCTA is responsible for the remaining cost up to \$2,000 per signal. The updates will be implemented based on the availability of funds of both parties.

- The local agency is responsible for the on-going monitoring, maintenance and timing adjustments of the SBVCTSS. SBCTA will provide a \$500 per signal annual reimbursement for signals found to be operational and coordinated during a semi-annual assessment. For signals found not performing properly, it is proposed to provide a grace period of 6 months for local agencies to bring the signal into operational status to still receive reimbursement. Proposed reimbursement funding would be through TMS funds with a maximum estimated total cost of \$500,000 per year.
- SBCTA will be responsible for on-call support and assessment of the SBVCTSS. The system will be assessed semi-annually to verify operation and provide the basis for issuance of the coordinated signal reimbursement.
- The agreements are for three years with an option to extend for two years.

To date, four of the six semi-annual assessments have been completed. Maintaining efficient system performance has been a challenge since implementation; although, performance of the system has improved with each successive assessment (refer to Table 1). Several challenging issues are encountered as part of the standard maintenance of the system and include:

- Outdated system components that threaten the integrity of system performance.
- Lack of local agency resources and in-house expertise to maintain the system.
- Construction activities that interrupt system communication.
- Jurisdictional boundary issues.

In order to effectively collaborate with local jurisdictions to maintain and expand the SBVCTSS a reliable funding source is necessary. While MSRC funds may become available to support future maintenance of the system, this funding source alone is insufficient to satisfy program needs. Valley Measure I TMS Program funding currently supplements MSRC funding to support the SBVCTSS, as intended through the Measure I Ordinance. However, these funds also support planning efforts, commuter assistance programs, freeway service patrol and other initiatives. In order to appropriately manage the SBVCTSS a dedicated funding source would be necessary. Measure I Major Street Program or Local Street Program funds are available to local jurisdictions to support signal coordination efforts if such efforts are prioritized.

Table 1
SBVCTSS Semi-Annual Assessment System Performance

Jurisdiction	Total # of Intersections	Semi-Annual Assessment			
		Fall 2017	Spring 2018	Fall 2018	Spring 2019
Chino	71	64	65	71	71
Chino Hills	34	12	33	34	34
Colton	31	0	0	6	8
Fontana	111	74	79	77	95
Grand Terrace	6	0	3	3	1
Highland	40	22	33	32	35
Loma Linda	17	1	1	0	5
Montclair	29	29	23	29	23
Ontario	176	13	70	126	124
Rancho Cucamonga	98	31	18	19	36
Redlands	53	n/a	n/a	n/a	n/a
Rialto	63	0	12	13	0
San Bernardino City	226	34	44	39	53
San Bernardino County	57	9	11	9	9
Upland	69	0	0	23	0
Yucaipa	19	4	0	0	4
TOTAL	1,100	293	392	481	498
% Improvement			34%	23%	4%
% Improvement from 1st Assessment				64%	70%

Financial Impact:

This item is consistent with the Fiscal Year 2019/2020 Budget under Task No. 0860 Arterial Projects, Sub-Task No. 0701 Valley Signal Coordination.

Reviewed By:

This item was received by the Board of Directors Metro Valley Study Session on June 13, 2019.

Responsible Staff:

Paula Beauchamp, Director of Project Delivery and Toll Operations

Approved
 Board of Directors
 Date: July 10, 2019

Witnessed By:

Minute Action

AGENDA ITEM: 10

Date: July 10, 2019

Subject:

Interstate 215 University Parkway Interchange Cooperative Agreement with the City of San Bernardino

Recommendation:

That the Board, acting as the San Bernardino County Transportation Authority:

Approve Cooperative Agreement No. 19-1002205 with the City of San Bernardino (City) for the Project Approval and Environmental Document, Plans, Specifications, and Estimates, Right-of-Way, and Construction phases of the Interstate 215 University Parkway Interchange Project (Project) with an effective date of June 30, 2018. San Bernardino County Transportation Authority's total contribution to Project costs is \$7,597,295 and the City's contribution is \$1,995,621. The total receivable amount from the City is \$1,827,821.13 due to prior expenditures of \$167,799.87 made under the previous Cooperative Agreement No. 16-1001335.

Background:

The Interstate 215 (I-215) University Parkway Interchange Project (Project) proposes to relieve congestion by replacing the existing tight diamond interchange at I-215 and University Parkway with a Diverging Diamond Interchange (DDI) configuration. With the proposed improvements, traffic operations along University Parkway and access to and from the freeway would be substantially improved.

In November 2015, the San Bernardino County Transportation Authority (SBCTA) Board of Directors (Board) approved Cooperative Agreement No. 16-1001335 with the City of San Bernardino for the Project Approval and Environmental Document (PA/ED), the Plans, Specifications, and Estimates (PS&E), and Right-of-Way (ROW) phases of the Project. According to the agreement, SBCTA and the City would fund 84.2% and 15.8% of project costs respectively after the buy-down of federal funds. According to the agreement, SBCTA would also lead project development and the City would fund 100% of SBCTA project management costs in compliance with SBCTA Policy No. 40005. In September 2016, the cooperative agreement was amended to reflect the actual cost of the design and environmental services contract for the project, which was higher than what was estimated in the original agreement. In January 2017, preliminary design efforts for the project began. Since then, the Geometric Approval Drawings (GADs) and ROW Data Sheets have been approved and the project is proceeding to completion of the environmental document.

Staff has been working with City staff for an amendment to reflect anticipated cost increases in the Final Design phase and ROW phases, as described below, and to address the Construction phase. During these recent discussions with the City, it was discovered that the cooperative agreement had inadvertently terminated on June 29, 2018. As such, staff is recommending that the Board approve a new cooperative agreement to continue from the termination date of Cooperative Agreement No. 16-1001335. The effective date of the new Cooperative Agreement No. 19-1002205 would be June 30, 2018. This new agreement contains the funding table from Cooperative Agreement No. 16-1001335, as amended (Attachment A), but reflects the anticipated cost increases and associated added project management costs for the PA/ED, PS&E, Entity: San Bernardino County Transportation Authority

ROW, and Construction phases. This new agreement also includes the Construction phase of the project, which is estimated at \$12,179,584 including both capital and support costs. Under this agreement, SBCTA would Advertise, Award, and Administer the construction contract for the Project. Construction costs referenced in the agreement are based on early design. Should the estimated construction costs change during final design, the agreement would be taken back to the Board for an amendment. The receivable funding from the City in this new agreement is \$1,827,821.13, which takes into account the prior receipt of City funds in the amount of \$167,799.87 under Cooperative Agreement No. 16-1001335.

The new agreement addresses added project cost increases due to ROW and additional design review. According to the latest roadway configuration changes and project footprint, the proposed improvements may affect several additional adjacent properties through reconfiguration of existing driveways and result in an increase in ROW costs from what was originally anticipated in the cooperative agreement. The original funding table assumed that there would be no ROW impacts; this was based on the approved Project Study Report/Project Development Support that was signed in October 2016. This new agreement reflects the ROW costs estimated in the latest ROW Data Sheet, including estimated ROW support costs and legal fees. The increase in ROW costs will be funded with local Developer Impact Fees (DIF), Measure I funds, and federal funds.

SBCTA and the California Department of Transportation (Caltrans) staff have been coordinating with the Federal Highway Administration (FHWA) on the geometric design. FHWA has approval authority of the project, as it is partially funded with a mixture of federal funds, and some project improvements will be made on the federal interstate system. Because the project is one of the first in California to propose a DDI configuration, FHWA is requesting the ability to review final design deliverables. Neither Caltrans nor SBCTA staff anticipated these additional reviews. Staff is expecting an increased level of effort to address this FHWA review. As such, this agreement reflects an increase in design support costs. This increase will be funded with DIF and Measure I funds. Lastly, with the additional design and ROW activities, this amendment is also increasing the estimated SBCTA project management costs.

ENVIRONMENTAL REVIEW: Not applicable. The approval of this cooperative agreement is not considered a “Project” under CEQA.

Financial Impact:

This item is consistent with the Fiscal Year 2019/2020 Budget under Task No. 0830 Interchange Projects, Sub-Task No. 0853 I-215 University Pkwy/State Street Interchange.

Reviewed By:

This item was reviewed and recommended for approval (13-0-0) without a quorum of the Board present at the Board of Directors Metro Valley Study Session on June 13, 2019. SBCTA General Counsel, Procurement Manager and Risk Manager have reviewed this item and the draft cooperative agreement.

Responsible Staff:

Paula Beauchamp, Director of Project Delivery and Toll Operations

Approved
Board of Directors
Date: July 10, 2019

Witnessed By:

General Contract Information

Contract No: 19-1002205 Amendment No.: _____ Sole Source? N/A

Vendor No.: 1901 Vendor/Customer Name: City of San Bernardino

Description: I-215 University Parkway Interchange Cooperative Agreement for PA/ED, PS&E, ROW, & Construction

Estimated Start Date: 06/30/2018 Expiration Date: 12/25/2022 Revised Expiration Date: _____

List Any SBCTA Related Contracts Nos.: 15-1001217, 16-1001335, 16-1001359

Dollar Amount							
Original Contract		\$	1,827,821.13	Original Contingency		\$	-
Prior Amendments		\$	-	Prior Amendments		\$	-
Current Amendment		\$	-	Current Amendment		\$	-
Total/Revised Contract Value		\$	1,827,821.13	Total Contingency Value		\$	-
	Total Dollar Authority (Contract Value and Contingency)					\$	1,827,821.13

Contract Authorization

Board of Directors _____ Date: 07/10/2019 Board _____ Item # 5864

Contract Management (Internal Purposes Only)

Receivable _____ Receivable _____ No Budget Adjustment _____

Accounts Payable											
Total Contract Funding:						Total Contingency: \$					
GL: I						GL: I					
GL: I						GL: I					
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Accounts Receivable											
Total Contract Funding: \$						1,827,821.13					
Funding Agreement No: <u>19-1002205</u>						Reversion Date: _____					
GL: I	6010	40	0830	0853	42421010	1,827,821.13	GL: I				
GL: I						-	GL: I				
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GL: I						-	GL: I				

Paul Melocoton

Project Manager (Print Name)

Paula Beauchamp

Task Manager (Print Name)

Additional Notes: Effective date is June 30, 2018. Total City DIF share is \$1,995,621. \$167,799.87 expended under 16-1001335 as of June 29, 2018. Receivable amount for this agreement is \$1,827,821.13 as of effective date.

Attachment: CSS 19-1002205 (5864 : I-215 University Pkwy IC Coop with City of San Bernardino)

COOPERATIVE AGREEMENT NO. 19-1002205

BETWEEN

SAN BERNARDINO COUNTY TRANSPORTATION AUTHORITY

AND

CITY OF SAN BERNARDINO

FOR

**PROJECT APPROVAL AND ENVIRONMENTAL DOCUMENT (PA/ED), PLANS,
SPECIFICATIONS AND ESTIMATES (PS&E), RIGHT OF WAY (ROW), AND
CONSTRUCTION PHASES FOR THE INTERCHANGE AT UNIVERSITY PARKWAY
AND INTERSTATE 215 (I-215) IN THE CITY OF SAN BERNARDINO**

I. PARTIES AND TERM

- A. THIS COOPERATIVE AGREEMENT NO. 19-1002205 (“AGREEMENT”) is made and entered into by and between the San Bernardino County Transportation Authority (hereinafter referred to as “SBCTA”) and the City of San Bernardino (“CITY”), (SBCTA and CITY may be referred to herein individually as a “PARTY” and collectively as “PARTIES”).
- B. This AGREEMENT is effective on June 30, 2018. Unless this AGREEMENT is terminated early as provided in Section V, Paragraph E, this AGREEMENT shall terminate upon completion of the PARTIES’ obligations associated with the PA/ED, PS&E, ROW, and Construction phases described herein. The indemnification provisions identified in Section V, Paragraphs C through D, shall survive the termination of this AGREEMENT. Should any claims arising out of this AGREEMENT be asserted against one of the PARTIES prior to termination of this AGREEMENT, the AGREEMENT shall be extended until such time as the claims are settled, dismissed or paid.

II. RECITALS

- A. WHEREAS, PARTIES entered into Cooperative Agreement No. 16-1001335 in November 2015, attached herein as ATTACHMENT B, to define roles and responsibilities and funding for improvements for the PA/ED, PS&E, and ROW phases for the interchange at University Parkway and I-215 in the limits of the City of San Bernardino (PROJECT); and
- B. WHEREAS, PARTIES amended Cooperative Agreement No. 16-1001335, attached herein as ATTACHMENT C, in September 2016 to reflect an estimated increase in the cost for the PA/ED and PS&E phases; and

Attachment: 19-1002205 (5864 : I-215 University Pkwy IC Coop with City of San Bernardino)

- C. WHEREAS, SBCTA procured environmental and design services for the PA/ED and PS&E phases and began preliminary design and environmental studies on June 20, 2017; and
- D. WHEREAS, Cooperative Agreement No. 16-1001335 terminated on June 29, 2018, according to Section I, Parties and Term, Article A of Cooperative Agreement No. 16-1001335; and
- E. WHEREAS, the CITY desires SBCTA to continue to lead the PROJECT and provide project management services for PA/ED, PS&E, ROW, and Construction phases, at the sole cost of CITY and pay 100% of actual SBCTA project management costs in accordance with SBCTA Policy 40005/VFI-35; and
- F. WHEREAS, PROJECT costs, aside from SBCTA project management costs, for PA/ED, PS&E, ROW, and Construction phases, after reduction by application of buy-down funds, are allocated as 15.8% Development Share funds and 84.2% Public Share funds, as defined by the Nexus Study and the SBCTA Measure I 2010-2014 Strategic Plan; and
- G. WHEREAS, Project development activities for the PA/ED, PS&E, and ROW phases are continuing for the PROJECT; and
- H. WHEREAS, PARTIES desire to enter into this AGREEMENT to continue the terms, conditions, and funding in Cooperative Agreement 16-1001335, as amended, as referenced herein as ATTACHMENT B and ATTACHMENT C, for the PA/ED, PS&E, and ROW phases from the date of expiration of Cooperative Agreement No. 16-1001335, for continuity of the project delivery process; and
- I. WHEREAS, expenditures have occurred against the funding table shown in Attachment A of this AGREEMENT under Cooperative Agreement 16-1001335; and
- J. WHEREAS, increases in PROJECT cost, shown in Attachment A to Cooperative Agreement No. 16-1001335, are anticipated, and Attachment A of this AGREEMENT reflects the anticipated PROJECT cost increases; and
- K. WHEREAS, PARTIES desire to include the Construction phase in this AGREEMENT to delineate roles, responsibilities, and funding commitments relative to the Construction Phase of PROJECT; and

NOW THEREFORE, in consideration of the terms and conditions set forth herein, the PARTIES agree to the following:

III. SBCTA RESPONSIBILITIES

SBCTA agrees:

- A. To be lead agency on Project Management, PA/ED, PS&E, ROW, and Construction Phases and to diligently undertake and complete the PA/ED, PS&E, ROW, and Construction work for the PROJECT, including the selection and retention of consultants. Performance of services under these consultant contracts shall be subject to the technical direction of the SBCTA's Director of Project Delivery and Toll Operations, or designee(s), with input and consultation from CITY.
- B. To contribute towards PA/ED, PS&E, ROW, and Construction phases of the PROJECT cost as shown in Attachment A. The actual cost of a specific phase may ultimately vary from the estimates provided in Attachment A, and should SBCTA's total share of the PA/ED, PS&E, ROW, and Construction phases exceed the estimates as shown in Attachment A, SBCTA agrees to amend the AGREEMENT in good faith.
- C. To prepare and submit to CITY signed invoices for reimbursement of allowable PROJECT expenditures. Invoices may be submitted to CITY as frequently as monthly.
- D. To establish and maintain an accounting system conforming to Generally Accepted Accounting Principles ("GAAP") to support SBCTA's request for reimbursement, payment vouchers, or invoices which segregate and accumulate costs of Project Management, PA/ED, PS&E, ROW, and Construction work elements and produce monthly reports which clearly identify reimbursable costs, matching fund costs, indirect cost allocation, and other allowable expenditures by SBCTA.
- E. To prepare a final accounting of expenditures, including a final invoice for the actual Project Management, PA/ED, PS&E, ROW, and Construction phase costs. The final accounting and invoice shall be submitted no later than one hundred and twenty (120) calendar days following the completion of this AGREEMENT and shall be submitted to CITY. The invoice shall include a statement that these PROJECT funds were used in conformance with this AGREEMENT and for those PROJECT-specific Project Management, PA/ED, PS&E, ROW, and Construction work activities.
- F. To cooperate in having a PROJECT-specific audit completed by CITY, at its option, upon completion of Project Management, PA/ED, PS&E, ROW, and Construction work. The audit should justify and validate that all funds expended on the PROJECT were used in conformance with this AGREEMENT.

- G. To reimburse CITY for costs that are determined by subsequent audit to be unallowable within ninety (90) calendar days of SBCTA receiving notice of audit findings, which time shall include an opportunity for SBCTA to respond to and/or resolve the finding. Should the finding not be otherwise resolved and SBCTA fails to reimburse monies due CITY within ninety (90) calendar days of audit finding, or within such other period as may be agreed between both PARTIES hereto, the CITY's Council reserves the right to withhold future payments due SBCTA from any source under CITY's control.
- H. SBCTA's Director of Project Delivery and Toll Operations is authorized to act on behalf of SBCTA under this Section of the AGREEMENT.
- I. To designate a responsible staff member that will be SBCTA's representative in attending the Project Development Team ("PDT") meetings, receiving day-to-day communication, and providing Project Management services.
- J. To complete review and provide comments on PROJECT documents in a timely manner that is consistent with the schedule.
- K. To include CITY in PDT meetings and related communications on PROJECT progress as well as to provide CITY with copies of PDT meeting minutes and action items.
- L. To provide CITY, with a reasonable amount of review time, an opportunity to review and comment on PA/ED, PS&E, ROW and Construction deliverables.
- M. To provide all necessary ROW services to acquire rights-of-way for PROJECT through negotiated purchases of property, or if necessary, through Eminent Domain. If necessary, SBCTA will conduct Resolutions of Necessity hearings and acquire property in the name of SBCTA for the purposes of construction of the PROJECT and convey such property, or portions thereof, to CITY. The interest conveyed to CITY shall be a permanent easement or other required instrument for public street and/or utility purposes.
- N. To identify the utilities within the PROJECT area and coordinate with utility companies to determine their location, and if necessary, their relocation.

IV. CITY RESPONSIBILITIES

CITY agrees:

- A. To reimburse SBCTA for the CITY's share of actual costs incurred towards the PA/ED, PS&E, ROW, and Construction phases of the PROJECT and for SBCTA's Project Management as shown in Attachment A. The actual cost of a specific phase may ultimately vary from the estimates provided in Attachment A, and should CITY's total share for the

Project Management, PA/ED, PS&E, ROW, and Construction phase with SBCTA's Project Management exceed the estimates as shown in Attachment A, CITY agrees to amend the AGREEMENT in good faith and contribute these additional costs.

- B. When conducting an audit of the costs claimed under the provisions of this AGREEMENT, to rely to the maximum extent possible on any prior audit of SBCTA performed pursuant to the provisions of State and Federal laws. In the absence of such an audit, work of other auditors will be relied upon to the extent that work is acceptable to CITY when planning on conducting additional audits.
- C. To designate a responsible staff member that will be CITY's representative in attending the PDT meetings, receiving day-to-day communication and reviewing the PROJECT documents.
- D. To complete review and provide comments on PROJECT documents within four (4) weeks of receiving the review request from SBCTA.
- E. CITY's Public Works Director is authorized to act on behalf of CITY under this Section of the AGREEMENT.
- F. To accept all voluntary PROJECT acquired right-of-way located within CITY's jurisdictional boundaries directly. To accept all other PROJECT acquired right-of-way located within CITY's jurisdiction when available for conveyance. The City of San Bernardino City Council, by approval of this AGREEMENT, authorizes and directs the City Clerk to execute an acceptance, in substantial conformance with the form attached hereto as Attachment D and made a part of this AGREEMENT, within thirty (30) days of receipt of quit claim deeds for property acquired by SBCTA.
- G. To provide permits, inspections, reviews, acceptance of the transfer of title of properties and oversight at no cost to SBCTA or to consultants and contractors contracted by SBCTA to work on the PROJECT.
- H. To provide CITY-owned right-of-way necessary for project construction at no cost to the PROJECT.
- I. To provide SBCTA copies of the franchise/utility agreements for the utilities in the PROJECT area for the purpose of determining prior rights and estimating utility relocation costs.

- J. To assist SBCTA as requested and when necessary, exercise its rights under utility relocation law or under any franchise agreement to cause each utility to relocate or rearrange its utility facility.
- L. WHEREAS, planned improvements include improving freeway access to I-215 and improving local traffic flow by reconstructing the existing ramp intersections at the interchange into a Diverging Diamond Interchange (DDI); and
- M. WHEREAS, the CITY desires SBCTA to provide project management services for PROJECT, the funding for which CITY shall be solely responsible, and to pay 100% of actual SBCTA project management costs in accordance with SBCTA Policy 40005/VFI-35; and

V. The PARTIES agree:

- A. To abide by all applicable Federal, State and Local laws and regulations pertaining to the PROJECT, including policies in the applicable program in the Measure I 2010-2040 Strategic Plan, as amended, as of the Effective Date of this AGREEMENT. In the event SBCTA determines Project Management, PA/ED, PS&E, ROW, and Construction work may exceed the amounts identified in Attachment A of this AGREEMENT, SBCTA shall inform CITY of this determination and thereafter the PARTIES shall work together in an attempt to agree upon an amendment to the amounts identified in this AGREEMENT. In no event, however, shall the PARTIES be responsible for PROJECT costs in excess of the amounts identified in this AGREEMENT without a written amendment that is approved by the PARTIES.
- B. Eligible PROJECT reimbursements shall include only those costs incurred by SBCTA for PROJECT-specific work activities that are described in this AGREEMENT and shall not include escalation or interest.
- C. Neither SBCTA, nor any officer, director, employee or agent thereof, is responsible for any injury, damage or liability occurring or arising by reason of anything done or omitted to be done by CITY under or in connection with any work, authority or jurisdiction delegated to CITY under this AGREEMENT. It is understood and agreed that, pursuant to Government Code Section 895.4, CITY shall fully defend, indemnify and save harmless SBCTA, its officers, directors, employees or agents from all claims, suits or actions of every name, kind and description brought for or on account of injury (as defined by Government Code Section 810.8) occurring by reason of anything done or omitted to be done by CITY under or in connection with any work, authority or jurisdiction delegated to CITY under this AGREEMENT.

- D. Neither CITY, nor any officer, director, employee or agent thereof, is responsible for any injury, damage or liability occurring or arising by reason of anything done or omitted to be done by SBCTA and under or in connection with any work, authority or jurisdiction delegated to SBCTA under this AGREEMENT. It is understood and agreed that, pursuant to Government Code Section 895.4, SBCTA shall fully defend, indemnify and save harmless CITY, its officers, directors, employees or agents from all claims, suits or actions of every name, kind and description brought for or on account of injury (as defined by Government Code Section 810.8) occurring by reason of anything done or omitted to be done by SBCTA under or in connection with any work, authority or jurisdiction delegated to SBCTA under this AGREEMENT.
- E. This AGREEMENT will be considered terminated upon completion of PROJECT closeout and reimbursement of eligible costs by CITY. Notwithstanding any other provision herein, to the extent consistent with the terms and obligations hereof, any PARTY may terminate this AGREEMENT at any time, with or without cause, by giving thirty (30) calendar days written notice to the other PARTY. In the event of a termination, the PARTY terminating this AGREEMENT shall be liable for any costs or other obligations it may have incurred under the terms of the AGREEMENT prior to termination.
- F. The Recitals to this AGREEMENT are true and correct and are incorporated into this AGREEMENT.
- G. All signatories hereto warrant that they are duly authorized to execute this AGREEMENT on behalf of said PARTY and that by executing this AGREEMENT, the PARTIES hereto are formally bound to this AGREEMENT.
- H. This AGREEMENT shall be governed by and construed in accordance with the laws of the State of California. All PARTIES agree to follow all applicable local, state, county and federal laws and ordinances with respect to performance under this AGREEMENT.
- I. The PARTIES agree that each PARTY and any authorized representative, designated in writing to the PARTIES, and upon reasonable notice, shall have the right during normal business hours to examine all PARTIES' financial books and records with respect to this AGREEMENT. The PARTIES agree to retain their books and records for a period of five (5) years from the later of: a) the date on which this AGREEMENT terminates; or b) the date on which such book or record was created.
- J. If any clause or provision of this AGREEMENT is illegal, invalid or unenforceable under applicable present or future laws, then it is the intention of the PARTIES that the remainder of this AGREEMENT shall not be affected but shall remain in full force and effect.

- K. This AGREEMENT cannot be amended or modified in any way except in writing, signed by all PARTIES hereto.
- L. Neither this AGREEMENT, nor any of the PARTIES' rights, obligations, duties, or authority hereunder, may be assigned in whole or in part by either PARTY without the prior written consent of the other PARTY in its sole, and absolute, discretion. Any such attempt of assignment shall be deemed void and of no force and effect.
- M. No waiver of any default shall constitute a waiver of any other default whether of the same or other covenant or condition. No waiver, benefit, privilege, or service voluntarily given or performed by a PARTY shall give the other PARTY any contractual rights by custom, estoppel, or otherwise.
- N. In the event of litigation arising from this AGREEMENT, each PARTY to this AGREEMENT shall bear its own costs, including attorney(s) fees. This paragraph shall not apply to the costs or attorney(s) fees provided for in paragraphs C and D of this Section.
- O. This AGREEMENT may be signed in counterparts, each of which shall constitute an original. This AGREEMENT is effective June 30, 2018, following execution by both PARTIES.
- P. Any notice required, authorized or permitted to be given hereunder or any other communications between the PARTIES provided for under the terms of this AGREEMENT shall be in writing, unless otherwise provided for herein, and shall be served personally or by reputable courier addressed to the relevant party at the address/fax number stated below:

If to SBCTA: Paula Beauchamp
 Director of Project Delivery and Toll Operations
 1170 W. 3rd Street, Floor 2
 San Bernardino, CA 92410

If to CITY: Alex Qishta
 City Engineer
 201 North E Street
 San Bernardino, CA 92401

There are no third party beneficiaries, and this AGREEMENT is not intended, and shall not be construed to be for the benefit of, or be enforceable by, any other person or entity whatsoever.

-----SIGNATURES ON THE FOLLOWING PAGE-----

IN WITNESS WHEREOF, the PARTIES have duly executed this AGREEMENT below.

SAN BERNARDINO COUNTY
TRANSPORTATION AUTHORITY

CITY OF SAN BERNARDINO

By: _____
Darcy McNaboe
Board President

By: _____
Andrea Miller
City Manager

Date: _____

Date: _____

APPROVED AS TO FORM:

APPROVED AS TO FORM:

By: _____
Julianna K. Tillquist
General Counsel

By: _____
Gary D. Saenz
City Attorney

CONCURRENCE

By: _____
Jeffery Hill
Procurement Manager

Attachment: 19-1002205 (5864 : I-215 University Pkwy IC Coop with City of San Bernardino)

Attachment A

Project Scope:

Improve traffic operations at the I-215 University Parkway Interchange by improving freeway access to I-215 and improving local traffic flow on University Parkway. An alternative being evaluated is to reconstruct the existing ramp intersections at the interchange into a Diverging Diamond Interchange (DDI) configuration.

Project Cost Estimate and Funding Shares:

After application of buy-down funds, Project costs will be split according to the Nexus Study with the Public Share at 84.2% and the Development Share/ Local Share at 15.8%

Phase	Estimated Cost	Buy-Down Funds	Public Share	Development Share*
Project Approval and Environmental Document (PA/ED)	\$1,062,176	\$939,716	\$103,111	\$19,349
Design (PS&E)	\$803,856	\$703,855	\$84,201	\$15,800
Right of Way (ROW)	\$712,300	\$475,900	\$199,049	\$37,351
Construction	\$12,179,584	\$3,615,529	\$7,210,934	\$1,353,121
SBCTA Oversight	\$570,000	\$0	\$0	\$570,000
TOTAL	\$15,327,916	\$5,735,000	\$7,597,295	\$1,995,621

* \$167,799.87 of Development Share expended as of June 29, 2018. Remaining Development Share and receivable amount under this AGREEMENT is \$1,827,821.13

Project Milestones:

Milestone	Actual / (Forecast)
Start of Project Approval and Environmental Document (PA/ED)	6/2017
Environmental Approval	(9/2019)
Design Approved and ROW Certified	(11/2020)
Construction Notice to Proceed	(6/2021)
Construction Complete	(5/2022)

Minute Action

AGENDA ITEM: 11

Date: July 10, 2019

Subject:

Award Construction Management Services Contract 19-1002072 for the State Route 210 Pepper Avenue Interchange Establish Existing Planting Project

Recommendation:

That the Board, acting as the San Bernardino County Transportation Authority:

A. Authorize the award and execution of Contract No. 19-1002072 with TRC Vali Cooper & Associates, Inc. for Construction Management Services for the State Route 210 Pepper Avenue Interchange Establish Existing Planting Project in the amount of \$249,927.29, upon staff's finalization of terms and General Counsel's approval as to legal form.

B. Approve a contingency amount for Contract No. 19-1002072 of \$24,992.73 and authorize the Executive Director or designee to release contingency as necessary for the project.

Background:

Construction of the State Route 210 (SR 210) Pepper Avenue Interchange began in March 2017. The work included construction of new freeway ramps, widening of Pepper Avenue, the addition of retaining walls, traffic signals, drainage improvements, landscape irrigation and planting. The project was completed and on August 10, 2018, the one-year Plant Establishment (PE) period began.

Consistent with the San Bernardino County Transportation Authority (SBCTA) Board of Directors' (Board) commitment to the California Department of Transportation (Caltrans) concerning landscape construction along the SR 210 Corridor, including Segments 8, 9, 10 and 11, the SR 210 Pepper Avenue Interchange will require a four (4) year Establish Existing Planting (EEP) period following the one-year PE period. At the conclusion of the EEP period, Caltrans will assume maintenance responsibilities of the landscaping.

In December 2018, the SBCTA Board approved the release of Request for Proposals (RFP) No. 19-1002072 for Construction Management Services associated with the plant maintenance of the SR 210 Pepper Avenue Interchange EEP Project (Project). The RFP was released on February 26, 2019, sent to 1,188 vendors and downloaded by sixty (60) vendors. The RFP was also posted on SBCTA's website. The solicitation was issued in accordance with SBCTA's current policies and procedures for Architectural & Engineering services.

A Pre-Proposal meeting was held on March 12, 2019, and was attended by seven (7) individuals. One (1) addendum was released responding to questions and providing materials from the pre-proposal meeting. One (1) proposal from TRC Vali Cooper & Associates was received by the date and time specified in the RFP. A responsiveness review was conducted by staff and found no material deficiencies in the proposal submitted. Procurement staff contacted the firms that did not submit a proposal to find out the reasons for not submitting a proposal. Several firms noted that they were unable to meet the requirements of a Landscape Architect on the Project since they don't currently have one on staff. The Landscape Architect is a requirement from Caltrans in the cooperative agreements with SBCTA. To remain compliant with the RFP

Entity: San Bernardino County Transportation Authority

requirements, the full evaluation process, including scoring the proposal and interviewing the firm, was required even though only one proposal was received.

The following is a summary of the evaluation and selection process.

Summary of the Evaluation Process:

On April 9, 2019, the proposal was distributed to all evaluation committee members. A copy of the Score Sheets and the Declaration of Impartiality and Confidentiality form were also distributed to the committee members. The evaluation committee was comprised of three (3) SBCTA staff members.

On May 9, 2019, an evaluation committee meeting was held to discuss results of each evaluator's review of the proposal based on the criteria provided in the RFP. At the completion of discussions the committee members individually scored the proposal based on the following evaluation criteria: Qualifications of the Firm - 30%, Proposed Staffing - 40%, and Technical Approach/Work Plan - 30%.

On May 9, 2019, TRC Vali Cooper & Associates was interviewed. At the conclusion of the interview, the evaluation committee separately scored the interview. The assigned weighting between the proposal and interview was 40% and 60% respectively.

The selection panel deemed TRC Vali Cooper & Associates, Inc. as very qualified and able to provide the services requested based on the panel's review of the proposal and evaluation of the interview and the resultant scoring. Based on a tally of scores received on the proposal and the interview, the panel agreed to recommend the selection of TRC Vali Cooper & Associates, Inc. for award of Contract No. 19-1002072.

Subsequent to the committee's recommendation for selection, SBCTA staff negotiated a cost and scope with the consultant for a contract amount of \$249,927.29. Staff recommends approval of Contract No. 19-1002072 with TRC Vali Cooper & Associates, Inc. for Construction Management Services on the SR 210 Pepper Avenue Interchange EEP Project for a contract amount of \$249,927.29. The award amount is within the budget for the construction phase. The Project is funded with Measure I 1990-2010 Valley Major Projects Program funds.

Staff is also recommending that the Board approve a 10% contingency for Contract No. 19-1002072 in the amount of \$24,992.73 for a total not-to-exceed amount of \$274,920.02 and authorize the Executive Director or designee to release contingency funds as necessary for the Project.

Financial Impact:

This item is consistent with the adopted Fiscal Year 2019/2020 Budget under Task No. 830 Interchange Projects, Sub-Task No. 0883 SR 210 Pepper Avenue Interchange.

Reviewed By:

This item was reviewed and recommended for approval (13-0-0) without a quorum of the Board present at the Board of Directors Metro Valley Study Session on June 13, 2019. SBCTA General Counsel, Procurement Manager, and Risk Manager have reviewed this item and a draft of the contract.

Board of Directors Agenda Item
July 10, 2019
Page 3

Responsible Staff:

Paula Beauchamp, Director of Project Delivery and Toll Operations

Approved
Board of Directors
Date: July 10, 2019

Witnessed By:

San Bernardino County Transportation Authority

[illegible]

Contract Authorization				
Board of Directors	Date:	07/10/2019	Board	Item # 5865

<u>Payable</u>	<u>Other Contracts</u>	<u>No Budget Adjustment</u>
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Accounts Receivable

Total Contract Funding: \$ -

Funding Agreement No: Reversion Date:

GL: -

GL: -

GL: -

GL: -

GL: -

GL: -

GL: -

GL: -

GL: -

GL: -

Task Manager (Print Name)

Attachment: CSS 19-1002072 (5865 : SR 210 Pepper EEP - Award CM Services RFP 19-1002072)

ATTACHMENT A - SCOPE OF WORK**CONSTRUCTION MANAGEMENT****Establish Existing Planting (EEP) Construction Management Services for
State Route 210 (SR 210) Pepper Avenue Interchange EEP Project****INDEX**

- A. DESCRIPTION OF SERVICES
- B. PERFORMANCE REQUIREMENTS
- C. DUTIES AND RESPONSIBILITIES
 - 1. Pre-Award Services
 - 2. Bid Process
 - 3. Project Administration
 - 4. Project Coordination
 - 5. Landscape Construction/Maintenance Inspection
 - 6. Cost and Schedule
 - 7. Contract Change Orders and Claims
 - 8. Safety
 - 9. Project Close Out
- D. DELIVERABLES
- E. EQUIPMENT AND MATERIALS TO BE PROVIDED BY CONSULTANT
- F. MATERIALS TO BE FURNISHED BY SBCTA
- G. STANDARDS
- H. LIMITATIONS TO AUTHORITY
- I. THIRD PARTY RELATIONSHIPS
- J. PROJECT SITE SAFETY
- K. PERSONNEL QUALIFICATIONS

A. DESCRIPTION OF SERVICES

The San Bernardino County Transportation Authority (SBCTA) will utilize the services of CONSULTANT to support the four (4) year highway landscaping maintenance contract of the SR 210 Pepper Avenue Interchange as constructed per the landscape as-built plans and specifications.

Total duration of contract is anticipated to be 51 months including approximately one month to initiate the work and two months for closeout. EEP is anticipated to begin in August 2019 and conclude in September 2023.

CONSULTANT shall provide qualified landscape inspection personnel to perform a wide variety of maintenance management, inspection and contract administration duties as outlined in this Scope of Services for the Project.

The SBCTA Project Manager (“Designee”) for this contract will be:

Mr. Tim Kirkley, SBCTA Construction Manager

The CONSULTANT shall report to and receive direction from SBCTA through the SBCTA Project Manager, or his designees. The SBCTA Project Manager is responsible for oversight of all SBCTA construction activities and for directing the efforts of the total construction team. He/she will be the main contact and primary source of information between SBCTA, Caltrans, cities, outside agencies, supporting consultants and the public.

B. PERFORMANCE REQUIREMENTS

Landscape Maintenance Management: CONSULTANT shall furnish personnel to serve in the following roles: Project Manager, Resident Engineer, Licensed Landscape Architect, Office Engineer and Field Inspection. Personnel can serve multiple roles. Proven staffing efficiency is critical. The Project Manager shall coordinate CONSULTANT operations with SBCTA. The Project Manager shall be responsible for all matters related to CONSULTANT personnel and operations. The Project Manager may also serve as the Resident Engineer and the licensed landscape architect. The Resident Engineer shall be a civil engineer licensed in the State of California and will be responsible for contract administration activities. The Resident Engineer may also serve as the licensed Landscape Architect. The Resident Engineer shall direct and coordinate maintenance activities under this contract. Other Assistant Resident Engineers may be assigned to each specific project responsibilities as needed. It is desirable that the Project Manager and/or Resident Engineer also be a licensed Landscape Architect.

The number of CONSULTANT personnel assigned to the project will vary throughout the duration of the contract. CONSULTANT personnel will be assigned, in varying levels of responsibility, as needed by the CONSULTANT to meet the project schedule, project requirements, and construction activities.

Resumes of personnel must be submitted to SBCTA for review and approval prior to assignment to the Project. SBCTA and CONSULTANT will jointly determine the quality and quantity of services that are required by CONSULTANT personnel. Personnel selected for assignment by CONSULTANT shall be made available for personal interviews prior to acceptance by SBCTA.

If, in the opinion of SBCTA, an individual lacks adequate experience, the individual may be rejected or may be accepted on a trial basis until such time the individual's ability to perform the required services has been demonstrated. If, at any time, the performance of CONSULTANT personnel is unsatisfactory to SBCTA, SBCTA may release him/her by written notice and may request another qualified person be assigned.

If CONSULTANT personnel are on leave of absence, the Project Manager shall provide approved, equally qualified replacement personnel until the assigned personnel returns to the Project.

The typical workday includes all hours worked by the maintenance Contractor. If necessary, overtime for CONSULTANT personnel may be required. The maintenance Contractor's operations may be restricted to specific hours during the week, which shall become the normal workday for CONSULTANT personnel. On days when work is not performed by the maintenance contractor, such as rainy or unsuitable weather days, CONSULTANT services will not be provided unless authorized by the SBCTA Project Manager. The Project Manager, with concurrence from SBCTA, shall have the authority to increase, decrease, or eliminate CONSULTANT personnel work hours dependent on the schedule and requirements of the maintenance Contractor. From time to time, overtime may be required. However, all overtime required by CONSULTANT personnel shall be approved and authorized by SBCTA prior to each occurrence.

CONSULTANT personnel shall be knowledgeable of and comply with all applicable local, state, and federal regulations. CONSULTANT personnel shall cooperate and consult with SBCTA, State, and City officials during the course of the Project. CONSULTANT personnel shall perform duties as may be required to assure that maintenance is being performed in accordance with the Project plans and specifications. CONSULTANT personnel shall keep accurate and timely records and document all work performed by the Contractor and CONSULTANT.

CONSULTANT shall monitor for Contractor's compliance with the labor standards provisions of the projects and the related wage determination decisions of the Secretary of Labor.

CONSULTANT personnel shall assist SBCTA and local agencies in obtaining compliance with the safety and accident prevention provisions of the projects. Local agencies will retain jurisdictional control for traffic control.

All services required herein shall be performed in accordance with California Department of Transportation guidelines, regulations, policies, procedures, manuals, and standards, except as noted in the special provisions.

C. DUTIES AND RESPONSIBILITIES

1. Pre Award Services

CONSULTANT shall assist SBCTA, as requested, with the following tasks:

a. Plan Review

CONSULTANT shall review contract documents prior to beginning of Landscape Maintenance. Tasks include review of plans, specifications, technical reports, the RE Pending file, and associated items in order to verify completeness and

consistency throughout the Project. At minimum, CONSULTANT shall check for potential conflicts, plant adaptability and plant testing specifications and consistency between plans and specifications.

b. Budget

CONSULTANT shall review the Project estimate and provide recommendations to SBCTA, as appropriate, to help ensure efficient utilization of funds and control of project costs.

2. Bid Process

a. Bid Documents

CONSULTANT shall assist SBCTA, as requested, with the following tasks:

1. Review of bid documents
2. Preparation of bid tabulations
3. Preparation and conduction of Pre-bid Meeting

b. Pre-construction Meetings

CONSULTANT shall assist SBCTA in conducting one or more, pre-construction meetings with all involved parties on the Project. Parties may include, but are not limited to, the Contractor, Caltrans, cities, utility companies, and developers.

c. Contract Award

CONSULTANT shall assist SBCTA, as requested, with the following tasks:

1. Review of bid for completeness and responsiveness
2. Perform bid analysis
3. Development of contractor payment schedules, and other procedural items.
4. Checking Contractor references, licenses, insurance, and sureties.
5. Coordination with prospective Contractor for award of maintenance contract(s).

All processes will be consistent with procedures outlined by the California Department of Transportation for Special Funded Programs and Local Assistance Procedure Manuals.

3. Project Administration

a. CONSULTANT shall administer project Landscape Maintenance contracts using Caltrans Construction Manual as a guideline.

b. CONSULTANT shall conduct regular project coordination meetings with Contractor, SBCTA, local agencies, and design engineer, as appropriate.

CONSULTANT shall record minutes of these meetings and status/track all resulting action items.

- c. CONSULTANT shall prepare Contractor progress payments and maintain payment records and supporting documentation. All progress payments shall be reviewed by SBCTA for approval.
- d. CONSULTANT shall provide reports as needed to comply with specific funding requirements.
- e. CONSULTANT shall establish and maintain Project records in accordance with the Caltrans Construction Manual. Project record keeping shall include, but are not limited to, correspondence, memoranda, contract documents, change orders, claims, SBCTA and engineer directives, meeting minutes, shop drawings, supplementary drawings, and requests for payment. CONSULTANT shall maintain a record of the names, addresses, and telephone and fax numbers of the Contractors, subcontractors, and principal material suppliers.
- f. CONSULTANT shall establish and maintain a filing system following the SBCTA Filing Categories using the Caltrans Construction Manual as a guideline.
- g. CONSULTANT shall monitor Contractors' Landscape Maintenance schedule on an ongoing basis and alert SBCTA to conditions that may lead to delays in completion of the Project.
- h. CONSULTANT shall prepare and submit a monthly Activity Summary Report for the Project. The activity report shall include status of SWPPP issues, RFIs, contract change orders, and notice of potential claims; maintenance activities completed, ongoing, and upcoming; status of project budget and schedule, and other highlights and critical issues.
- i. CONSULTANT shall review and ensure compliance with environmental requirements.
- j. CONSULTANT shall participate in partnering sessions with the Contractor, SBCTA, Caltrans and Local Agencies, as required.
- k. CONSULTANT shall ensure that the Project meets all provisions of the Caltrans Quality Assurance Program Manual.
- l. CONSULTANT shall review Contractors' certified payroll records and ensure compliance with the requirements of the maintenance contract.
- m. CONSULTANT shall ensure that the Project meets all provisions of the Storm Water Pollution Prevention Plan (SWPPP).
- n. CONSULTANT shall assure that the Project meets all applicable regulations of the Air Quality Management District (AQMD).

- o. CONSULTANT shall maintain redlined drawings on an ongoing basis throughout the duration of the project. Redlined drawings shall show all changes made to the original contract plans, each change identified with the name of the approver, date of change approval, and CCO number, if applicable.

4. Project Coordination

- a. CONSULTANT shall provide a minimum of one qualified Resident Engineer and as many qualified inspectors needed to effectively manage the Project.
- b. CONSULTANT Resident Engineer shall act as a prime point of contact between Contractor, SBCTA and any affected utility companies. CONSULTANT may, when requested by SBCTA, act as point of contact between design engineers, Caltrans, cities, and the public. CONSULTANT shall ensure coordination with property owners adjacent to project right-of-way to ensure timely communication regarding maintenance activities and scheduling.
- c. CONSULTANT shall maintain regular contact with SBCTA's Project Manager through daily briefings, in-person and/or by telephone.
- d. CONSULTANT shall coordinate utility relocations with utility companies and their designees, as well as the assigned utility inspector.
- e. CONSULTANT shall proactively review Project plans and special provisions for possible errors and deficiencies prior to start of any specific element and report such findings to SBCTA. Should SBCTA determine that changes are necessary; CONSULTANT shall assist in implementation and processing of change orders in accordance with contract documents and executed Cooperative Agreement with Caltrans.
- f. CONSULTANT shall provide all required monitoring, coordination and tracking of contractor progress to ensure the Project proceeds on schedule and according to the order of work in the plans and special provisions. CONSULTANT shall expedite work, as required, to maintain schedule in conjunction with the overall SBCTA maintenance program.
- g. CONSULTANT shall coordinate review of shop drawings and Requests for Information (RFI) with the SBCTA Project Manager, or his designee. CONSULTANT shall log and track all submittals and requests.
- h. CONSULTANT shall coordinate the implementation of any changes with the SBCTA Project Manager, or his designee, and the design engineer. CONSULTANT shall coordinate all Project maintenance activities with other on-going projects within and adjacent to the Project limits.
- i. CONSULTANT shall review the project for permit compliance and coordinate with SBCTA and Caltrans Landscape Construction Oversight to ensure that necessary permits are obtained. CONSULTANT shall assist SBCTA in the coordination, timely processing and verification of approval for all permits. CONSULTANT shall maintain permits and permit documentation on site.

5. Landscape Maintenance Inspection

- a. CONSULTANT shall coordinate all required inspections necessary for the Project. CONSULTANT shall ensure that appropriate State and local agencies are notified and present as required throughout the Project. CONSULTANT shall notify SBCTA immediately regarding any directives, recommendations, notices, etc. received from agencies other than SBCTA.
- b. CONSULTANT shall perform on-site observations of the progress and quality of the Landscape Maintenance, as needed, to determine if the work being performed is in general conformance with the contract documents applicable laws, codes, and ordinances.
- c. CONSULTANT shall establish and maintain cooperative relations with those contacted during the course of work and be able to communicate effectively, both orally and in writing. Except as otherwise directed by the SBCTA Project Manager, all written, project related correspondence prepared by CONSULTANT shall be issued on CONSULTANT's letterhead and not on SBCTA's letterhead.
- d. CONSULTANT shall exercise reasonable care and diligence to discover and promptly report to SBCTA any and all defects or deficiencies in the materials or workmanship used in the Project.
- e. CONSULTANT personnel assigned to the Project shall be thoroughly familiar with Caltrans Standard Specifications, Caltrans Standard Plans, Caltrans Erosion Control and Highway Planting requirements, and safety standards. CONSULTANT personnel shall have the ability to read and interpret construction plans and specifications. CONSULTANT personnel shall also have knowledge of State of California Construction Safety Orders (CalOSHA) and traffic control practices as specified in the Work Area Traffic Control Handbook (WATCH). In addition, CONSULTANT personnel shall be familiar with the construction requirements of the California State Water Resources Control Board (SWRCB) and the Caltrans' Storm Water Pollution Prevention Program.
- f. Assignments to be performed by CONSULTANT personnel shall include, but are not limited to, the following:
 1. Subgrade inspection, quantity calculations, checking grade and alignment, construction traffic control, soil amendments and plant material identification & quality control, hardscape inspection, trenching & irrigation inspection and duties that may be required to determine that landscape maintenance of the Project is being performed in accordance with the contract documents.
 2. Identifying actual and potential problems associated with the Project and recommending sound solutions. Inspection personnel should be capable of identifying common plant diseases and/or pests together with their

respective eradication techniques, directing plant adaptability requirements, and recognizing proper planting and pruning techniques.

3. Schedule sampling and testing of construction materials in accordance with Caltrans procedures.
4. Maintaining awareness of safety and health requirements. Monitoring Contractors' compliance with applicable regulations and construction contract provisions for the protection of the public and Project personnel.
5. Preparing complete and accurate daily reports, calculations, project records, payment quantity documents, reports, and correspondence related to Project activities.
6. Preparing Landscape Construction sketches, drawings, and cross-sections, as necessary, including a registered Landscape Architect seal on drawings as may be required by approving agencies.
7. Assisting in the preparation of as-built plans.
8. Providing inspections for environmental compliance.
9. Maintaining awareness of water discharge requirements. Monitoring Contractors' compliance with applicable regulations and construction contract provisions.
10. Maintaining awareness of water conservation measures and monitoring Contractor's compliance with local ordinances and other regulations regarding water use.
11. Monitoring Contractors' compliance with applicable regulations required by AQMD and SWRCB.
12. Other duties as may be required or reasonably requested.

6. Cost and Schedule

- a. CONSULTANT shall monitor and track the following:
 1. Contract pay item quantities and payments
 2. Contract change orders
 3. Supplemental work items
 4. Agency furnished materials
 5. Contingency balance
 6. Project budget
- b. CONSULTANT shall review and monitor Contractor's schedule and inform SBCTA of any significant changes or deviations in the schedule.

- c. CONSULTANT shall provide and maintain a Project staffing plan of field office personnel based on the Contractor submitted baseline schedule update. In cooperation with SBCTA, the staffing plan shall be periodically updated to reflect Project progress and needs.

7. Contract Change Orders and Claims

- a. CONSULTANT shall receive and evaluate requests for changes and/or substitutions by the Contractor. Contract Change Orders submitted to SBCTA shall be accompanied by CONSULTANT recommendations. Where applicable, CONSULTANT shall convey proposed changes to design engineer, or other project consultants. If the requested changes are accepted, CONSULTANT shall negotiate and prepare appropriate Contract Change Orders.
- b. CONSULTANT shall attempt to avoid all unnecessary Contract Change Orders. When a Contract Change Order is necessary, CONSULTANT shall consult with SBCTA prior to its preparation. Unless directed otherwise by SBCTA, the preferred method of payment for Contract Change Orders should be as follows
 - 1. Agreed Price.
 - 2. Adjustment in compensation to a bid item.
 - 3. Time and materials or Force Account.

CONSULTANT shall perform force account analysis to validate cost submitted by the Contractor for contract change orders with agreed unit price, lump sum price, and adjustment in components. Analysis shall be based on realistic production and resource needs to complete the work.

- c. CONSULTANT shall attempt to identify all potential claims, track and monitor unresolved claims. The CONSULTANT shall implement appropriate claims avoidance processes where in the best interests of SBCTA as determined by SBCTA's Construction Manager.
- d. CONSULTANT shall assist SBCTA, as requested, in the identification, resolution, and final disposition of claims filed by the Contractor or third parties against SBCTA or the Project.

8. Safety

In addition to the requirements specified elsewhere in this contract, the following shall also apply:

- a. CONSULTANT shall implement and conduct a comprehensive safety program including regular tail-gate safety meetings for CONSULTANT personnel. CONSULTANT shall provide SBCTA with monthly status of safety reports.
- b. CONSULTANT shall comply with State of California Construction Safety Orders and provisions of the Caltrans Construction Manual.

- c. CONSULTANT shall provide appropriate safety training for all CONSULTANT field personnel.
- d. CONSULTANT shall provide all necessary safety equipment as required for CONSULTANT personnel.

9. Project Close Out

- a. CONSULTANT shall prepare a list of items to be completed and/or corrected by the Contractor for final completion of the Project.
- b. CONSULTANT shall oversee the consolidation of all as-built information collected during the course of work on the project for the final preparation and formal submittal to SBCTA, including Irrigation drawings and SWPPP provisions as applicable.
- c. CONSULTANT shall review and certify completeness of as-built drawings to the extent of CONSULTANT's knowledge.
- d. CONSULTANT shall prepare and deliver to SBCTA a complete set of "As-Built" plans (hard copy and electronic formats) in accordance with CALTRANS' then current CADD User's Manual, Plans Preparation Manual, and CALTRANS practice.
- e. CONSULTANT shall conduct a final walk-through with SBCTA, Caltrans Landscape Construction Oversight, Local Agencies, Contractors and Caltrans Maintenance.
- f. CONSULTANT shall prepare final maintenance reports including the Project Completion Report.
- g. CONSULTANT shall prepare and deliver to SBCTA all project files.
- h. CONSULTANT shall assist SBCTA and Contractor in obtaining final release of all project permits.

D. DELIVERABLES

- 1. Inspector daily reports, extra work diaries and Resident Engineer's (and Landscape Architect's) daily diaries.
- 2. Monthly Project Activity Summary Reports.
- 3. Monthly Contractor progress payments, back-up documentation, and Contractor payment records.
- 4. Contractor final payment documents, delivered to SBCTA no later than ten (10) working days after acceptance by SBCTA of the completed maintenance project.
- 5. Project Completion Report.

6. All project files, project reports, correspondence, memoranda, shop drawings, project logs, change order data, claims and claim reports, and Contractor payment records.
7. Certified payrolls and fringe benefit statements for all employees, CONSULTANT and Contractor, who are subject to the State and/or Federal prevailing wage rates.

E. EQUIPMENT AND MATERIALS TO BE PROVIDED BY CONSULTANT

1. CONSULTANT shall provide all necessary equipment including software, materials, supplies, miscellaneous tools, and safety equipment required for its personnel to perform the services accurately, efficiently, and safely. Only those items listed in Attachment B, CONSULTANT Cost Proposal, shall be reimbursed by SBCTA.
2. CONSULTANT personnel shall be provided with vehicles suitable for the location and nature of the work involved. Vehicles shall be equipped with locking tool boxes and detachable flashing yellow lights.
3. CONSULTANT personnel shall be provided with a mobile radio, cellular phone, or other means to help assure full-time communication. If a radio system is to be used, CONSULTANT shall provide a base station at the field office.
4. CONSULTANT personnel shall be provided with all applicable project plans, specifications, and appropriate standards (see item G below).

F. MATERIALS TO BE FURNISHED BY SBCTA

1. SBCTA will provide copies of all Project Landscape Maintenance documents including plans, special provisions, reports, designer prepared resident engineer files, and contracts.
2. SBCTA will provide copies of all previously secured permits and Project authorizations.
3. SBCTA will provide copies of all electronic design files for use in development of As-built plans.

G. STANDARDS

All inspection and contract administration shall be in accordance with the Project bid documents, special provisions, plans, and current Caltrans manuals including:

1. Construction Manual and its revisions.
2. Quality Assurance Program Manual.
3. Manual of Uniform Traffic Control Devices (MUTCD) and MUTCD California Supplement.
4. Caltrans Standard Specifications and Standard Plans.

5. Caltrans Storm Water Pollution Prevention Plan (SWPPP) and Water Pollution Control Program (WPCP) Preparation Manual.
6. CALTRANS' CADD User's Manual and Plans Preparation Manual.

Work not covered by the manuals shall be performed in accordance with accepted professional standards.

The Resident Engineer and SBCTA will decide all questions which may arise as to the quality or acceptability of deliverables furnished and work performed for this contract. Any CONSULTANT employee who does not perform adequately will be replaced if directed by the SBCTA Project Manager.

H. LIMITATIONS TO AUTHORITY

CONSULTANT does not have the authority to:

1. Authorize deviations from the contract documents.
2. Approve substitute materials or equipment; except as authorized in writing by SBCTA.
3. Conduct or participate in tests or third party inspections; except as authorized in writing by SBCTA.
4. Assume any of the responsibilities of the Contractors, Contractors' Superintendent, or subcontractors.
5. Exercise control over or be responsible for maintenance means, methods, techniques, sequences, procedures, or safety precautions.
6. Communicate directly with subcontractors or material suppliers without the prior consent of the Contractor.
7. Verbally authorize or approve change orders or extra work for the Project.
8. Offer or receive incentives, inducements, or other forms of enumeration to or from the Contractor to perform services or work outside the terms of any executed contracts for this Project.

I. THIRD PARTY RELATIONSHIPS

This Contract is intended to provide unique services for a specific project. In the development of the Project, SBCTA has worked closely with various professional consultants, agencies, and others in the preparation of the maintenance documents and other Project related materials. SBCTA, however, is solely responsible for and will be the sole point of contact for all contractual matters related to the Project. CONSULTANT shall take direction **only** from SBCTA and shall regularly inform **only** SBCTA of Project progress, outstanding issues, and all Project related matters.

During the course of the Project, CONSULTANT may find occasion to meet with Caltrans, City or County representatives, the design engineer, Project consultants, or other third parties who have assisted with the Project. These entities may, from time to time, offer suggestions and/or recommendations regarding the Project or elements of the Project. While SBCTA enjoys a close relationship with and has considerable confidence in the capabilities of these other parties, CONSULTANT shall not act on any suggestions, solicited or unsolicited, without obtaining specific direction from SBCTA. Unless otherwise specifically directed by SBCTA, all oral and written communication with outside agencies or consultants related to the project shall be directed only to SBCTA. Distribution of Project related communication and information shall be at the sole discretion of SBCTA representatives.

J. PROJECT SITE SAFETY

In addition to the requirements specified elsewhere in this contract, the following also will apply.

1. CONSULTANT will conform to the safety provisions of the Caltrans Construction Manual.
2. CONSULTANT's field personnel will wear white hard hats with proper suspension, orange vests with reflective tape, sleeved shirt, long pants, and leather boots with ankle support and rubber soled shoes at all times while working in the field.
3. CONSULTANT will provide appropriate safety training for all CONSULTANT's personnel, including work on and near highways.
4. All safety equipment will be provided by CONSULTANT.

K. PERSONNEL QUALIFICATIONS

The quantity and qualifications of field personnel to be assigned will be determined by the scope of the Project and the degree of difficulty of required tasks to be performed. All personnel and personnel assignments shall be subject to approval by SBCTA. While some areas of responsibility may overlap, as a guideline, CONSULTANT personnel assigned to the project shall have the following minimum qualifications:

1. Project Manager

Minimum qualifications shall be as follows:

- a. Six (6) years project management experience on similar highway Landscape Construction projects is desired.
- b. Ability to use typical computer software for word processing and preparing spreadsheets.
- c. Licensed landscape architect in the State of California is desired.
- d. Reasonably accessible to SBCTA during normal working hours.

- e. Possess a thorough understanding of Caltrans Construction Contract Administration Procedures, Caltrans Construction Practices and Procedures (for both field and office) and Caltrans Erosion Control & Highway Planting Standards.

The Project Manager will assume the following functional responsibilities:

- a. Review, monitor, train, and provide general direction for CONSULTANT personnel.
- b. Assign personnel to projects on an as-needed basis.
- c. Administer personal leave.
- d. Prepare monthly reports for delivery to SBCTA.

2. Resident Engineer

Minimum qualifications shall be as follows:

- a. Eight (8) years resident engineer experience on similar highway landscaping construction projects is desired.
- b. Licensed Professional Civil Engineer in the State of California.
- c. Licensed Landscape Architect in the State of California is desired.
- d. Certified as a Qualified SWPPP Developer or Practitioner is desired.
- e. Ability to use appropriate calculations for hydraulic analysis, piping mechanics and strengths of materials as these relate to the design, construction and operation of irrigation systems.
- f. Ability to use typical computer software for word processing and preparing spreadsheets.
- g. Reasonably accessible to SBCTA during normal working hours.
- h. Possess a thorough understanding of Caltrans Construction Contract Administration Procedures, Caltrans Construction Practices and Procedures (for both field and office) and Caltrans Erosion Control & Highway Planting Standards.
- i. Ability to work independently, make effective decisions concerning construction work in progress and solve field problems.
- j. Possess a thorough understanding of all local regulatory requirements pertaining to the Storm Water Pollution Prevention Plan (SWPPP) and the

National Pollution Discharge Elimination System (NPDES) as they relate to highway Landscape Construction projects.

- k. Possess a thorough understanding of local ordinances and other regulations regarding water use and water conservation measures as related to landscape irrigation.
- l. Possess general knowledge of common local plant diseases and pests together with respective methods and procedures used in control and eradication.

The Resident Engineer will assume the following functional responsibilities:

- a. Monitor and provide daily direction to CONSULTANT's Assistant Resident Engineers and inspection personnel.
- b. Assign field personnel to specific project tasks.
- c. Monitor and track Contractor progress.
- d. Prepare daily, weekly and monthly reports as required.
- e. Coordinate utility service installations and/or relocations with appropriate agencies and the utility inspector.
- f. Act as prime contact between SBCTA, SBCTA's Project Manager or his designee and various project Contractors.
- g. Prepare monthly reports for delivery to SBCTA.

3. Licensed Landscape Architect

- a. A minimum of four (4) years' experience on similar maintenance projects is desired.
- b. Licensed Professional Landscape Architect in the State of California.
- c. Ability to work independently, make effective decisions concerning maintenance work in progress and solve field problems.
- d. Accessible to SBCTA at all times including weekends and holidays.
- e. Certified as a Qualified SWPPP Developer or Practitioner is desired.
- f. Ability to use appropriate calculations for hydraulic analysis, piping mechanics and strengths of materials as these relate to the design, construction and operation of irrigation systems.
- g. Ability to use typical computer software for word processing and preparing spreadsheets.

- h. Reasonably accessible to SBCTA during normal working hours.
- i. Possess a thorough understanding of Caltrans Construction Contract Administration Procedures, Caltrans Construction Practices and Procedures (for both field and office) and Caltrans Erosion Control & Highway Planting Standards.
- j. Ability to work independently, make effective decisions concerning maintenance work in progress and solve field problems.
- k. Possess a thorough understanding of all local regulatory requirements pertaining to the Storm Water Pollution Prevention Plan (SWPPP) and the National Pollution Discharge Elimination System (NPDES) as they relate to highway Landscape Construction projects.
- l. Possess a thorough understanding of local ordinances and other regulations regarding water use and water conservation measures as related to landscape irrigation.
- m. Possess general knowledge of common local plant diseases and pests together with respective methods and procedures used in control and eradication.

The Landscape Architect will assume the following functional responsibilities.

- 1) Monitor and provide direction to CONSULTANT inspection personnel concerning contractor compliance with special provisions and plant maintenance.
- 2) Monitor and track Contractor progress.
- 3) Prepare daily, weekly and monthly reports as required.

4. Field Inspector

Minimum qualifications shall be as follows:

- a. Eight years (8) construction inspection experience as related to Caltrans or other major highway Landscape Construction projects or a four-year degree in the field of civil engineering or landscape architecture and four years of similar construction experience is desired.
- b. Possess general knowledge of Caltrans Erosion Control & Highway Planting Standards and construction practices, physical characteristics and properties of landscaping construction materials, and approved methods and equipment used in making physical tests of Landscape Construction materials.
- c. Possess general knowledge of hydraulic analysis, piping mechanics and strengths of materials as these relate to the design, construction and operation of irrigation systems.

- d. Possess a general understanding of local regulatory requirements pertaining to the Storm Water Pollution Prevention Plan (SWPPP) as they relate to highway Landscape Construction projects.
- e. Possess a general understanding of local ordinances and other regulations regarding water use restrictions and water conservation measures as related to landscape irrigation.
- f. Possess general knowledge of common local plant diseases and pests together with respective methods and procedures used in control and eradication.
- g. Ability to work independently, make effective decisions concerning maintenance work in progress and solve field problems.
- h. Ability to direct the efforts of subordinate inspectors.
- i. Possess a general understanding of Caltrans field and construction office procedures.
- j. Ability to use typical computer programs for word processing and preparing spreadsheets.

The Field Inspector will assume the following functional responsibilities:

- a. Assist in inspections to assure compliance with contract plans, specifications, and special provisions on all phases of construction, including commissioning of electrical irrigation controllers and other types of automatic water coverage and monitoring systems.
- b. Assist in the preparation of contract change orders, contract estimates, progress pay estimates, and other documents or reports required for the Project.
- c. Coordinate field testing of materials to monitor compliance with Project specifications and Caltrans Quality Assurance Program.
- d. Maintain accurate and timely project records. Perform quantity calculations for progress pay estimates.
- e. Perform analytical calculations such as basic earthwork, grading, profiles, and special staking procedures.
- f. Provide input for the redesign of facilities to fit existing field conditions.
- g. Monitor and track Contractor progress. Prepare daily, weekly, and monthly reports as required.

5. Office Engineer

Minimum Qualifications shall be as follows:

- a. Four years (4) construction inspection/office engineering on similar highway Landscape Construction projects is desired.
- b. Knowledge of Caltrans Office of Highway Landscaping Construction forms used to administer construction projects.
- c. Knowledge of Caltrans system of document organization.
- d. Knowledge of construction records and accounting procedures.
- e. Knowledge of documentation, procedures, and reporting for federally funded projects.
- f. Knowledge of laws and regulations governing the payment of prevailing wages.

The Office Engineer will assume the following functional responsibilities:

- a. Process monthly progress pay estimates, monthly status reports, extra work reports, and weekly statements of working days.
- b. Prepare and process contract change orders.
- c. Monitor maintenance budget and schedule.
- d. Prepare, maintain, and/or file project documents including labor and equipment records, correspondence, memoranda, meeting minutes, claims, personnel records, labor compliance reports, and daily, weekly, and monthly reports.
- e. Perform routine calculations and checking of quantities.
- f. Coordinate all office activities and functions with SBCTA representatives.

6. Materials Testing Project Manager

- a. A minimum four (4) years project management experience on a similar highway/bridge construction project is desired.
- b. Licensed Civil Engineer in the State of California.
- c. Ability to use typical computer programs including word processing and spreadsheets.
- d. The materials testing project manager will assume the following functional responsibilities:

- 1) Review, monitor, train, and provide general direction for CONSULTANT's laboratory and field personnel.
- 2) Assign personnel to projects on an as-needed basis in coordination with the Resident Engineer.
- 3) Administer personal leave, subject to approval of the Resident Engineer.
- 4) Prepare monthly reports for delivery to the Resident Engineer.
- 5) Provide direction, administration, and responsibility for Materials Certification per Caltrans Construction Manual, Section 8-01.

Material testing personnel will be certified by a California Registered Civil Engineer as being experienced and competent in the test procedures required for the work involved (and possess a current certificate of proficiency (Form MR-0111) in accordance with Quality Assurance Program Manual (Section 3-5). Independent certification of Caltrans test procedures may be performed at the discretion of the AUTHORITY Construction Manager.

7. Materials Technicians

CONSULTANT personnel provided under this contract will have a variety of skills and experience appropriate for the level of tasks to be assigned. Field personnel shall be certified by Caltrans and should have a minimum of two (2) years' experience in conducting material sampling and testing of the type required for the projects involved and possess the following additional capabilities:

- a. Have the ability to establish specific locations for appropriate tests when construction contract administration personnel are not available.
- b. Be familiar with construction practices and be fully aware of construction activities at the Project site.
- c. Have knowledge of and comply with safety and health regulations and requirements applicable to the Project.
- d. Specific qualifications for technicians are as follows:

1) CONSTRUCTION TECHNICIAN I

- a) Performs a variety of semi-skilled activities. Examples of duties assigned to this classification are:
 - i. Conducting quality control tests such as soil densities, sieve analysis tests, operation scales and inspecting spread operations.
 - ii. Sampling and transporting produced construction materials from point of application or production to testing laboratory.

b) Knowledge and Skills Required

- i. Knowledge of tools, equipment and vehicles utilized in construction.
- ii. Knowledge of standard equipment and materials used for the sampling and testing of construction material.
- iii. Knowledge of basic mathematics used in the computation of a variety of construction items.
- iv. Knowledge of record keeping, preparing of documents and reports.

2) CONSTRUCTION TECHNICIAN II

a) Performs a variety of skilled activities. Examples of duties assigned to this classification are:

- i. Inspecting minor construction items, sampling and inspection of steel reinforcement, sampling and inspection of concrete placing operation.
- ii. Collect and analyze soil samples of construction materials to determine compaction and moisture content.
- iii. Inspection and sampling of all phases of asphalt concrete and PCC paving operation, including plant inspection.
- iv. Confers with construction engineers and contractors regarding construction in progress and is conformance to specifications and construction plans.
- v. Answers questions and resolves problems.
- vi. Inspects construction in progress to ensure conformance with specification, agreements, and established requirements.
- vii. Keeps daily diary of work progress.
- viii. Prepares reports on all field inspections and submits project quantities on a daily basis.
- ix. Keeps accurate documentation for force accounts and possible claims.

b) Knowledge and Skills Required

- i. All knowledge and skills required of lower classification.
- ii. Knowledge of currently accepted methods, procedures and techniques used in highway construction inspection, survey, materials testing, and quality control equipment.
- iii. Skill in interpersonal relations as applied to contact with contractors, representatives of other governmental jurisdictions, and other AUTHORITY/Caltrans staff.

3) CONSTRUCTION TECHNICIAN III

- a) Exercises considerable independent judgment within general Caltrans standards and guidelines. Examples of duties assigned to this classification are:
 - i. Inspect Project construction on an ongoing basis to assure compliance with contract and in accordance with State and local standards.
 - ii. Perform a variety of structural material tests and inspections.
 - iii. Reviews construction plans and verified that these are in accordance with designated specifications and other requirements.
 - iv. Participates in the preparation of completed work estimates, to calculate compensation due contractor.
 - v. Examines and verifies numeric data and material specifications on project cost source documents, utilizing geometry and trigonometry calculations.
 - vi. Supervises all work activities involved in construction projects, laboratory, and quality control work.
 - vii. Recommends approval of proposed Project changes.
- b) Knowledge and Skills Required
 - i. All knowledge and skills required of lower classifications.
 - ii. Knowledge of the principles and practices of Civil Engineering as applied to the construction of state highways.
 - iii. Skill in analyzing and evaluating a wide variety of highly technical engineering data, including construction plans, field survey and quality control documents.
 - iv. Skill in interpreting and implementing Caltrans standards, policies, procedures and regulations.
 - v. Skill in interpersonal relations, as applied to contacts with contractors, representatives of other governmental jurisdictions, and other AUTHORITY/Caltrans staff.

8. Construction Surveying Project Manager

- a. A minimum four (4) years' project management experience on similar construction projects is desired.
- b. Licensed Surveyor or pre-January 1, 1982 Registered Professional Engineer in the State of California.

- c. Accessible to the Resident Engineer and AUTHORITY at all times during normal working hours as specified in this Scope of Services.
- d. Under the direction of the Resident Engineer, the Project Manager will be responsible for:
 - 1) Review, monitor, train, and provide general direction for CONSULTANT survey personnel.
 - 2) Assign personnel to projects on an as-needed basis.
 - 3) Administer personal leave, subject to approval of the Resident Engineer.
 - 4) Prepare monthly reports for delivery to the Resident Engineer.

9. Field Party Chief(s)

- a. The person(s) holding the position of Party Chief shall meet at least one of the following licensing requirements:
 - 1) A licensed Land Surveyor in the State of California.
 - 2) A pre-January 1, 1982, Registered Professional Civil Engineer in the State of California.
 - 3) An experienced surveyor who serves as chief under the direction or supervision of a person who is a licensed Land Surveyor or pre-January 1, 1982 Registered Professional Civil Engineer in the State of California. The direction or supervision shall place the supervisor in "responsible charge" of the work. "Responsible Charge" is defined in Chapter 15 of the Business and Professions Code (the Land Surveyor's Act) and Title 16, Chapter 5, of the California Administrative Code (regulations adopted by the Board of Registration for Professional Engineers and Land Surveyors).
- b. The Party Chief(s) should have a minimum two (2) years' survey experience on similar construction projects and possess the following additional capabilities:
 - 1) Thorough knowledge of construction survey practices and the ability to read and interpret plans and specifications.
 - 2) Ability to make effective decisions concerning field problems and work in progress.
 - 3) Familiarity with typical coordinate geometry computer programs.
 - 4) Familiarity with safety requirements for surveying near traffic.
- c. The Party Chief(s) will assume the following responsibilities:
 - 1) Perform construction staking services for Project construction.
 - 2) Administer day to day activities for the survey party.
 - 3) Perform analytical survey calculations for items such as grading, horizontal and vertical control, right of way, and minor in-field design.
 - 4) Maintain continuous communication with the Resident Engineer, field personnel, and construction administration staff.

10. Survey Crews

a. Qualifications for survey crew members should include the following:

- 1) A minimum of one (1) year of survey experience on similar construction projects is desired.
- 2) Fundamental knowledge of construction survey practices and the ability to read and interpret plans and specifications.
- 3) Ability to assist Party Chiefs and office personnel in all required surveying work.
- 4) One survey crew member must have the ability to assume temporary leadership of the survey party in the absence of the Party Chief.

b. Under the direction of the Resident Engineer and the Party Chief, the survey crew members will assume the following responsibilities:

- 1) Perform basic calculations to support construction staking.
- 2) Maintain continuous communication with Party Chiefs and office personnel.

Minute Action

AGENDA ITEM: 12

Date: July 10, 2019

Subject:

Mt. Vernon Viaduct Federal Highway Bridge Program Construction High Cost Agreement

Recommendation:

That the Board, acting as the San Bernardino County Transportation Authority:

Authorize the Board President to approve and execute Contract No. 19-1002231 with the California Department of Transportation upon General Counsel's final approval as to form, for funding reimbursement for the Construction phase of the Mt. Vernon Viaduct project, where San Bernardino County Transportation Authority will be responsible for the initial funding of the phase, with repayment of 88.53% of the costs from the Federal Highway Bridge Program anticipated to start in Federal Fiscal Year 2024/2025, at a planned not-to-exceed amount of \$20 million per year.

Background:

The Mt. Vernon Viaduct project proposes to demolish the existing bridge in the City of San Bernardino (City) which spans over Metrolink and BNSF rail lines as well as a BNSF intermodal facility. A new bridge built to current standards will be designed and constructed as part of this contract. San Bernardino County Transportation Authority (SBCTA) is currently in the procurement phase for a Design-Build (DB) contractor for this project. Final proposals are due in mid-July, and it is anticipated a contract will be brought forward to the Board for approval by late summer/early fall.

The project is funded primarily by the Federal Highway Bridge Program (HBP), which is administered by the California Department of Transportation (Caltrans). The HBP reimburses eligible costs at 88.53% of the total, with the balance expected to come from local match sources, currently anticipated to be from the BNSF project contribution of \$29.5 million. As the anticipated cost of the construction phase is currently estimated at around \$100 million, a High Cost Agreement (HCA) with the Local Agency is required by HBP. Any project phase over \$20 million requires this agreement and the program is limited to reimburse only up to \$20 million per year, per project. Since there are multiple projects being funded by the Program, these agreements provide an anticipated reimbursement schedule for the project phase which spans out a number of years.

On January 9, 2019, the Board approved a similar agreement for the project Right-of-Way (ROW) phase, as that phase was also over \$20 million. The HCA and this proposed agreement for construction follow a standard template that consists of a form letter to the Local Agency, in this case SBCTA, with a commitment by Caltrans to fund the project through reimbursement over a specified schedule per an attached funding sheet. For this HCA, staff has drafted the anticipated funding sheet and submitted it to Caltrans for review and incorporation into the HCA. Once final agreement on the funding and cash flow is achieved between Caltrans and SBCTA, a final HCA with a completed form letter and cash flow/reimbursement plan will be completed and ready for execution by both agencies. Since this process could take a month or two, and this agreement must be executed in conjunction with our request for Federal HBP funds this summer, staff is requesting the Board authorize the Board President to execute the final agreement.

Entity: San Bernardino County Transportation Authority

Board of Directors Agenda Item

July 10, 2019

Page 2

The agreement would be substantially in the same form as attached, similar to what was used for the ROW phase. The cash flow/reimbursement that is attached would also remain largely unchanged. Both would receive final approval as to form by SBCTA General Counsel prior to being signed by the Board President. This will facilitate timely execution of the agreement.

The current estimated costs for the construction phase are higher than in the existing cooperative agreement with the City (Agreement No. 16-1001477); however, the construction costs are anticipated to be paid by HBP and BNSF contribution funds. The City share of Measure I arterial funds and the City share of developer fees for the overall project are allocated to the other phases of the project and are still anticipated to be within the limits set in the agreement.

Financial Impact:

This item is consistent with the Fiscal Year 2019/2020 Budget under Task No. 0860 Arterial Projects, Sub-Task No. 0827 Mount Vernon Viaduct.

Reviewed By:

This item was reviewed and recommended for approval (13-0-0) without a quorum of the Board present at the Board of Directors Metro Valley Study Session on June 13, 2019. SBCTA General Counsel has reviewed this item and the draft agreement.

Responsible Staff:

Paula Beauchamp, Director of Project Delivery and Toll Operations

Approved
Board of Directors
Date: July 10, 2019

Witnessed By:

Contract No:	<u>19-1002231</u>	Amendment No.:	<u> </u>	Sole Source?	<u>N/A</u>
Vendor No.:	<u>00450</u>	Vendor/Customer Name:	<u>Caltrans</u>		
Description:	<u>High Cost Agreement for Mt. Vernon Viaduct-Construction Phase</u>				
Estimated Start Date:	<u>07/10/2019</u>	Expiration Date:	<u>07/04/2024</u>	Revised Expiration Date:	<u> </u>
List Any SBCTA Related Contracts Nos.:	<u>18-1001825, 16-1001477</u>				

Contract Authorization				
Board of Directors	Date:	07/10/2019	Board	Item # 5860

MOU/COOP/JPA	MOU/COOP/JPA/Zero Dollar Contracts	N/A
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[illegible]

Additional Notes:

DEPARTMENT OF TRANSPORTATION**DISTRICT 8 OFFICE OF LOCAL ASSISTANCE**

464 W. Fourth Street
 SAN BERNARDINO, CA 92401
 www.dot.ca.gov/d08



*Making Conservation
 a California Way of Life.*

April 4, 2019

Ms. Paula Beauchamp
 Director of Project Delivery
 San Bernardino County Transportation Authority
 1170 W. 3rd Street
 San Bernardino, CA 92410-1715

FTIP/FSTIP ID: SBD31905
 Federal Aid Project Number: 6507(003)
 Project Description: Replace the Mt. Vernon
 Avenue Bridge (54C0066) over
 the BNSF Railway

Dear Ms. Beauchamp,

The purpose of this letter is to commit the California Department of Transportation (Department) to fund the replacement of the Mt. Vernon Avenue Bridge (54C0066) over the Burlington Northern Santa Fe (BNSF) Railway construction project (Project) consistent with the attached draft project funding sheet. The Department requests the San Bernardino County Transportation Authority (Agency) to concur with this proposal and commit local resources to allow the Department to produce a new financially constrained Highway Bridge Program (HBP) list for the San Bernardino County Transportation Authority (SBCTA) region. SBCTA will then incorporate the revised Program list into the Federal Transportation Improvement Program (FTIP).

The Department, in cooperation with the Local Highway Bridge Program (HBP) Advisory Committee (California Streets & Highway Code Section 2413), has implemented a policy to fund high cost bridge projects. Members of Local HBP Advisory Committee include the Department (Chair), representatives from the League of California Cities, the California State Association of Counties, the California Association of Councils of Governments, California Transportation Commission staff, and the Federal Highway Administration.

It has been demonstrated that high cost projects commit large sums of federal funds but cannot spend the funds in one year due to local agency contract processes, time to mobilize the contractors and the time it takes to actually construct large projects. These idled federal funds could be used to advance other projects. Cash management is critical to effective stewardship of the local HBP.

This letter implements the cash management policy for the Project. The Project is subject to the high cost policy because the Right of Way and Construction phases exceed \$20 million.

The Department's funding commitments, as shown in the attached draft project funding sheet, are conditional. The conditions are as follows:

"Provide a safe, sustainable, integrated and efficient transportation system to enhance California's economy and livability"

Attachment: MVV HCA CON 5-30-19 (5860 : Mt. Vernon Viaduct - HBP High Cost Agreement)

Ms. Paula Beauchamp
 April 4, 2019
 Page 2

FTIP/FSTIP ID: SBD31905
 Federal Aid Project Number: 6507(003)
 Project Description: Replace Mt. Vernon Avenue
 Bridge (54C0066) over the BNSF Railyard

1. Agency is responsible for committing (budgetary) non-federal fund sources to fund the Advance Construction (AC) to cash flow the high cost phase of the Project.
2. AC conversion may not be automatic if there are delays in constructing the Project. At least 50% of the federal funds obligated on the Project must be reimbursed to justify future programmed AC conversion.
3. HBP Guidelines authorizes the Department to reserve current year HBP funds for projects programmed in that current year through March 30th. After March 30th, the Department redirects the HBP funds to other projects that may be advanced from future years of the FTIP. Current year programmed AC conversion must be obligated prior to March 30th.
4. Additional AC conversion may be obligated in Federal Fiscal Years 19/20, 20/21, and 21/22 using Expedited Project Selection Procedures (EPSP), if HBP funds are available after April 15th of each year.
5. Congress has authorized a four year transportation act which provides federal funding through Federal Fiscal Year 19/20. It is unknown what the State's authority to commit and/or obligate future HBP funds will be until there is either another new act or an extension to the current act.
6. If the federal funds for the initial authorization of the ^{CONSTRUCTION} ~~Right of Way~~ phase shown in the attached draft project funding sheet is not obligated in the year programmed, the Agency must commit additional local AC resources on the project in the following year to ensure the Project is fully funded or the project must be removed from the 4 year element of the FTIP until the next FTIP cycle. In either case, the funding commitment in this letter will be vacated and a new letter must be developed.
7. In the event the Project becomes inactive, the funding commitment in this letter may be vacated and a new letter must be developed. An "inactive project" is a project for which no expenditures have been charged against federal funds for the past 12 months. (23CFR630.106(a)(5))
8. Nothing in this letter can be considered a payable contractual commitment by the Department. Contractual commitments to the Agency are made through the procedures/processes defined in the Local Assistance Procedures Manual.

Other Recommendations:

9. The Agency is advised to ensure HBP funds are obligated prior to March 30th of any given year or risk losing programmed funds. It is recommended the Agency schedule project authorizations and AC conversions in the late fall of any given year to ensure federal funds are available.

"Provide a safe, sustainable, integrated and efficient transportation system to enhance California's economy and livability"

Attachment: MVV HCA CON 5-30-19 (5860 : Mt. Vernon Viaduct - HBP High Cost Agreement)

Ms. Paula Beauchamp
April 4, 2019
Page 3

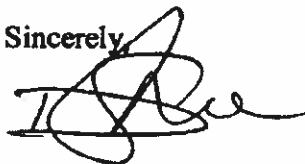
FTIP/FSTIP ID: SBD31905
Federal Aid Project Number: 6507(003)
Project Description: Replace Mt. Vernon Avenue
Bridge (54C0066) over the BNSF Railyard

10. This letter, returned to the District Local Assistance Engineer, with Agency approval signature (below) may be used in lieu of the submittal of Exhibit 3-I, Request for Local Advance Construction Authorization, from the Local Assistance Procedures Manual.
11. The local agency is further reminded that this project is subject to mandatory value analysis since the total project cost is in excess of \$40 million. The total project costs greater than \$100 million, additional federal oversight will be required such as a multi-year financial plan and other project specific federally mandated oversight.

The Department requests the Agency to commit their local resources consistent with this proposal to allow the Department to produce a new financially constrained bridge program list for the SBCTA region.

If you have questions, please contact me at (909) 806-4759 or Vu Ngo of my staff at (909) 806-3938.

Sincerely,



David Lee
D8 District Local Assistance Planner

Enclosures

- (1) Local Agency AC Commitment Block
- (2) Draft Project Funding Sheet

Attachment: MVV HCA CON 5-30-19 (5860 : Mt. Vernon Viaduct - HBP High Cost Agreement)

Ms. Paula Beauchamp
 April 4, 2019
 Page 4

FTIP/FSTIP ID: SBD31905
 Federal Aid Project Number: 6507(003)
 Project Description: Replace Mt. Vernon Avenue
 Bridge (54C0066) over the BNSF Railyard

Local Agency AC Commitment Block
 6507(003)

The Agency agrees to use local funds in lieu of federal funds to finance the cost of work as shown in the attached draft project funding sheets shown as LOCAL FUNDED AC until such time that federal funds become available for obligation and subsequent reimbursement of eligible work. It also is understood that federal reimbursement is not guaranteed for funds identified as LOCAL FUNDED AC.

The Agency understands that work performed prior to federal authorization is ineligible for federal reimbursement and that advertising the construction contract prior to federal authorization will deem the construction and construction phases of work ineligible for federal funds.

 Local Agency Representative Authorized to Commit Local Funds

 Date

 Print Name and Title

Attachment: MVV HCA CON 5-30-19 (5860 : Mt. Vernon Viaduct - HBP High Cost Agreement)

[illegible]

FOR DRAFT REVIEW ONLY -- 2016/17-2021/22 Highway Bridge Program

3/27/2019, 8:01 AM

- Notes:
- 1) MPOs/RTPA's must not use this listing for programming the RTIP.
 - 2) This is NOT an approved listing for use in developing the FTIP/FSTIP. See the HBP web site for the official proposed FTIP/FSTIP program listings:

http://www.dot.ca.gov/hq/LocalPrograms/hbr99/HBP_FSTIP.html

Note id: 18

Minute Action

AGENDA ITEM: 13

Date: July 10, 2019

Subject:

Award of Contracts for On-Call Planning/Consultant Services

Recommendation:

That the Board, acting as the San Bernardino County Transportation Authority (SBCTA) and the San Bernardino Associated Governments (SBCOG):

A. Award Contract 19-1002103 to Alta Planning + Design, for On-Call Planning Services for a three year contract with two one-year options for an amount described in Recommendation G for the initial three year term.

B. Award Contract 19-1002185 to Michael Baker International for On-Call Planning Services for a three year contract with two one-year options for an amount described in Recommendation G for the initial three year term.

C. Award Contract 19-1002186 to Fehr & Peers for On-Call Planning Services for a three year contract with two one-year options for an amount described in Recommendation G for the initial three year term.

D. Award Contract 19-1002187 to Cambridge Systematics for On-Call Planning Services for a three year contract with two one-year options for an amount described in Recommendation G for the initial three year term.

E. Award Contract 19-1002188 to HDR Engineering for On-Call Planning Services for a three year contract with two one-year options for an amount described in Recommendation G for the initial three year term.

F. Award Contract 19-1002189 to Dudek for On-Call Planning Services for a three year contract with two one-year options for an amount described in Recommendation G for the initial three year term.

G. Approve a total not-to-exceed amount of \$1,195,000 (\$750,000 Planning & \$445,000 Council of Governments) for Alta Planning + Design (19-1002103), Michael Baker International (19-1002185), Fehr & Peers (19-1002186), Cambridge Systematics (19-1002187), HDR Engineering (19-1002188), and Dudek (19-1002189).

Background:

The Planning Department is involved in various programs that carry out the continuing responsibilities of SBCTA and SBCOG to prepare key planning documents that provide the framework for transportation and sustainability program delivery. Examples include the Countywide Transportation Plan, Measure I Strategic Plan, and Long Range Transit Plan. Corridor-level and subarea level plans or other modal plans (e.g., the Non-Motorized Transportation Plan) are also part of the department's work. As the Planning Department carries out its work plans and programs, the department sometimes requires transportation, Council of Governments (COG), sustainability and land use planning consultant support.

Entity: San Bernardino Council of Governments, San Bernardino County Transportation Authority

On February 28, 2019, SBCTA released a Request for Proposals (RFP) 19-1002103 to select and obtain qualified firms to assist in these activities related to comprehensive planning at the regional and county levels, including compiling and maintaining planning and monitoring data, supporting ongoing congestion management, travel demand modeling, growth analysis, focused transportation study efforts, sustainability programs, and grant applications. It was the intention of the Planning Department, subject to approval by the Board, to have the selected bench of firms under contract by July 10, 2019. The following is a summary of the selection process.

Selection Process

RFP 19-1002103 was sent electronically to approximately 358 consultants registered on Planet Bids and downloaded by 68 firms. The solicitation was issued in accordance with current SBCTA policies and procedures for Consultant Services. The RFP was posted on SBCTA's website. Addendum No. 1 was issued on March 18, 2019, responding to questions received prior to the submittal deadline.

The Procurement Department received 11 proposals by the date and time specified in the RFP. A responsiveness review was conducted by the Procurement Analyst and found all 11 proposals to be responsive. The following is a summary of the evaluation and selection process.

Summary of Evaluation Process:

On March 26, 2019, the proposals were disseminated to all evaluation committee members. A copy of the Score Sheets and the Declaration of Impartiality and Confidentiality form was also distributed to the committee members. The Evaluation Committee was comprised of 5 SBCTA and SBCOG staff.

Evaluation Committee Meeting:

On April 3, 2019, the Evaluation Committee members concluded their individual review of the proposals and convened to review, discuss and score the proposals. The Evaluation Committee discussed each proposal according to the evaluation criteria, including the proposals' strengths and weaknesses. At the completion of discussions, the committee members individually scored the proposals based on the following evaluation criteria: Qualifications of the Firm - 40%, Proposed Staffing and Project Organization - 40%, Work Plan - 10% and Price – 10%.

Because of the scoring, the firms were ranked in order of technical merit, and a short-list was developed. The firms short-listed and invited to interview were:

Firm Name
Alta Planning + Design
Cambridge Systematics
Dudek
Fehr & Peers
HDR
Iteris
KOA Corporation
Michael Baker International
Raimi + Associates

Minor variances in the criteria scores were noted and discussed. Full detail of the scores is included in the Contract Audit File.

Evaluation Committee Recommendation

The final selection was made based on firms who interviewed for each category as listed below. Because of the broadness of the Planning/COG profession, different topical categories had to be created in order to select the best firm that specializes in each categorical area. The following is the list of the firms per category as determined by the combined scores of the proposal evaluation and interviews:

Category	Firm Name
Active Transportation Program	Alta Planning + Design
	Fehr & Peers
	Michael Baker International
Transportation Modeling	Cambridge Systematics
	Fehr & Peers
Transportation Planning	HDR
	Cambridge Systematics
	Fehr & Peers
Sustainability Planning	Dudek
	Michael Baker International
General SBCTA Staff Support	HDR
	Michael Baker International
General SBCOG Activities	Michael Baker International
	Fehr & Peers

Based on their knowledge of the services, experience and staff, 6 of the 9 firms that were interviewed are being selected.

As a result of the scoring, the evaluation committee recommends that the contract to perform the scope of work as outlined in the Request for Proposals 19-1002103, be awarded to Alta Planning + Design, Michael Baker International, Fehr and Peers, Cambridge Systematics, HDR Engineering, and Dudek. The firms clearly demonstrated a thorough understanding of the scope of work and proposed an overall solid team. Evaluation forms and reference checks are located in the Contract Audit File.

Some of the firms submitted contract exceptions as part of their proposal. SBCTA's General Counsel and Risk Manager reviewed the contract exceptions submitted and have given their input. The contracts are currently being reviewed by each firm and all contract exceptions should be resolved by the time this agenda item goes to the July 10, 2019 SBCTA Board of Directors Meeting.

On April 11, 2019 SBCTA/SBCOG opened negotiations with Raimi + Associates regarding the insurance requirements. As part of the negotiations, the firm decided to withdraw from participating in the project, stating that the insurance requirements produced a significant cost burden for the firm. Even with some financial assistance offered by SBCTA/SBCOG, the firm

Board of Directors Agenda Item

July 10, 2019

Page 4

stated that the increase did not mitigate the increased cost burden. Unable to arrive on a cost that was agreeable to SBCTA/SBCOG and Raimi + Associates, both parties arrived at a mutual agreement that negotiations were not successful as stated in the Notice of Intent to Award dated April 10, 2019. As a result, the negotiations with Raimi + Associates were concluded.

Due to unsuccessful negotiations with Raimi + Associates, SBCTA has removed the contract associated with the firm and also removed the healthy communities category from the award list. Staff has determined that projects related to healthy communities can be incorporated into either active transportation or sustainability planning categories.

As noted in the contract, the total not-to-exceed amount for all Contract Task Orders (CTOs) issued to consultants is \$1,195,000 (\$750,000 Planning and \$445,000 COG) for the initial three year term. It is important to note that Planning and COG have always budgeted and utilized similar amounts in the past for consultant services, but this is the first time an RFP was released for specific planning and COG activities as categorized above. Also, subsequent to the approval of this item, staff will release CTOs that are consistent with the categories identified above, and the firms that are selected for that specific category will be able to submit a proposal.

Financial Impact:

This item is consistent with the adopted Fiscal Year 2019/2020 budget.

Reviewed By:

This item was reviewed and unanimously recommended for approval by the General Policy Committee on June 12, 2019. SBCTA's General Counsel, Procurement Manager and Risk Manager have reviewed this item and the draft contracts.

Responsible Staff:

Steve Smith, Director of Planning

Approved
Board of Directors
Date: July 10, 2019

Witnessed By:

San Bernardino Council of Governments
San Bernardino County Transportation Authority

General Contract Information

Contract No: 19-1002103 Amendment No.: _____ Sole Source? No

Vendor No.: 03506 Vendor/Customer Name: Alta Planning + Design

Description: SBCTA/SBCOG Planning On-Call Services

Estimated Start Date: 07/10/2019 Expiration Date: 06/30/2022 Revised Expiration Date: _____

List Any SBCTA Related Contracts Nos.: _____

Dollar Amount							
Original Contract		\$	1,195,000.00	Original Contingency		\$	-
Prior Amendments		\$	-	Prior Amendments		\$	-
Current Amendment		\$	-	Current Amendment		\$	-
Total/Revised Contract Value		\$	1,195,000.00	Total Contingency Value		\$	-
	Total Dollar Authority (Contract Value and Contingency)					\$	1,195,000.00

Contract Authorization

Board of Directors _____ Date: 07/10/2019 Board _____ Item # 5882

Contract Management (Internal Purposes Only)

Payable _____ Other Contracts _____ No Budget Adjustment _____

Accounts Payable															
Total Contract Funding:						\$	1,195,000.00		Total Contingency:				\$	-	
GL:	1035	20	0404	0000	52005	41200000	750,000.00	GL:							-
GL:	2911	01	0501	0000	52005	48007000	445,000.00	GL:							-
GL:							-	GL:							-
GL:							-	GL:							-
GL:							-	GL:							-
GL:							-	GL:							-
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GL:							-	GL:							-
GL:							-	GL:							-
GL:							-	GL:							-

Accounts Receivable												
Total Contract Funding: \$ _____ -						Reversion Date: _____						
Funding Agreement No: _____												
GL:						-	GL:					-
GL:						-	GL:					-
GL:						-	GL:					-
GL:						-	GL:					-
GL:						-	GL:					-

Josh Lee

Project Manager (Print Name)

Steve Smith

Task Manager (Print Name)

Additional Notes:

Attachment: Contract Summary Sheet Alta (5882 : Award of Contracts for On-Call Planning/Consultant Services)

General Contract Information

Contract No: 19-1002185 Amendment No.: _____ Sole Source? No

Vendor No.: 03168 Vendor/Customer Name: Michael Baker International (MBI)

Description: SBCTA/SBCOG Planning On-Call Services

Estimated Start Date: 07/10/2019 Expiration Date: 06/30/2022 Revised Expiration Date: _____

List Any SBCTA Related Contracts Nos.: _____

Dollar Amount							
Original Contract		\$	1,195,000.00	Original Contingency		\$	-
Prior Amendments		\$	-	Prior Amendments		\$	-
Current Amendment		\$	-	Current Amendment		\$	-
Total/Revised Contract Value		\$	1,195,000.00	Total Contingency Value		\$	-
	Total Dollar Authority (Contract Value and Contingency)					\$	1,195,000.00

Contract Authorization

Board of Directors _____ Date: 07/10/2019 Board _____ Item # 5882

Contract Management (Internal Purposes Only)

Payable _____ Other Contracts _____ No Budget Adjustment _____

Accounts Payable											
Total Contract Funding: \$						Total Contingency: \$					
1,195,000.00						-					
GL: 1035 20 0404 0000 52005 41200000	750,000.00					GL: 1035 20 0404 0000 52005 41200000	-				
GL: 2911 01 0501 0000 52005 48007000	445,000.00					GL: 2911 01 0501 0000 52005 48007000	-				
GL: 1035 20 0404 0000 52005 41200000	-					GL: 1035 20 0404 0000 52005 41200000	-				
GL: 2911 01 0501 0000 52005 48007000	-					GL: 2911 01 0501 0000 52005 48007000	-				
GL: 1035 20 0404 0000 52005 41200000	-					GL: 1035 20 0404 0000 52005 41200000	-				
GL: 2911 01 0501 0000 52005 48007000	-					GL: 2911 01 0501 0000 52005 48007000	-				
GL: 1035 20 0404 0000 52005 41200000	-					GL: 1035 20 0404 0000 52005 41200000	-				
GL: 2911 01 0501 0000 52005 48007000	-					GL: 2911 01 0501 0000 52005 48007000	-				
GL: 1035 20 0404 0000 52005 41200000	-					GL: 1035 20 0404 0000 52005 41200000	-				
GL: 2911 01 0501 0000 52005 48007000	-					GL: 2911 01 0501 0000 52005 48007000	-				
GL: 1035 20 0404 0000 52005 41200000	-					GL: 1035 20 0404 0000 52005 41200000	-				
GL: 2911 01 0501 0000 52005 48007000	-					GL: 2911 01 0501 0000 52005 48007000	-				
GL: 1035 20 0404 0000 52005 41200000	-					GL: 1035 20 0404 0000 52005 41200000	-				
GL: 2911 01 0501 0000 52005 48007000	-					GL: 2911 01 0501 0000 52005 48007000	-				

Accounts Receivable											
Total Contract Funding: \$						-					
Funding Agreement No: _____						Reversion Date: _____					
GL: 1035 20 0404 0000 52005 41200000	-					GL: 1035 20 0404 0000 52005 41200000	-				
GL: 2911 01 0501 0000 52005 48007000	-					GL: 2911 01 0501 0000 52005 48007000	-				
GL: 1035 20 0404 0000 52005 41200000	-					GL: 1035 20 0404 0000 52005 41200000	-				
GL: 2911 01 0501 0000 52005 48007000	-					GL: 2911 01 0501 0000 52005 48007000	-				
GL: 1035 20 0404 0000 52005 41200000	-					GL: 1035 20 0404 0000 52005 41200000	-				
GL: 2911 01 0501 0000 52005 48007000	-					GL: 2911 01 0501 0000 52005 48007000	-				

Josh Lee

Steve Smith

Project Manager (Print Name)

Task Manager (Print Name)

Additional Notes:

Attachment: Contract Summary Sheet MBI (5882 : Award of Contracts for On-Call Planning/Consultant Services)

General Contract Information

Contract No: 19-1002186 Amendment No.: _____ Sole Source? No

Vendor No.: 03005 Vendor/Customer Name: Fehr & Peers

Description: SBCTA/SBCOG Planning On-Call Services

Estimated Start Date: 07/10/2019 Expiration Date: 06/30/2022 Revised Expiration Date: _____

List Any SBCTA Related Contracts Nos.: _____

Dollar Amount							
Original Contract		\$	1,195,000.00	Original Contingency		\$	-
Prior Amendments		\$	-	Prior Amendments		\$	-
Current Amendment		\$	-	Current Amendment		\$	-
Total/Revised Contract Value		\$	1,195,000.00	Total Contingency Value		\$	-
	Total Dollar Authority (Contract Value and Contingency)					\$	1,195,000.00

Contract Authorization

Board of Directors _____ Date: 07/10/2019 Board _____ Item # 5882

Contract Management (Internal Purposes Only)

Payable _____ Other Contracts _____ No Budget Adjustment _____

Accounts Payable											
Total Contract Funding: \$						Total Contingency: \$					
1,195,000.00						-					
GL: 1035 20 0404 0000 52005 41200000	750,000.00					GL: 1035 20 0404 0000 52005 41200000	-				
GL: 2911 01 0501 0000 52005 48007000	445,000.00					GL: 2911 01 0501 0000 52005 48007000	-				
GL: 1035 20 0404 0000 52005 41200000	-					GL: 1035 20 0404 0000 52005 41200000	-				
GL: 2911 01 0501 0000 52005 48007000	-					GL: 2911 01 0501 0000 52005 48007000	-				
GL: 1035 20 0404 0000 52005 41200000	-					GL: 1035 20 0404 0000 52005 41200000	-				
GL: 2911 01 0501 0000 52005 48007000	-					GL: 2911 01 0501 0000 52005 48007000	-				
GL: 1035 20 0404 0000 52005 41200000	-					GL: 1035 20 0404 0000 52005 41200000	-				
GL: 2911 01 0501 0000 52005 48007000	-					GL: 2911 01 0501 0000 52005 48007000	-				
GL: 1035 20 0404 0000 52005 41200000	-					GL: 1035 20 0404 0000 52005 41200000	-				
GL: 2911 01 0501 0000 52005 48007000	-					GL: 2911 01 0501 0000 52005 48007000	-				
GL: 1035 20 0404 0000 52005 41200000	-					GL: 1035 20 0404 0000 52005 41200000	-				
GL: 2911 01 0501 0000 52005 48007000	-					GL: 2911 01 0501 0000 52005 48007000	-				
GL: 1035 20 0404 0000 52005 41200000	-					GL: 1035 20 0404 0000 52005 41200000	-				
GL: 2911 01 0501 0000 52005 48007000	-					GL: 2911 01 0501 0000 52005 48007000	-				

Accounts Receivable											
Total Contract Funding: \$						-					
Funding Agreement No: _____						Reversion Date: _____					
GL: 1035 20 0404 0000 52005 41200000	-					GL: 1035 20 0404 0000 52005 41200000	-				
GL: 2911 01 0501 0000 52005 48007000	-					GL: 2911 01 0501 0000 52005 48007000	-				
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GL: 1035 20 0404 0000 52005 41200000	-					GL: 1035 20 0404 0000 52005 41200000	-				
GL: 2911 01 0501 0000 52005 48007000	-					GL: 2911 01 0501 0000 52005 48007000	-				

Josh Lee

Steve Smith

Project Manager (Print Name)

Task Manager (Print Name)

Additional Notes:

Attachment: Contract Summary Sheet FP (5882 : Award of Contracts for On-Call Planning/Consultant Services)

General Contract Information

Contract No: 19-1002187 Amendment No.: _____ Sole Source? No

Vendor No.: 00604 Vendor/Customer Name: Cambridge Systematics

Description: SBCTA/SBCOG Planning On-Call Services

Estimated Start Date: 07/10/2019 Expiration Date: 06/30/2022 Revised Expiration Date: _____

List Any SBCTA Related Contracts Nos.: _____

Dollar Amount							
Original Contract		\$	1,195,000.00	Original Contingency		\$	-
Prior Amendments		\$	-	Prior Amendments		\$	-
Current Amendment		\$	-	Current Amendment		\$	-
Total/Revised Contract Value		\$	1,195,000.00	Total Contingency Value		\$	-
	Total Dollar Authority (Contract Value and Contingency)					\$	1,195,000.00

Contract Authorization

Board of Directors _____ Date: 07/10/2019 Board _____ Item # 5882

Contract Management (Internal Purposes Only)

Payable _____ Other Contracts _____ No Budget Adjustment _____

Accounts Payable																													
Total Contract Funding: \$										1,195,000.00				Total Contingency: \$										-					
GL: 1035 20 0404 0000 52005 41200000											750,000.00				GL: 1035 20 0404 0000 52005 41200000											-			
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Accounts Receivable												
Total Contract Funding: \$ -						Reversion Date:						
Funding Agreement No:												
GL: 1035 20 0404 0000 52005 41200000						-	GL: 1035 20 0404 0000 52005 41200000					-
GL: 2911 01 0501 0000 52005 48007000						-	GL: 2911 01 0501 0000 52005 48007000					-
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GL: 2911 01 0501 0000 52005 48007000						-	GL: 2911 01 0501 0000 52005 48007000					-

Josh Lee

Steve Smith

Project Manager (Print Name)

Task Manager (Print Name)

Additional Notes:

Attachment: Contract Summary Sheet Cambridge (5882 : Award of Contracts for On-Call Planning/Consultant Services)

General Contract Information

Contract No: 19-1002188 Amendment No.: _____ Sole Source? No

Vendor No.: 00982 Vendor/Customer Name: HDR

Description: SBCTA/SBCOG Planning On-Call Services

Estimated Start Date: 07/10/2019 Expiration Date: 06/30/2022 Revised Expiration Date: _____

List Any SBCTA Related Contracts Nos.: _____

Dollar Amount							
Original Contract		\$	1,195,000.00	Original Contingency		\$	-
Prior Amendments		\$	-	Prior Amendments		\$	-
Current Amendment		\$	-	Current Amendment		\$	-
Total/Revised Contract Value		\$	1,195,000.00	Total Contingency Value		\$	-
	Total Dollar Authority (Contract Value and Contingency)					\$	1,195,000.00

Contract Authorization

Board of Directors _____ Date: 07/10/2019 Board _____ Item # 5882

Contract Management (Internal Purposes Only)

Payable _____ Other Contracts _____ No Budget Adjustment _____

Accounts Payable											
Total Contract Funding: \$						Total Contingency: \$					
1,195,000.00						-					
GL: 1035 20 0404 0000 52005 41200000	750,000.00					GL: 1035 20 0404 0000 52005 41200000	-				
GL: 2911 01 0501 0000 52005 48007000	445,000.00					GL: 2911 01 0501 0000 52005 48007000	-				
GL: 1035 20 0404 0000 52005 41200000	-					GL: 1035 20 0404 0000 52005 41200000	-				
GL: 2911 01 0501 0000 52005 48007000	-					GL: 2911 01 0501 0000 52005 48007000	-				
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GL: 2911 01 0501 0000 52005 48007000	-					GL: 2911 01 0501 0000 52005 48007000	-				
GL: 1035 20 0404 0000 52005 41200000	-					GL: 1035 20 0404 0000 52005 41200000	-				
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GL: 1035 20 0404 0000 52005 41200000	-					GL: 1035 20 0404 0000 52005 41200000	-				
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GL: 2911 01 0501 0000 52005 48007000	-					GL: 2911 01 0501 0000 52005 48007000	-				

Accounts Receivable											
Total Contract Funding: \$						-					
Funding Agreement No: _____						Reversion Date: _____					
GL: 1035 20 0404 0000 52005 41200000	-					GL: 1035 20 0404 0000 52005 41200000	-				
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GL: 1035 20 0404 0000 52005 41200000	-					GL: 1035 20 0404 0000 52005 41200000	-				
GL: 2911 01 0501 0000 52005 48007000	-					GL: 2911 01 0501 0000 52005 48007000	-				

Josh Lee

Steve Smith

Project Manager (Print Name)

Task Manager (Print Name)

Additional Notes:

Attachment: Contract Summary Sheet HDR (5882 : Award of Contracts for On-Call Planning/Consultant Services)

General Contract Information

Contract No: 19-1002189 Amendment No.: _____ Sole Source? No

Vendor No.: 03053 Vendor/Customer Name: Dudek

Description: SBCTA/SBCOG Planning On-Call Services

Estimated Start Date: 07/10/2019 Expiration Date: 06/30/2022 Revised Expiration Date: _____

List Any SBCTA Related Contracts Nos.: _____

Dollar Amount							
Original Contract		\$	1,195,000.00	Original Contingency		\$	-
Prior Amendments		\$	-	Prior Amendments		\$	-
Current Amendment		\$	-	Current Amendment		\$	-
Total/Revised Contract Value		\$	1,195,000.00	Total Contingency Value		\$	-
	Total Dollar Authority (Contract Value and Contingency)					\$	1,195,000.00

Contract Authorization

Board of Directors _____ Date: 07/10/2019 Board _____ Item # 5882

Contract Management (Internal Purposes Only)

Payable _____ Other Contracts _____ No Budget Adjustment _____

Accounts Payable											
Total Contract Funding: \$						Total Contingency: \$					
1,195,000.00						-					
GL: 1035 20 0404 0000 52005 41200000	750,000.00					GL: 1035 20 0404 0000 52005 41200000	-				
GL: 2911 01 0501 0000 52005 48007000	445,000.00					GL: 2911 01 0501 0000 52005 48007000	-				
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Accounts Receivable											
Total Contract Funding: \$						-					
Funding Agreement No: _____						Reversion Date: _____					
GL: 1035 20 0404 0000 52005 41200000	-					GL: 1035 20 0404 0000 52005 41200000	-				
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GL: 2911 01 0501 0000 52005 48007000	-					GL: 2911 01 0501 0000 52005 48007000	-				

Josh Lee

Steve Smith

Project Manager (Print Name)

Task Manager (Print Name)

Additional Notes:

Attachment: Contract Summary Sheet Dudek (5882 : Award of Contracts for On-Call Planning/Consultant Services)

EXHIBIT A - SCOPE OF WORK

The **San Bernardino County Transportation Authority (SBCTA)** is the countywide transportation planning agency in San Bernardino County. San Bernardino Associated Governments, a joint powers authority, operates as the **San Bernardino Council of Governments (SBCOG)**. SBCTA serves over 2.1 million residents of San Bernardino County; SBCOG has as its membership the County of San Bernardino and all cities/towns within the county: Adelanto, Apple Valley, Barstow, Big Bear Lake, Chino, Chino Hills, Colton, Fontana, Grand Terrace, Hesperia, Highland, Loma Linda, Montclair, Needles, Ontario, Rancho Cucamonga, Redlands, Rialto, San Bernardino, Twentynine Palms, Upland, Victorville, Yucaipa, and Yucca Valley.

The Planning Department at SBCTA is involved in various programs that carry out the continuing responsibilities of SBCTA and SBCOG to prepare key planning documents that provide the framework for transportation and sustainability program delivery. Examples include the Countywide Transportation Plan, Measure I Strategic Plan, and Long Range Transit Plan. Corridor-level and subarea level plans or other modal plans (e.g., the Non-Motorized Transportation Plan) may also be prepared. These are developed through collaborative activities within and outside SBCTA/SBCOG involving comprehensive planning at the regional and county levels, compiling and maintaining planning and monitoring data, supporting ongoing congestion management, travel demand modeling, growth analysis, focused transportation study efforts, sustainability programs, and grant applications.

The goal of the department is to: Improve mobility, safety, and environmental quality by developing and coordinating plans to support SBCTA and SBCOG programs, as well as updates and amendments to the Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS), and mobile source components of air quality plans to meet State and Federal requirements.

The department also develops and coordinates countywide input on updates, revisions, refinement, policies, and other issues associated with regional plans, for congested corridors, freight, passenger rail and transit, active transportation, air quality, housing, Greenhouse Gas (GHG) Reduction, and preparation of subregional and corridor travel demand forecasts. In addition, SBCTA reviews and provides comments on State-level plans and programs, such as: California Transportation Plan 2040, Inter-regional Transportation Strategic Plan, California Freight Mobility Plan, Sustainable Freight Action Plan, Office of Planning and Research (OPR) General Plan Guidelines, guidelines for State Cap and Trade programs, and other statewide policy documents, such as California Environmental Quality Act (CEQA) guidelines.

For further details on some of the sustainability-related efforts of the SBCTA Planning Department, refer to the attached SBCTA and SBCOG Sustainability Initiatives Fact Sheet or see the Regional and Subregional Planning section at the following link to SBCTA's FY 18/19 budget document:

<http://gossbcta.com/about-sbcta/financial/budget/FY2018-2019-AdoptedBudget2.pdf>

As the Planning Department carries out its work plans and programs, the department sometimes

requires transportation, land use, and environmental planning support. Specific tasks that consultants may be required to perform are described below. This list is not intended to be inclusive, but represents the list of potential work items for which services may be requested from various consultants.

Description of Consultant Expertise and Hourly Rates on Program Categories

For purposes of submittal on this procurement, SBCTA requests that information be provided based on the firm's expertise with various tasks listed below, and that consultant staff hourly rates be provided. Since the list of tasks is in many instances conceptual, SBCTA is not requesting scopes of work be submitted for each task, but rather, a brief description of how the firm is equipped to provide support for specific tasks. This can be based on both the firm's experience and personnel. The consultant is not required to address every task listed below, but only to respond to relevant tasks in which the consultant has expertise. These descriptions are for work that SBCTA anticipates consultants could be asked to provide for the duration of the contract. It is important to note that these tasks are not actual proposed projects.

1) Active Transportation Program

- Assist SBCTA staff with management of State's Active Transportation Program (ATP)
 - Attend and comment on guidelines development workshops and updates
 - Follow SCAG's determination of regional share of the ATP funding
 - Manage SBCTA awarded projects under the ATP (Planning, Infrastructure, and Non-Infrastructure Projects), SCAG grants, or Caltrans grants.
 - Manage project invoicing and schedule for SBCTA ATP Projects
- Assist SBCTA staff with management of Transportation Development Act (TDA) Article 3 Program (SBCTA-managed active transportation funding)
- Analyze future funding opportunities for SBCTA and the member jurisdictions
- Support GIS staff with development and management of SBCTA Active Transportation web portal
- Assist with improving the San Bernardino County Active Transportation Network (SBCATN)
- Support Implementation of San Bernardino County Active Transportation Plan (SBCATP, formerly known as Non-Motorized Transportation Plan (NMTP))
- Provide technical/engineering support to SBCTA staff and the member jurisdictions, including data collection and analysis of existing data (could involve bike/pedestrian volume data collection)
- Countywide Comprehensive Sidewalk Inventory Project
 - Support SBCTA staff and the consultants in managing the planning effort
 - Manage project invoicing and trouble shoot contract related issues
 - Support SBCTA staff with agency coordination efforts
- Redlands Passenger Rail Project (RPRP) Accessibility (first mile/last mile plan)
 - Support SBCTA staff and consultants in managing the plan
 - Support SBCTA staff with agency coordination efforts (City of San Bernardino and City of Redlands)

Note: The consultant may be asked to attend outside meetings representing SBCTA and at

times may be asked to provide input and draft comments reflecting positions of the agency. Most of the requested assistance would be related to project management of grant funded projects, which includes invoicing, producing progress reports, providing input on draft plans, and assisting with data analysis. If SBCTA is successful in securing future funding for active transportation infrastructure, the consultants could be asked to manage the project from pre-construction phase to management of the construction phase for the less complex projects, in coordination with local jurisdictions. Project management could also include the environmental phase of the project, but will not include design, right-of-way acquisition, or the actual construction of the project.

2) Transportation Modeling

- San Bernardino Transportation Analysis Model (SBTAM)
 - Assist with operation and troubleshooting of SBTAM in travel demand forecasting activities
 - Provide forecasts requested by local jurisdictions or other consultants preparing traffic studies and Environmental Impact Reports (EIRs)
 - Provide socio-economic data to support travel demand forecasts
 - Support on-going maintenance of SBTAM

3) Transportation Planning

- Countywide Long Range Transit Plan (LRTP)
 - Assist SBCTA staff with compilation of the document
 - Assist SBCTA with coordination and outreach
 - Provide technical support to SBCTA staff
- Customer Focused, Technology-Enabled Multi-Modalism Action Plan (see link at: <http://www.gosbcta.com/plans-projects/plans-rideshare-transit.html>)
 - Assist with implementation of the action items in the plan
 - Assist SBCTA staff (mobility managers) with stakeholder coordination (Metrolink, San Bernardino County Transit Providers, and various SBCTA departments)

4) Sustainability Planning

- Countywide Greenhouse Gas (GHG) Reduction Plan Update
 - Support SBCTA staff and the consultants in developing the updated plan (currently in progress)
 - Manage project invoicing and trouble shoot contract related issues
 - Support with CEQA-related issues on the countywide GHG plan
- Sub-Regional Climate Adaptation Plan (with WRCOG)
 - Support SBCTA staff and the consultants in managing the updated plan
 - Support SBCTA staff with coordination efforts related to the regional Climate Collaborative
- Countywide Habitat Conservation/Preservation Planning
 - Support SBCTA staff and the consultants in developing the Regional Conservation Investment Strategy (RCIS)
 - Manage project invoicing and trouble shoot contract related issues
 - Assist with potential future mitigation credit agreement process

- General Plan/Local Planning Support
 - Work with member agencies to establish a SBCTA/SBCOG work plan based on recent OPR guidelines and other legislative mandates (e.g., SB 743, SB 1000, AB 2140, etc.)
 - Work with member agencies to assist in housing-related programs and policies that are associated with land use planning
- Transit Oriented Development (TOD) and Transportation Corridor Plans
 - Support SBCTA staff in implementing TOD/Corridor projects, especially in the areas of nexus between land use and transportation planning.
 - Support SBCTA staff and member jurisdictions with coordination efforts related to the TOD/Corridor Plans, especially with state, regional, and county agencies and transit operators
- Monitor policy and program updates and guidelines from the state agencies and SCAG and provide comments that could potentially be submitted to the relevant agencies
- Assist SBCTA staff with development and implementation of the RTP/SCS

Note: Once the Countywide GHG Reduction Plan Update is complete, the consultant may be asked to prepare an addendum or supplement to the Programmatic Environmental Impact Report (PEIR) prepared for the original 2014 GHG Reduction Plan. The appropriate CEQA process will be determined once the plan update is completed. The consultant would be responsible for updating the original CEQA PEIR, following all noticing requirements, drafting mitigation monitoring and reporting plan (MMRP), drafting all necessary CEQA documents, and carrying the project through the CEQA certification process.

Note: SBCTA and WRCOG are submitting phase II Sub-Regional Climate Adaptation Plan by building upon the phase I project currently in development. If funded, the project will continue until 2022.

5) Healthy Community Planning

- Coordinate with San Bernardino County Department of Public Health (DPH) on their health indicator data initiative for SBCTA
- Assist SBCTA staff with implementation of Countywide Vision Wellness Element initiatives related to built-environment, as highlighted in the Community Transformation Plan (e.g., Countywide Safe Routes to School Program implementation)
- <http://communityvitalsigns.org/>
- Provide technical assistance to member jurisdictions that are developing a health element containing policies and programs to improve community health

Note: SBCTA and DPH staff have already worked with stakeholders in different sectors to identify what data/indicators to track and analyze further. This includes coordination with SCAG on their health indicators report in the upcoming 2020 RTP/SCS Public Health Chapter.

6) General SBCTA Staff Support

- Assist SBCTA staff with management of projects not mentioned above.
- Organizing and/or attending meetings on behalf of SBCTA.

- Provide technical training on various planning topics.
- Assist SBCTA staff with workshops, training, conferences, presentations, and other event planning.
- Provide technical GIS support.
- Assist with Grant Writing – SBCTA prepares some grant applications in-house and also has a contract with a grant writing firm. Thus, this task will only involve giving technical input to the grant writing consultant when needed. Examples may be benefit-cost analysis and analytical data supporting the application.
- Grant Project Suggestions – Although SBCTA tracks various federal/state/regional grants, consultant will be expected to provide grant application suggestions and ideas.

7) General SBCOG Activities

- Assist SBCOG Staff with management of projects approved in the Council of Governments Work Plan.
- Organizing and/or attending meetings on behalf of SBCOG.
- Assist SBCOG staff with logistics, outreach, planning and preparation of workshops, trainings, conferences, presentations, and other event planning.
- Research legislation, bills, and policies related to approved projects in the Council of Governments work plan.
- Complete cost/benefit analysis for implementation of policies, and plans.
- Engage stakeholders and local agencies.
- Create policy and administrative toolkits.

On Call Project Categories: Please check the category box(es) that applies to your proposal

1	Active Transportation Program	
2	Transportation Modeling	
3	Transportation Planning	
4	Sustainability Planning	
5	Healthy Communities Planning	
6	General SBCTA Staff Support	
7	General SBCOG Activities	

Task Order Approach

Multiple consultants may be selected to become part of the SBCTA/SBCOG “Planning Bench.” From time to time, consultants on the Bench would be requested to respond to task order solicitations for their areas expertise. SBCTA/SBCOG staff will write brief work statements, and consultants will respond with scopes of work that are specific to those statements, including cost and schedule. The breadth, timing, and distribution of these task solicitations will be at the discretion of the SBCTA/SBCOG On-Call Manager or designees. More than one consultant may be asked to respond to each task order, but normally only one consultant would be selected for a single task order. SBCTA/SBCOG cannot guarantee a minimum amount of work for any individual consultant or consulting team.

Minute Action

AGENDA ITEM: 14

Date: July 10, 2019

Subject:

2019 Interim Update to Development Mitigation Nexus Study

Recommendation:

That the Board, acting as the San Bernardino County Transportation Authority:

Approve the addition of projects to the Development Mitigation Nexus Study Arterial Project List as shown in Attachment 1.

Background:

The Development Mitigation Nexus Study is updated every two years so that jurisdictions have this information available for their transportation fee program updates according to the normal update cycles identified in the Nexus Study. Local jurisdictions in the San Bernardino Valley and Victor Valley Subareas collect Development Impact Fees for regional arterial, interchange, and rail/highway grade separation projects and use those funds to match Measure I funding when these projects are developed and constructed. Appendix F of the Congestion Management Plan (CMP) outlines the provisions and requirements of the Development Mitigation Nexus Study, particularly the development and maintenance of the Nexus Study project lists and cost estimates. Appendix F was first adopted by the San Bernardino County Transportation Authority (SBCTA) Board and incorporated into the CMP in 2005.

SBCTA has received requests for an interim update to the Nexus Study Arterial Project List outside of the regular two year update. This is due to unforeseen needs with accelerated project schedules. These new projects need to be added to the Nexus Study Arterial Project List so that the local jurisdictions can access their share of Measure I funding needed for project advancement. Local jurisdictions will still have the obligation to meet their local share of the project costs through the collection of Development Impact Fees.

The added projects include the following:

- Traffic Signal at University St. and Colton Avenue (City of Redlands)
- Intersection Improvements at Anderson Street and Mound Street (City of Loma Linda)
- Intersection Improvements at Bear Valley Road and Ridgecrest Road (City of Victorville)
- Intersection Improvements at Bear Valley Road and Industrial Boulevard (City of Victorville)

Appendix F of the CMP includes the following provision: *“As of the November 2007 update to the Development Mitigation Program approved by the Board, jurisdictions are no longer allowed to add to the net increase of the public share of a program. Consequently, interchanges, grade separations and arterial projects can only be added to the Nexus Study if a like amount of public share is subtracted from the program on another project or a jurisdiction increases its development share to mitigate any potential increase to the public share.”*

Due to the equitable shares established in the San Bernardino Valley and Victor Valley Subareas, each jurisdiction will be eligible for a fixed percentage of Measure I funding from the Entity: San Bernardino County Transportation Authority

Board of Directors Agenda Item

July 10, 2019

Page 2

Valley Arterial Program and the Victor Valley Major Local Highway Projects Program in the 2009 Measure I Strategic Plan. This equitable share will not be affected by the addition of projects to the Nexus Study Arterial Project List. It will only affect the local jurisdiction's ability to deliver the projects inasmuch as there is enough Development Mitigation Fees collected to pay the local share of the projects. Therefore, the requirement to remove a like amount of public share from the Arterial Project List does not apply in this case.

Financial Impact:

This item has no impact on the adopted Fiscal Year 2019/2020 budget.

Reviewed By:

This item was reviewed and unanimously recommended for approval by the General Policy Committee on June 12, 2019.

Responsible Staff:

Steve Smith, Director of Planning

Approved
Board of Directors
Date: July 10, 2019

Witnessed By:

San Bernardino County Transportation Authority

Attachment 1

Arterial Projects

(\$ in thousands)

2019 Interim Updates

Arterial Description	Lane-Miles	2017 Cost Estimate	Status (C, D, or F)*	Jurisdiction
Install Traffic Signal University St and Colton Ave	0.00	\$300	D	Redlands
Intersection Improvements at Mound St and Anderson St	0.00	\$1,000	D	Loma Linda
Intersection Improvements at Bear Valley Rd and Ridgecrest Rd	0.00	\$1,500	D	Victorville
Intersection Improvements at Bear Valley Rd and Industrial Blvd	0.00	\$1,500	D	Victorville

*C = Completed, D = In Development, F = Future

Minute Action

AGENDA ITEM: 15

Date: July 10, 2019

Subject:

2019 Transportation Development Act Award of Article 3 Bicycle and Pedestrian Facilities and Transit Stop Access Improvement Projects

Recommendation:

That the Board, acting as the San Bernardino County Transportation Authority:

A. Award Transportation Development Act (TDA) Article 3 funds for Bicycle and Pedestrian Facilities projects in the amount of \$2,155,862 as identified in Attachment A to this item.

B. Award TDA Article 3 funds for Transit Stop Access Improvement projects in the amount of \$538,965 as identified in Attachment B to this item.

Background:

On December 5, 2018 the San Bernardino County Transportation Authority (SBCTA) Board authorized the release of the TDA Article 3 Call for Projects for Bicycle and Pedestrian Facilities projects and Transit Access Improvement Projects. Local jurisdictions and transit agencies were notified of this opportunity through the SBCTA's website and Transportation Technical Advisory Committee (TTAC) email list. The amount of Article 3 funds anticipated to be available for award was \$2,155,862 and \$538,965, respectively, for a total of \$2,694,827. The closing date for the Call for Projects was May 3, 2019.

The TDA provides that 2% of the State of California Local Transportation Funds (LTF) be made available to counties and cities for facilities for the exclusive use of bicyclists and pedestrians, known as the TDA Article 3 Program. In August 1999 the SBCTA Board (Board) approved a policy that 20% of the TDA Article 3 program would be made available for projects that improve access to transit stops for pedestrians and persons with disabilities. The remaining 80% would be available for bicycle and pedestrian projects. In 2015, the Board also approved a 10% set-aside from the original TDA Article 3 Bicycle and Pedestrian Projects for maintenance of existing bicycle and pedestrian facilities. In 2017, the Board further approved a policy to set-aside 50% of the bicycle and pedestrian facilities project funding for smaller projects under \$250,000.

Bicycle and Pedestrian Facilities Applications

In total, fourteen (14) Bicycle and Pedestrian Facilities project applications from thirteen (13) jurisdictions were submitted for a total funding request of \$3,598,436. An evaluation panel comprised of representatives from SBCTA, the Inland Empire Biking Alliance (IEBA), and Riverside County Transportation Commission (RCTC) scored the projects using the evaluation criteria on the following page.

Entity: San Bernardino County Transportation Authority

Project Evaluation Criteria:

Evaluation Criteria	Possible Score
Overall Quality of Application – Overall quality of the application submitted for a project considering clarity of project description, project purpose and need and satisfactorily addressing evaluation criteria.	20
Project Purpose and Need – Describe the purpose and need of the project including the extent of the potential use of the facility. Provide socioeconomic data, historic or current bicycle or pedestrian count volumes, ADT/trip generation information or other data to support the forecasted use and/or need for the project. The relation of the proposed project to the regional and local active transportation network. The level of connectivity the proposed project offers to intermodal opportunities. The extent to which the proposed project will improve safety for the non-motorized public. Consideration will be given to number of accidents in a project area, severity of accidents in an area.	30
Destinations Served – The extent that the proposed project serves destinations, the nature of destinations served and the likelihood of proposed project usage by destination related activity. (e.g., employment center, school or college, retail center and/or downtown area, park and other recreational use, public building, including library, museum and civic center).	15
Local Matching Funds – Proposed projects will receive the following points based upon the extent of local match provided: 5 points for 15-24%; 10 points for 25-34%; 15 points for 35-49%; and 20 points for 50% or greater.	20
Project readiness –Existing infrastructure such as roadways, pavement conditions and intersection signalization that may accelerate project development and delivery with ten points awarded where project design and environment clearances are complete and can be verified.	10
Timeliness of Prior Project Completion – Ability to demonstrate project completion in a timely manner.	5
Total Possible Score	100

Attachment A provides the Bicycle/Pedestrian Facilities scoring results and identifies nine (9) projects as recommended for funding, sponsored by the Cities of Big Bear Lake, Victorville, Rialto, Chino Hills, Yucaipa, Redlands, Highland, Rancho Cucamonga, and the Town of Apple Valley. In this call for projects, there were no applications for maintenance of existing facilities so there was no 10% set-aside for these projects. Due to the fact that 50% of funding went towards projects of less than \$250,000 there were more projects awarded in this category than the other for projects greater than \$250,000. The last column in Attachment A indicates those projects for which funding is recommended.

There were two partially funded projects as a result of the funding availability. For the large projects category, the City of Highland was able to secure a partial funding amount of \$67,436. For the small projects category, the City of Redlands was able to secure a partial funding amount of \$157,934. SBCTA discussed the matter with both jurisdictions, and both jurisdictions have agreed to accept the partial funding and increase their local share to complete the proposed projects.

Transit Stop Access Improvement Applications

In addition, eight (8) agencies submitted project applications to improve access to over one hundred nineteen (119) bus stops as part of the Transit Stop Access Improvement Program projects for a total funding request of \$538,965.

Attachment B provides the Transit Stop Access Improvement Program scoring results in order and identifies fifty-one (51) projects as recommended for funding, sponsored by the Cities of Highland, Rialto, Fontana, Rancho Cucamonga, Adelanto, Loma Linda, San Bernardino, as well as Omnitrans, Victor Valley Transit Authority, and Morongo Basin Transit Authority.

Project Evaluation Criteria:

Evaluation Criteria	Possible Score
Overall Quality of Application – Overall quality of the application submitted for a project considering clarity of project and satisfactorily addressing evaluation criteria.	15
Project Need and Purpose - Project addresses identified access issues at new or existing bus stops or fills a gap in accessibility to transit system users. Describe how stop and increased accessibility serves local activity generators/destinations, provides increased connectivity to the multi-modal transportation system, and potential safety/ADA benefits.	40
Cost Effectiveness –Consideration of project cost compared to daily boardings and alightings and/or complementary paratransit cost avoidance achieved by making the bus stop location accessible to individuals with disabilities.	15
Timeliness of Prior Project Completion – Consideration of likelihood to deliver within a timely manner	5
Matching funds – Proposed projects will receive the following points based upon the extent of match provided: 5 points for 10-19%; 10 points for 20-29%; 15 points for 30-49%; and 25 points for 50% or greater	25

Financial Impact:

This item has no impact on the adopted Fiscal Year 2019/2020 budget.

Reviewed By:

This item was reviewed and unanimously recommended for approval by the General Policy Committee on June 12, 2019.

Responsible Staff:

Steve Smith, Director of Planning

Board of Directors Agenda Item
July 10, 2019
Page 4

Approved
Board of Directors
Date: July 10, 2019
Witnessed By:

San Bernardino County Transportation Authority

Attachment A

2019 TDA Article 3 - Bicycle/Pedestrian Program Awards

Total Award for Bike/Pedestrian Projects: \$ 2,155,862

Small Projects - Less than 250K

Name	City	Requested Amount	Funded	Awarded Amount
Easton Sidewalk Improvements	Rialto	\$ 226,000	Yes	\$ 226,000
Victorville Old Town Sidewalk Connectivity Project	Victorville	\$ 244,000	Yes	\$ 244,000
Big Bear Lakeside Loop	Big Bear Lake	\$ 200,000	Yes	\$ 200,000
Los Serranos Safe Routes to Schools Project	Chino Hills	\$ 249,997	Yes	\$ 249,997
Highland/Redlands Regional Connector Loop	Redlands	\$ 224,000	Partial	\$ 157,934
4th Street Sidewalk Infill Proposal	Yucaipa	\$ 160,000	No	
McKinley Elementary School Pedestrian Safety Improvement Project	Colton	\$ 222,344	No	
Casaba Road/Bartlett pedestrian and bicycle access improvements	Adelanto	\$ 97,600	No	

Large Projects - 250K or greater

Name	City	Requested Amount	Funded	Awarded Amount
Apple Valley Bike/Ped Connector Project	Apple Valley	\$ 281,495	Yes	\$ 281,495
5th Street Phase II Bicycle and Pedestrian Project	Yucaipa	\$ 326,000	Yes	\$ 326,000
Day Creek Channel Bike Trail from Jack Benny Dr. to Base line Rd.	Rancho Cucamonga	\$ 403,000	Yes	\$ 403,000
9th Street Transit Stops, Sidewalk and Bikeway Improvements	Highland	\$ 332,000	Partial	\$ 67,436
Poplar Elementary Safe Routes to Schools Project	City of Fontana	\$ 250,000	No	
Ridgecrest Road Sidewalk Project	County of San Bernardino	\$ 382,000	No	
	Total	\$ 3,598,436		\$ 2,155,862

Fully funded
 Partially funded

Attachment: Attachment A (5884 : 2019 TDA Award of Article 3 Projects)

Attachment B
2019 TDA Article 3 - Transit Stop Access Program

Total Award: \$

538,965

Name	Lead Agency	Location	Requested Funding
Jonathan St/Chamberlaine Way transit stop improvements	City of Adelanto	Adelanto	\$ 53,897
Chamberlaine Way (Crippen) curb and sidewalk transit stop improvements (w/wid	City of Adelanto	Adelanto	\$ -
	City of Adelanto Total		\$ 53,897
Transit Stop Access Improvements on Base Line, Boulder Avenue, 9th Street, and O	City of Highland	Highland	\$ 53,897
	City of Highland Total		\$ 53,897
Accessibility Improvements at Barton and California - EB and WB	City of Loma Linda	Loma Linda	\$ 31,497
	City of Loma Linda Total		\$ 31,497
Bus Stop No. 1-4 at Various Locations	City of Rancho Cucamonga	Rancho Cucamonga	\$ 48,000
	City of Rancho Cucamonga Total		\$ 48,000
Accessibility Improvements - City of Rialto Bus Stops	City of Rialto	Rialto	\$ 14,432
	City of Rialto Total		\$ 14,432
Accessibility Improvements - City of San Bernardino Bus Stops	City of San Bernardino	San Bernardino City	\$ 26,936
	City of San Bernardino Total		\$ 26,936
MBTA Bus Stop Improvement	Morongo Basin Transit Authority	Twentynine Palms	\$ 28,524
	Morongo Basin Transit Authority Total		\$ 28,524
Bench at Sierra @ Spring/Arrow SB, Stop Id 5652 - Omnitrans	Omnitrans	Fontana	\$ 960
Bench at Walnut @ Oleander WB, Stop ID 6311 - Omnitrans	Omnitrans	Colton	\$ 960
Bench at Sierra @ Walnut SB, Stop ID 7872 - Omnitrans	Omnitrans	Fontana	\$ 960
Shelter at Juniper @ Marygold NB, Stop ID 5868	Omnitrans	Ontario	\$ -
Bench at Mt. Vernon @ Santo Antonio SB, Stop ID 5126 - Omnitrans	Omnitrans	Colton	\$ 960
Bench at Washington @ Center EB, Stop ID 5129 - Omnitrans	Omnitrans	Colton	\$ 960
Bench at Valley @ 3rd WB, Stop ID 5325 - Omnitrans	Omnitrans	Colton	\$ 960
Bench at Rancho @ Olive SB, Stop ID 5112	Omnitrans	Colton	\$ -
Shelter at Olive @ Rancho WB, Stop ID 5212	Omnitrans	Colton	\$ -
Shelter at Mt. Vernon @ Shasta NB, Stop ID 5248 Omnitrans	Omnitrans	Colton	\$ 10,566
Shelter at La Cadena @ D SB, Stop ID 5287	Omnitrans	Colton	\$ -
Shelter at Valley @ 4th EB, Stop ID 5242	Omnitrans	Colton	\$ -
Bench at O St @ 9th WB, Stop ID 5204	Omnitrans	Colton	\$ -
Bench at C St @ Pennsylvania Ave WB, Stop ID 5334	Omnitrans	Colton	\$ -
Bench at O St @ 10th WB, Stop ID 8599	Omnitrans	Colton	\$ -
Bench at Olive and Cypress EB, Stop ID 5110	Omnitrans	Colton	\$ -
Shelter at Marygold @ Kempster EB, Stop ID 7717 Omnitrans	Omnitrans	Fontana	\$ 11,200
Bench at Walnut @ Sierra WB, Stop ID 6308	Omnitrans	Fontana	\$ -
Bench at Jurupa @ Poplar WB, Stop ID 7420	Omnitrans	Fontana	\$ -
Bench at Jurupa @ Poplar EB, Stop ID 7682	Omnitrans	Fontana	\$ -
Shelter at Marygold @ Palmetto WB, Stop ID 5234	Omnitrans	Fontana	\$ -
Shelter at Baseline @ Cherry WB, Stop ID 7830	Omnitrans	Fontana	\$ -
Shelters at Barton @ Mayberry WB and Barton @ Whittier EB, Stop ID 7014/6948	Omnitrans	Loma Linda	\$ -
Shelter at Holt @ Central EB, Stop ID 5803	Omnitrans	Montclair	\$ 11,200
Bench at Richton @ Central WB, Stop ID 7139	Omnitrans	Montclair	\$ -
Shelter at Monte Vista @ Plaza Lane NB, Stop ID 6115 Omnitrans	Omnitrans	Montclair	\$ 11,200
Shelter at Moreno at Lindero EB, Stop ID 6176 - Omnitrans	Omnitrans	Montclair	\$ 11,200
Bench at Ramona at Holt SB, Stop ID 7339	Omnitrans	Montclair	\$ 960
Bench at Central @ Moreno NB, Stop ID 7049	Omnitrans	Montclair	\$ -
Bench at Ramona @ Holt NB, Stop ID 8608	Omnitrans	Montclair	\$ -
Bench at Central @ 9th NB, Stop ID 7051	Omnitrans	Montclair	\$ -
Bench at Central @ San Bernardino SB, Stop ID 6272	Omnitrans	Montclair	\$ -
Bench at Central @ Kingsley SB, Stop ID 6314	Omnitrans	Montclair	\$ -
Bench at Monte Vista @ Palo Verde NB, Stop ID 6436	Omnitrans	Montclair	\$ -
Bench at Holt @ Vineyard EB, Stop ID 7758	Omnitrans	Ontario	\$ 960
Shelter at Holt @ Campus EB, Stop ID 5814	Omnitrans	Ontario	\$ 11,200
Bench at Holt @ Vine WB, Stop ID 5916	Omnitrans	Ontario	\$ 960
Shelter at Mountain @ Holt NB, Stop ID 8501 - Omnitrans	Omnitrans	Ontario	\$ 11,200
Shelter at RIVERSIDE @ VINEYARD WB, Stop ID 8409 - Omnitrans	Omnitrans	Ontario	\$ 11,200
Shelter at HOLT @ IMPERIAL EB, Stop ID 5818	Omnitrans	Ontario	\$ -
Bench at MOUNTAIN @ 5TH NB, Stop ID 8407	Omnitrans	Ontario	\$ -
Bench at 4TH @ EL DORADO WB, Stop ID 6245	Omnitrans	Ontario	\$ -
Bench at HAVEN @ PHILADELPHIA NB, Stop ID 7556	Omnitrans	Ontario	\$ -
Bench at HOLT @ GRANITE EB, Stop ID 5808	Omnitrans	Ontario	\$ -
Bench at HAVEN @ JURUPA SB, Stop ID 7567	Omnitrans	Ontario	\$ -
Bench at INLAND EMPIRE @ LOTUS EB, Stop ID 5828	Omnitrans	Ontario	\$ -
Bench at REDLANDS HIGH SCHOOL, Stop ID 8095	Omnitrans	Redlands	\$ 960
Shelter at CITRUS @ JUDSON/FORD EB, Stop ID 6965 - Omnitrans	Omnitrans	Redlands	\$ 11,200
Bench at SAN BERNARDINO @ VERMONT EB, Stop ID 6570 - Omnitrans	Omnitrans	Redlands	\$ 960
Shelter at REDLANDS @ NEVADA EB, Stop ID 5154 - Omnitrans	Omnitrans	Redlands	\$ 11,200
Shelter at LUGONIA @ CHURCH WB, Stop ID 6890	Omnitrans	Redlands	\$ -
Bench at SAN BERNARDINO @ TEXAS WB, Stop ID 6557	Omnitrans	Redlands	\$ -
Bench at PEARL @ ORANGE EB, Stop ID 8396	Omnitrans	Redlands	\$ -
Shelter at STATE @ NEW YORK EB, Stop ID 6836	Omnitrans	Redlands	\$ -
Bench at BROOKSIDE @ SAN MATEO WB, Stop ID 7007	Omnitrans	Redlands	\$ -
Bench at BARTON @ TERRACINA EB, Stop ID 6951	Omnitrans	Redlands	\$ -
Bench at ORANGE @ SAN BERNARDINO NB, Stop ID 6573	Omnitrans	Redlands	\$ -
Bench at BROOKSIDE @ ASH WB, Stop ID 7005	Omnitrans	Redlands	\$ -
Accessibility and Amenities - City of Rialto Bus Stops (1)	Omnitrans	Rialto	\$ 14,080

Attachment: Attachment B (5884 : 2019 TDA Award of Article 3 Projects)

Accessibility and Amenities - City of Rialto Bus Stops (2)	Omnitrans	Rialto	\$	16,800
Bench at RIALTO @ DST WB, Stop ID 8559 - Omnitrans	Omnitrans	San Bernardino City	\$	960
Bench at ARROWHEAD @ BASELINE NB, Stop ID 5688 - Omnitrans	Omnitrans	San Bernardino City	\$	960
Bench at WATERMAN @ 4TH SB, Stop ID 8383 - Omnitrans	Omnitrans	San Bernardino City	\$	960
Bench at 5TH @ J STREET WB, Stop ID 5622 - Omnitrans	Omnitrans	San Bernardino City	\$	960
Bench at ARROWHEAD @ 9TH SB, Stop ID 6023 - Omnitrans	Omnitrans	San Bernardino City	\$	960
Shelter at BARTON @ WATERMAN WB, Stop ID 5191 - Omnitrans	Omnitrans	San Bernardino City	\$	11,200
Shelter at SAN BERNARDINO @ LIVE OAK WB, Stop ID 5878 - Omnitrans	Omnitrans	San Bernardino County	\$	11,200
Bench at SAN BERNARDINO @ ELM EB, Stop ID 5854 - Omnitrans	Omnitrans	San Bernardino County	\$	960
Shelter at SAN BERNARDINO @ CALABASH EB, Stop ID 5846	Omnitrans	San Bernardino County	\$	-
Shelter at SAN BERNARDINO @ HEMLOCK WB, 5877 - Omnitrans	Omnitrans	San Bernardino County	\$	11,200
Bench at SAN BERNARDINO @ LIVE OAK EB, 5851 -Omnitrans	Omnitrans	San Bernardino County	\$	960
Bench at 3RD @ LENA EB, Stop ID 6814	Omnitrans	San Bernardino County	\$	-
Bench at SAN BERNARDINO @ BEECH WB, Stop ID 5876	Omnitrans	San Bernardino County	\$	-
Bench at SAN BERNARDINO @ BEECH EB, Stop ID 5853	Omnitrans	San Bernardino County	\$	-
Shelter at SAN BERNARDINO @ REDWOOD WB, Stop ID 5879	Omnitrans	San Bernardino County	\$	-
Bench at CRAFTON @ MARBLE SB, Stop ID 6853	Omnitrans	San Bernardino County	\$	-
Bench at SAN BERNARDINO @ COMMERCE EB, Stop ID 5842	Omnitrans	San Bernardino County	\$	-
Bench at LAUREL @ SANTA ANA SB, Stop ID 7817	Omnitrans	San Bernardino County	\$	-
Bench at PACIFIC HIGH SCHOOL, Stop ID 0007	Omnitrans	San Bernardino City	\$	-
Bench at 5TH @ G ST, Stop ID 5683	Omnitrans	San Bernardino City	\$	-
Bench at 9th @ MEDICAL CTR WB, Stop ID 0051	Omnitrans	San Bernardino City	\$	-
Bench at ARROWHEAD @ 7TH NB, Stop ID 5685	Omnitrans	San Bernardino City	\$	-
Bench at MILL @ WATERMAN EB, Stop ID 7022	Omnitrans	San Bernardino City	\$	-
Bench at D ST @ 2ND SB, Stop ID 8505	Omnitrans	San Bernardino City	\$	-
Bench at 5TH @ E ST EB, Stop ID 8187	Omnitrans	San Bernardino City	\$	-
Bench at EUREKA @ DEL ROSA NB, Stop ID 6129	Omnitrans	San Bernardino City	\$	-
Bench at BASELINE @ SIERRA WY WB, Stop ID 6021	Omnitrans	San Bernardino City	\$	-
Bench at BASELINE @ BOBBETT EB, Stop ID 5693	Omnitrans	San Bernardino City	\$	-
Bench at DEL ROSA @ 6TH SB, Stop ID 8511	Omnitrans	San Bernardino City	\$	-
Bench at RICHTON @ CENTRAL WB, Stop ID 7139	Omnitrans	Montclair	\$	-
Bench at CENTRAL @ MISSION SB, Stop ID 6316	Omnitrans	Montclair	\$	-
Bench at HOLT @ CENTRAL WB MID, Stop ID 5925	Omnitrans	Montclair	\$	-
Bench at RAMONA @ KINGSLEY NB, Stop ID 7780	Omnitrans	Montclair	\$	-
Bench at CENTRAL @ ORCHARD NB, Stop ID 6431	Omnitrans	Montclair	\$	-
Bench at RAMONA @ HOWARD SB, Stop ID 7342	Omnitrans	Montclair	\$	-
Bench at RAMONA @ ORCHARD SB, Stop ID 7338	Omnitrans	Montclair	\$	-
Bench at RAMONA @ ORCHARD NB, Stop ID 7258	Omnitrans	Montclair	\$	-
Bench at RAMONA @ BENITO SB, Stop ID 7337	Omnitrans	Montclair	\$	-
Bench at BAKER @ 4TH NB	Omnitrans	Ontario	\$	-
Bench at SAN BERNARDINO @ ALMOND EB, Stop ID 5848	Omnitrans	San Bernardino County	\$	-
	Omnitrans Total		\$	193,126
Apple Valley's Thunderbird Road Bus Turnout Project	Town of Apple Valley	Town of Apple Valley		53897
	Town of Apple Valley Total		\$	53,897
Seneca Road East of Amargosa	Victor Valley Transit Authority	Victorville	\$	1,616
MARIPOSA RD SOUTH OF NISQUALLI RD WESTSIDE	Victor Valley Transit Authority	Victorville	\$	1,671
MARIPOSA RD SOUTH OF NISQUALLI RD EASTSIDE	Victor Valley Transit Authority	Victorville	\$	2,436
HESPERIA RD FROM SUNHILL DR TO CHERRYHILL DR	Victor Valley Transit Authority	Victorville	\$	4,410
AMARGOSA RD FROM SUNNY VISTA RD TO TAWNEY RIDGE RD	Victor Valley Transit Authority	Victorville	\$	13,854
HESPERIA RD SOUTH OF NISQUALLI RD	Victor Valley Transit Authority	Victorville	\$	1,698
HESPERIA RD AND COMANCHE RD	Victor Valley Transit Authority	Victorville	\$	2,640
PARK AVE EAST SOUTH PARK AVE	Victor Valley Transit Authority	Victorville	\$	1,729
PARK AVE AND ANACAPA RD	Victor Valley Transit Authority	Victorville	\$	2,280
AMARGOSA RD AND KING RANCH RD	Victor Valley Transit Authority	Victorville	\$	2,425
	Victor Valley Transit Authority Total		\$	34,759
	Grand Total		\$	538,965

Minute Action

AGENDA ITEM: 16

Date: July 10, 2019

Subject:

Cooperative Agreement No. 19-1002228 between SBCTA and Metro for SR-18/138 Corridor Study

Recommendation:

That the Board, acting as the San Bernardino County Transportation Authority:

A. Approve Cooperative Agreement No. 19-1002228 between San Bernardino County Transportation Authority (SBCTA) and Los Angeles County Metropolitan Transportation Authority (Metro) for collaboration on the State Route (SR) 18/138 Corridor Study, committing to fund 50% (\$500,000) of the cost to prepare the Project Study Report-Project Development Support (PSR-PDS) for a total project cost not-to-exceed \$1,000,000, to be funded with Measure I 2010-2040 Victor Valley Subarea Project Development and Traffic Management Systems funds.

B. Authorize the Executive Director to make modifications to the scope of work, through negotiations with Caltrans Districts 7 and 8, and to approve the final scope of work while remaining within the budget of the Cooperative Agreement.

Background:

In 2006, the counties of San Bernardino and Los Angeles, and the Cities of Adelanto, Victorville, Apple Valley, Lancaster, and Palmdale, formed a Joint Powers Authority to develop a new freeway/expressway, referred to as the High Desert Corridor (“HDC”), from SR-14 to Interstate (I)-15 (the “High Desert Corridor Joint Powers Authority” or “JPA”). Currently, a pathway for the funding and construction of all or a portion of the HDC has not yet materialized. The cost of constructing the full multimodal HDC was estimated at over \$8 billion.

At the recommendation of both Metro and SBCTA staff, the JPA, at its December 20, 2018 meeting, voted to look into other feasible and practical transportation options to connect the two counties consistent with the goals of the HDC. Included in this planning process was a study of SR-138 and SR-18 between Palmdale and Victorville as potential east-west highway improvements.

The study would examine design concepts, potential impacts, and costs for improving mobility from Palmdale, following the SR-138, connecting to SR-18 just west of the Los Angeles/San Bernardino county line, and continuing to I-15. Although the widening of SR-138 will be completed in Los Angeles County in the near future, methods to enhance mobility on SR-138 through operational and signal improvements will be considered as part of this effort. This effort will be known as the “SR-18/138 Corridor Study” (Project).

Metro will be the Contract Manager and will issue a task order through the Metro Highway Program On-Call/Bench to a qualified consultant; however, SBCTA will be the Lead Agency and the Project Manager as the majority of the Project will be within San Bernardino County. SBCTA will prepare the scope of work, lead all agency and stakeholder coordination, manage the consultant team’s efforts in the technical work, lead all Project meetings and presentations,

Entity: San Bernardino County Transportation Authority

Board of Directors Agenda Item

July 10, 2019

Page 2

and perform other responsibilities ordinarily assigned to the Project Manager. Metro will assist SBCTA in managing the Project and will provide information and documents of record related to the segment of the Project in Los Angeles County as well as all necessary coordination between SBCTA and Caltrans District 7.

The cost for the SR-18/138 Corridor Study under the consultant's contract will be apportioned to both SBCTA and Metro at 50% each; SBCTA will pay its project cost share directly to Metro, in two installments, one payment during Fiscal Year 2019-2020 and one during Fiscal Year 2020-2021. This Agreement provides up to \$1,000,000 to fund the project scope, with \$500,000 from Metro and \$500,000 from SBCTA.

Financial Impact:

This item is consistent with the adopted Fiscal Year 2019/2020 budget.

Reviewed By:

This item was unanimously recommended for approval by the Mountain/Desert Policy Committee on June 21, 2019. SBCTA General Counsel, Risk Manager and Procurement Manager have reviewed this item and the draft agreement.

Responsible Staff:

Steve Smith, Director of Planning

Approved
Board of Directors
Date: July 10, 2019

Witnessed By:

General Contract Information

Contract No: 19-1002228 Amendment No.: _____ Sole Source? No
 Vendor No.: 01216 Vendor/Customer Name: LA County Metropolitan Transportation Authority (Metro)
 Description: Co-op Agreement between SBCTA and Metro for the SR-18/138 Corridor Study
 Estimated Start Date: 09/01/2019 Expiration Date: 06/30/2022 Revised Expiration Date: _____
 List Any SBCTA Related Contracts Nos.: _____

Dollar Amount							
Original Contract		\$	500,000.00	Original Contingency		\$	-
Prior Amendments		\$	-	Prior Amendments		\$	-
Current Amendment		\$	-	Current Amendment		\$	-
Total/Revised Contract Value		\$	500,000.00	Total Contingency Value		\$	-
	Total Dollar Authority (Contract Value and Contingency)					\$	500,000.00

Contract Authorization

Board of Directors _____ Date: 07/10/2019 Board _____ Item # 5891

Contract Management (Internal Purposes Only)

Payable _____ Other Contracts _____ Administrative Budget Adjustment _____

Accounts Payable											
Total Contract Funding: \$						Total Contingency: \$					
500,000.00						-					
GL: 4280 20 0941 0000 52005 41100000	500,000.00					GL:					-
GL:						GL:					-
GL:						GL:					-
GL:						GL:					-
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Accounts Receivable											
Total Contract Funding: \$						-					
Funding Agreement No: _____						Reversion Date: _____					
GL:						GL:					-
GL:						GL:					-
GL:						GL:					-
GL:						GL:					-
GL:						GL:					-

Cameron Brown

Steve Smith

Project Manager (Print Name)

Task Manager (Print Name)

Additional Notes:

Attachment: Contract Summary Sheet [Revision 1] (5891 : Agreement with Metro on SR-18/138 Corridor Study)

COOPERATIVE AGREEMENT NO. 19-1002228

BETWEEN

SAN BERNARDINO COUNTY TRANSPORTATION AUTHORITY

AND

LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY

FOR

COLLABORATION ON THE SR-18/138 CORRIDOR STUDY

THIS Cooperative Agreement (“Agreement”) is made and entered into this _____ day of _____, 2019 by and between the San Bernardino County Transportation Authority (“SBCTA”) and the Los Angeles County Metropolitan Transportation Authority (“Metro”). SBCTA and Metro shall be individually or collectively, as applicable, known as “Party” or “Parties.”

RECITALS

- A. Transportation agencies in the Antelope and Victor Valleys explored the need for a multi-modal connection between the cities of Palmdale in Los Angeles County and Victorville in San Bernardino County to address the current and future travel demand and the transportation infrastructure deficiencies in that corridor. The preliminary studies and the subsequent environmental process resulted in the High Desert Corridor (“HDC”) project concept, a long-term multi-modal vision that identified a 63-mile-long east-west highway connecting the SR-14 in Los Angeles County and U.S. Highway 395/Interstate 15 in San Bernardino County as well as a passenger rail corridor between the two counties.
- B. The Counties of San Bernardino and Los Angeles, and the Cities of Adelanto, Victorville, Apple Valley, Lancaster, and Palmdale, formed a Joint Powers Authority in 2006 to develop this new freeway/expressway from SR-14 to I-15 (the “High Desert Corridor Joint Powers Authority” or “JPA”).
- C. A pathway for the funding and construction of all or a portion of the HDC has not yet materialized. The JPA is taking a long-term view to keep options open on the ultimate HDC facility. At the December 20, 2018 meeting of the HDC JPA, a series of presentations was provided to the JPA members regarding progress and status of

discussions on both the highway and rail portions of the corridor, as well as the funding challenges for the project. At the conclusion of the meeting, the JPA members provided direction to staff, suggesting that LA Metro and SBCTA pursue a study of SR-138 and SR-18 between Palmdale and Victorville as a potential interim east-west highway improvement, while funding and implementation pathways are pursued for the full HDC.

- D. The study would examine design concepts, potential impacts, and costs for improving mobility from Palmdale, following the SR-138, connecting to SR-18 just west of the Los Angeles/San Bernardino county line, and continuing to I-15. The purpose of the Corridor Study will be to identify and document the specific corridor limits, leading to establishment of the purpose and need for improvements, analysis of alignment and cross-section alternatives, estimating costs, benefits, and impacts, as well as prioritizing proposed transportation improvements for further project development.
- E. Although the widening of SR-138 is being completed in Los Angeles County in the near future, methods to enhance mobility on SR-138 through operational and signal improvements will be considered as part of this effort. This effort will be known as the “SR-18/138 Corridor Study” (“Project”).
- F. SBCTA will be the Lead Agency and the Project Manager as the majority of the Project will be within San Bernardino County; and SBCTA will prepare the scope of work, lead all agency and stakeholder coordination, manage the consultant team’s efforts in technical analysis and preparation of corridor study documents, lead all Project meetings and presentations, and perform other responsibilities ordinarily assigned to the Project Manager. Metro will assist SBCTA in managing the Project and will provide information and documents of record related to the segment of the Project in Los Angeles County as well as all necessary coordination between SBCTA and Caltrans District 7.
- G. Metro will be the Contract Manager; and will issue a task order through the Metro Highway Program On-Call/Bench to a qualified consultant to develop the Corridor Study and all necessary supporting documents and services required to lead to concurrence on the findings and recommendations by Caltrans Districts 7 and 8, Metro, and SBCTA. SBCTA will assist in this process and will be the lead in consultant selection.
- H. The cost for the SR-18/138 Corridor Study (“Project Cost”) under the consultant’s contract will be apportioned to both SBCTA and Metro at 50% each (“Project Cost Share”); SBCTA must pay its Project Cost Share directly to Metro, in two installments, one payment during Fiscal Year 2019-2020 and one during Fiscal Year 2020-2021. This Agreement provides for up to \$1,000,000 to fund the project scope, with \$500,000 from Metro and \$500,000 from SBCTA. Although a draft of the Scope of Work is included in this document, the final scope may require modification and will be circulated among the agencies (Metro, Caltrans, and SBCTA) for concurrence prior to release by Metro for proposals from the on-call bench.
- I. Parties desire to proceed with the Project in a timely manner.

- J. This Agreement is intended to delineate the duties and responsibilities of the Parties for the Project.

NOW, THEREFORE, SBCTA and METRO agree to the following:

SECTION I

SBCTA AGREES:

1. To participate in the Project and pay the Project Cost Share directly to Metro in order to complete the SR-18/138 Corridor Study.
2. To monitor the performance and cost of the consultant's Project effort and to provide comments and recommendations to Metro regarding consultant's performance of the scope. Metro will be responsible for managing the consultant contract and providing direction to the consultant on matters of scope, cost, and schedule.
3. To provide up to \$500,000 to Metro, to the extent necessary for Metro to compensate the consultant for Project work, and in no event shall SBCTA fund more than 50% of the Project Cost.
4. To reimburse Metro within 30 days after Metro submits an original and two copies of the signed invoices in the proper form, for each of two payments from SBCTA, of up to \$500,000 total, one for Fiscal Year 2019-2020 and one for Fiscal Year 2020-2021, subject to adjustments in the project schedule.

SECTION II

METRO AGREES:

1. To include the scope and funding for the Project in its contract with consultant and to take responsibility for contract management, with SBCTA's advisory assistance.
2. To communicate, in timely fashion, with SBCTA on any issues related to the consultant's performance, and agree to work with SBCTA on resolution of contract and Project-related issues.
3. To directly receive Project Cost Share payments from SBCTA and maintain financial records of such receipt.
4. That it will not authorize consultant to perform Project work under Metro's contract with consultant that is in excess of the maximum funding amount from SBCTA stated

- in this Agreement without a written amendment to this Agreement, executed by SBCTA and Metro.
5. To refund to SBCTA a 50% proportional share of Project Costs not expended for the Project.
 6. To maintain all source documents, consultant invoices, books and records connected with performance of the consultant under its contract with Metro for a minimum of five (5) years from the date of completion of the Project. Copies will be made and furnished by Metro upon written request by SBCTA.

SECTION III

IT IS MUTUALLY AGREED:

1. Neither SBCTA nor any officer or employee thereof is responsible for any injury, damage or liability occurring or arising by reason of anything done or omitted to be done by Metro under or in connection with any work, authority or jurisdiction delegated to Metro under this Agreement. It is understood and agreed that, pursuant to Government Code Section 895.4, Metro shall fully defend, indemnify and save harmless SBCTA, its officers, directors and employees, from all claims, suits or actions of every name, kind and description brought for or on account of injury (as defined by Government Code Section 810.8) occurring by reason of anything done or omitted to be done by Metro under or in connection with any work, authority or jurisdiction delegated to Metro under this Agreement. Metro's indemnification obligation applies to SBCTA's "active" as well as "passive" negligence but does not apply to SBCTA's "sole negligence" or "willful misconduct".
2. Neither Metro nor any officer or employee thereof is responsible for any injury, damage or liability occurring or arising by reason of anything done or omitted to be done by SBCTA under or in connection with any work, authority or jurisdiction delegated to SBCTA under this Agreement. It is understood and agreed that, pursuant to Government Code Section 895.4, SBCTA shall fully defend, indemnify and save harmless Metro, its officers, directors and employees, from all claims, suits or actions of every name, kind and description brought for or on account of injury (as defined by Government Code Section 810.8) occurring by reason of anything done or omitted to be done by SBCTA under or in connection with any work, authority or jurisdiction delegated to SBCTA under this Agreement. SBCTA's indemnification obligation applies to Metro's "active" as well as "passive" negligence but does not apply to Metro's "sole negligence" or "willful misconduct".
3. A determination of failure of the consultant to perform under the terms of the consultant contract with Metro will be at the sole discretion of Metro, after consultation with SBCTA. The opportunity to cure a breach of the consultant contract with Metro will be the responsibility of Metro and the consultant after consultation with SBCTA. SBCTA will not be responsible for direction provided by Metro to consultant that is different from the scope included in this Agreement unless a revised

- scope is included in a written amendment to this Agreement, executed by SBCTA and Metro.
4. This Agreement will be considered terminated either upon completion of the scope, as amended, by the consultant, or by the written agreement of the Parties.
 5. The failure of performance by either Party hereunder shall not be deemed to be a default where delays or defaults are due to the following force majeure events: war; insurrection; strikes; lock-outs; riots; floods; earthquakes; fires; casualties; acts of God; acts of the public enemy; epidemics; quarantine restrictions; freight embargoes; lack of transportation; governmental restrictions; unusually severe weather; inability to secure necessary labor, materials or tools; delays of any contractor, subcontractor, railroad, or suppliers; acts of the other Party; acts or failure to act of any other public or governmental agency or entity (other than that acts or failure to act of the Parties); provided that such force majeure events are beyond the control or without the fault of the Party claiming an extension of time to perform or relief from default. An extension of time for any such force majeure event shall be for the period of the forced delay and shall commence to run from the time of the commencement of the force majeure event, if notice by the Party claiming such extension is sent to the other Party within thirty (30) days of the commencement of the force majeure event. Times of performance under this Agreement may also be extended in writing by mutual agreement between the Parties, provided that the term of this Agreement may be extended only by a duly authorized written amendment to this Agreement.
 6. The Recitals to this Agreement are true and correct and are incorporated into this Agreement.
 7. The scope of the Project in Attachment A will be added to consultant's contract, pending modifications negotiated between Metro, SBCTA, and Caltrans Districts 7 and 8. The Project Cost and Project Cost Shares, will be added to consultant's contract as full compensation for consultant's performance of the scope.
 8. Both SBCTA and Metro will be responsible for the costs of their own staff time and staff expenses over the course of the Project, and none of the funding provided for the Project scope will be used for staff expenses. If funding is required for Caltrans involvement or oversight, Metro and SBCTA will jointly negotiate a separate agreement with Caltrans.
 9. This Agreement is effective and shall be dated on the date executed by SBCTA.

[Signatures on following page]

IN WITNESS WHEREOF, Metro and SBCTA have executed this Agreement below.

SAN BERNARDINO COUNTY
TRANSPORTATION AUTHORITY

By: _____
Darcy McNaboe
President, Board of Directors

Date: _____

APPROVED AS TO FORM:

By: _____
Julianna K. Tillquist
General Counsel

Date: _____

LOS ANGELES COUNTY METROPOLITAN
TRANSPORTATION AUTHORITY

By: _____
Phillip A. Washington
Chief Executive Officer

Date: _____

APPROVED AS TO FORM AND
PROCEDURE:

By: _____
Mary C. Wickham
County Counsel

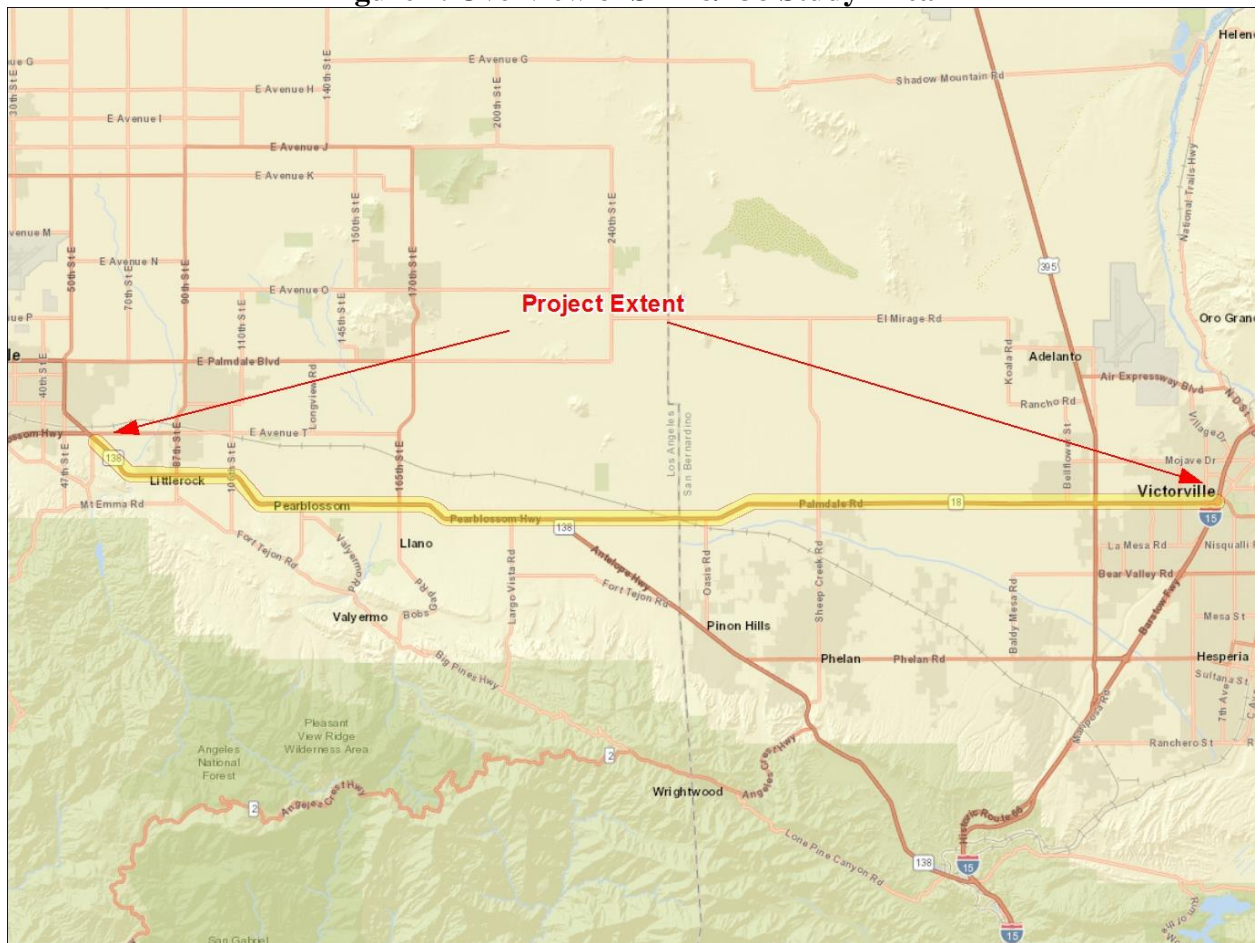
Attachment A

Scope of Work for the SR-18/138 Corridor Study San Bernardino County Transportation Authority and Los Angeles County Metropolitan Transportation Authority DRAFT, June, 2019, SUBJECT TO MODIFICATION

Corridor Background, Including the High Desert Corridor

The construction of the High Desert Corridor (HDC) is a long-term vision conceived by agencies in the Antelope and Victor Valleys as a new transportation facility in the High Desert region of Los Angeles and San Bernardino counties. The proposed 63-mile-long west-east facility would provide route continuity and relieve traffic congestion between SR-14 in Los Angeles County and U.S. Highway 395/Interstate 15 in San Bernardino County. The project would comprise one or more of the following major components-- highway, tollway, rail transit, bikeway-- and recommendations for green energy facilities. Figure 1 provides a geographic overview of the study area being considered.

Figure 1. Overview of SR-18/138 Study Area



The Counties of San Bernardino and Los Angeles, and the Cities of Adelanto, Victorville, Apple Valley, Lancaster, and Palmdale formed a Joint Powers Authority (JPA) in 2006 to develop this new freeway/expressway from SR-14 to I-15. The HDC began as a highway-focused project, but has evolved into a proposed multipurpose corridor designed to improve connectivity between the Antelope Valley and Victor Valley. Consequently, the HDC concept has incorporated a high-speed rail connection, a bikeway and a green energy element integrated into a sustainable project package. Additional information on the JPA and the HDC initiatives may be found at: <https://cms.sbcounty.gov/dpw/Transportation/HighDesertCorridor.aspx>.

An Environmental Impact Statement/Environmental Impact Report (EIS/EIR) was prepared by Caltrans and LA Metro addressing design concepts, potential benefits, and impacts of the HDC. The draft EIS/EIR was released in late 2014. The final environmental documents were approved by Caltrans on June 20, 2016. However, no federal Record of Decision (ROD) has been certified. All the environmental documentation is available at: <https://www.metro.net/projects/high-desert-corridor/>.

Demographic and economic profiles of the cities in the SR-18/138 corridor are available in the Local Profiles for 2017 prepared by SCAG. Rather than repeat information here, the profiles for the cities of Lancaster and Palmdale in Los Angeles County, and the cities/towns of Adelanto, Apple Valley, Hesperia, and Victorville in San Bernardino County may be referenced at: <http://www.scag.ca.gov/DataAndTools/Pages/LocalProfiles.aspx>.

Need for the SR-18/138 Corridor Study

A pathway for the funding and construction of all or a portion of the HDC has not yet materialized. The JPA is taking a long-term view to keep options open on the ultimate HDC facility. At the December 20, 2018 meeting of the HDC JPA, a series of presentations was provided to the JPA members regarding progress and status of discussions on both the highway and rail portions of the corridor, as well as the funding challenges for the project. At the conclusion of the meeting, the JPA members provided direction to staff, suggesting that LA Metro and SBCTA pursue a study of SR-138 and SR-18 between Palmdale and Victorville as a potential interim east-west highway improvement, while funding and implementation pathways are pursued for the full HDC. Figure 1 provides a geographic overview of the study area being considered.

The study would examine design concepts, alignments, and costs for improving mobility from Palmdale, following the SR-138, connecting to SR-18 just west of the LA/SB county line, and continuing to I-15. It is possible that different connecting points to I-15 may be considered along existing east-west arterials in Victorville, such as Palmdale Road to the SR-18/I-15 interchange, Mojave Drive to I-15, and Air Expressway to the D Street/I-15 interchange. Although the widening of SR-138 is being completed in LA County within the next several years, methods to enhance these traffic flows on SR-138 through operational and signal improvements will be considered as part of this effort.

Study Objectives

The overall objective of the SR-18/138 Corridor Study is to develop a plan to improve near-term east-west mobility in the Palmdale-Victorville corridor within approximately the next 10 years. The length of SR-18 is approximately 17 miles from SR-138 to U.S. 395, and about three miles of this is in LA County. The distance from U.S. 395 to I-15 is approximately 4 miles.

Most of SR-138 in LA County has already been widened to at least four lanes, and the remainder will be completed in the near future. There is an approximately 5-mile section still two lanes just west of the SR-18/138 merge. SR-18 remains a two-lane facility from SR-138 to US-395, widening to four lanes with a center median/turn lane east of that point to I-15.

SR-138 extends easterly from SR-18 to an interchange in the Cajon Pass. Thus, SR-138 is an important link between major employment hubs and can serve as a reliever route to I-15 during partial and full closures of the Cajon Pass, allowing an alternate path for the movement of goods and people during such incidents. It is included in the National Network of Surface Transportation Assistant Act (STAA) for oversized trucks as a State Highway Terminal Access Route and is classified as a “High Emphasis” route in the Interregional Road System (IRRS). Three SR-138 segments remain to be widened in San Bernardino County, but these are not considered part of the SR-18/138 Corridor Study.

No widening projects have occurred on SR-18 except for several spot intersection improvements. In San Bernardino County, a portion of SR-18 is included in the adopted Measure I Major Local Highways Program (MLHP) project list for the Victor Valley (widening to four lanes from U.S. 395 to Baldy Mesa), but no funds have been allocated. Neither Caltrans, LA County nor San Bernardino County have current plans for improvement of other portions of SR-18 west of Baldy Mesa.

The specific objectives of the SR-18/138 Corridor Study are to:

1. Identify and document the specific corridor limits, leading to establishment of the purpose and need for improvements, analysis of alignment and cross-section alternatives, estimating costs, benefits, and impacts, as well as prioritizing proposed transportation improvements for further project development.
2. Use the general framework of Caltrans Project Study Report/Project Development Support (PSR-PDS) to study alternatives for widening of SR-18 from SR-138 to I-15, including potential alternate routes to I-15 east of U.S. 395 and operational improvements on SR-138. Although the general outline of a PSR-PDS will be followed, this will not result in a programming document that requires approval by Caltrans. Recommendations for project development “Next Steps” will be included in the Corridor Study documentation, and it is possible that some of the normal PSR-PDS work components may be eliminated, de-emphasized, or modified, as determined by SBCTA, Metro, and Caltrans prior to execution of the consultant contract.
3. Identify the benefits and impacts of each alternative using the general framework of a Preliminary Environmental Analysis Report (PEAR), but with the possibility of selected environmental components being eliminated, de-emphasized, or modified, as determined by SBCTA, Metro, and Caltrans prior to execution of the consultant contract.

4. Prepare estimates of cost and schedule for project development and construction for each of the alternatives, assuming that funding would be available.
5. Make recommendations on next steps.

Scope of Work

The Scope of Work will generally follow the framework of Appendix S of the Caltrans Project Development Procedures Manual (PDPM) entitled “Preparation Guideline for Project Study Report-Project Development Support Project Initiation Document.” As stated in the appendix, “The development of a project study report-project development support (PSR-PDS) project initiation document (PID) provides a key opportunity for Caltrans and involved regional and local agencies to achieve consensus on the purpose-and-need, scope, and schedule of a project.” However, this will not result in a programming document that requires approval by Caltrans, but will set the stage and an organized framework for future project development activities within the corridor. Consultants should consider which PSR-PDS elements can be eliminated, de-emphasized, or modified to appropriately balance study costs, level of technical detail, and progress toward future project development activities within the corridor.

Appendix S lays out the expectations for a PSR-PDS in substantial detail, and consultants should use this as the general outline for proposed Scopes of Work appropriate for this planning-level effort on the SR-18/138 Corridor Study, setting the stage for future project development. Appendix S may be accessed at: <http://www.dot.ca.gov/design/manuals/pdpm.html>. The PSR-PDS Preparation Procedures are organized into the following steps or tasks, but for this planning-level study should be considered as an outline of tasks. Consultants may propose elimination or restructuring of tasks as appropriate for the level of detail appropriate for this pre-project development phase:

1. Develop Work Programs for PSR-PDS Development (this task will occur prior to consultant involvement)
2. Hold Pre-PID Meeting
3. Obtain Authorization for PID Preparation
4. Obtain and Review Existing Reports, Studies, Mapping or Other Information
5. Form the Project Development Team
6. Develop Consensus on the Project Purpose-and-Need
7. Review the Project Site
8. Identify Additional Data Requirements for Project Scoping
9. Perform the Initial Engineering Analysis and Develop Alternatives
10. Develop Cost Estimates
11. Develop Schedule
12. Identify Risks
13. Perform Quality Management
14. Complete PSR-PDS
15. Perform Caltrans District Review and Obtain Approval (as noted, Caltrans approval of a PSR-PDS programming document will not be required for the SR-18/138 Corridor Study. Future project-specific programming documents may build on the products of the Corridor Study)

Some of the specific considerations for conduct of the SR-18/138 Corridor Study include:

- The starting point for consideration of logical termini for the corridor will be from the SR-14/SR-138 interchange in Palmdale, following SR-138 to SR-18, and following SR-18 to Interstate 15 in Victorville. The recommended termini will be developed by the project team as part of the study effort. Figure 1 provided a map showing the corridor extent.
- Different connecting points to I-15 may be considered along existing east-west arterials in Victorville in addition to SR-18, including Mojave Drive to I-15, and Air Expressway to the D Street/I-15 interchange, likely using U.S. 395 as the north-south linkage. The expectation is that traffic using SR-138 from Palmdale and destined for the San Bernardino Valley will generally use SR-138 to the Cajon Pass. Traffic proceeding through Victorville to the east and north up I-15 toward Las Vegas would use the SR-18/138 corridor.
- No additional widening of SR-138, beyond what is currently programmed, need be considered in LA County as part of this corridor study. However, methods to enhance traffic flows on SR-138 through operational and signal improvements will be considered as part of this effort. The widening and geometric options considered in this study extend from the SR-18/SR-138 intersection in LA County to the several possible terminal points on I-15 in Victorville.
- It is expected that, in addition to Caltrans, LA Metro, and SBCTA, the Counties of Los Angeles and San Bernardino would be included on the Project Development Team, together with the Cities of Adelanto, Palmdale, and Victorville.
- Public outreach will be a consideration in the development of the Corridor Study. Consultants should propose the extent and nature and scale of the outreach in their submittals, with focus on the SR-18 portion of the corridor and the potential alternative alignments to I-15.

Individual projects that emerge out of the SR-18/138 Corridor Study may be separately programmed and funded. For example, the operational/signal evaluation on SR-138 in LA County may result in one or more projects being programmed in the SHOPP, use local funds, and/or grants. Funding for subsequent phases of SR-18 improvement has not been identified in either LA or San Bernardino County. The results of the Corridor Study will be presented to the HDC JPA, as well as to LA Metro and SBCTA technical and policy committees, as appropriate. Although a four-lane divided cross-section is anticipated for SR-18, the study will evaluate recommended design features based on the traffic data/analyses, adjacent land uses (future and existing), and input from Caltrans and local agencies. It is expected that the study schedule will be in the range of 18-24 months, but consultants should recommend a schedule appropriate and feasible for their proposed scope of work.

Minute Action

AGENDA ITEM: 17

Date: July 10, 2019

Subject:

Rialto Metrolink Station - Phase II Parking Lot Expansion - Pedestrian Pathway

Recommendation:

That the Board, acting as the San Bernardino County Transportation Authority:

Approve exceptions to Rail Property Policy No. 31602, specific to a pedestrian pathway supporting the Rialto Metrolink Station Parking Lot Expansion, to allow the Executive Director to approve a 20 year Lease Agreement with the City of Rialto, and waive annual administration fees for said pedestrian pathway, to be located within the San Gabriel Subdivision Right-of-Way.

Background:

The San Bernardino County Transportation Authority (SBCTA) and the City of Rialto (City) entered into Cooperative Agreement No. C13026, dated January 24, 2013, to define the roles and responsibilities for the Rialto Metrolink Parking Lot Expansion Project (Project). The Project included the addition of 230 parking spaces by expanding the parking lot at two locations, one to the west and one to the north. The City split the project into two phases to avoid delays associated with the right-of-way acquisition for the parcel to the north, and in 2018 requested the Cooperative Agreement be amended to include construction of the remaining parking spaces on a parcel located south of the station. Some of the funds allocated to the Project must be expended prior to June 30, 2022, so the amendment introduced a contract expiration date of June 30, 2020, to allow SBCTA enough time to reallocate any unused funds prior to the funding expiration. The City has completed Phase I of the Project; Phase II is currently under construction and scheduled to be completed in summer 2019.

As part of Phase II, the City has proposed a pedestrian pathway which would bring Metrolink patrons from the Phase II parking lot to Riverside Avenue, utilizing the south 10 feet of the San Gabriel Subdivision Right-of-Way, as shown on Attachment A. Pursuant to SBCTA Rail Property Policy No. 31602, only the Board may approve leases with a term greater than 5 years and grants of rights of use for a long-term road, driveway, bikeway, pathway or similar use. The Policy also provides that all grants of rights of use are subject to an annual administration fee. Staff is requesting the Board approve exceptions to the aforementioned provisions of Policy No. 31602, with regards to the proposed pedestrian pathway described in Attachment A; to allow the Executive Director to approve and execute a 20 year lease agreement with the City of Rialto for a long-term pedestrian pathway and to waive the annual administration fees.

Upon completion of the Project, the Rialto Station Cooperative Agreement No. C93046 dated February 16, 1993, will be amended to include the new parking lot and; if approved, the pedestrian pathway, as part of the City's security and maintenance responsibilities.

In a separate effort, SBCTA proceeded with environmentally clearing a double track project through this stretch of the San Gabriel Subdivision and completing preliminary engineering; as identified in the SBCTA Ten-Year Delivery Plan as the San Bernardino Line Double Track Project (SBLDTP). A portion of the SBLDTP is included in the Metrolink Southern California Optimized Rail Expansion (SCORE) Project, including double tracking from Control Point Lilac through the Rialto Station, and the project cost estimate being carried forward includes an

Entity: San Bernardino County Transportation Authority

Board of Directors Agenda Item

July 10, 2019

Page 2

underpass alternative. If constructed, the underpass alternative would replace the proposed pedestrian pathway; however, neither the SBCTA SBLDTP nor the portion of the SBLDTP included in the SCORE effort are funded for construction at this time.

Financial Impact:

This item is consistent with the Fiscal Year 2019/2020 budget.

Reviewed By:

This item was reviewed and unanimously recommended for approval by the Transit Committee on June 13, 2019. SBCTA's General Counsel has reviewed this item.

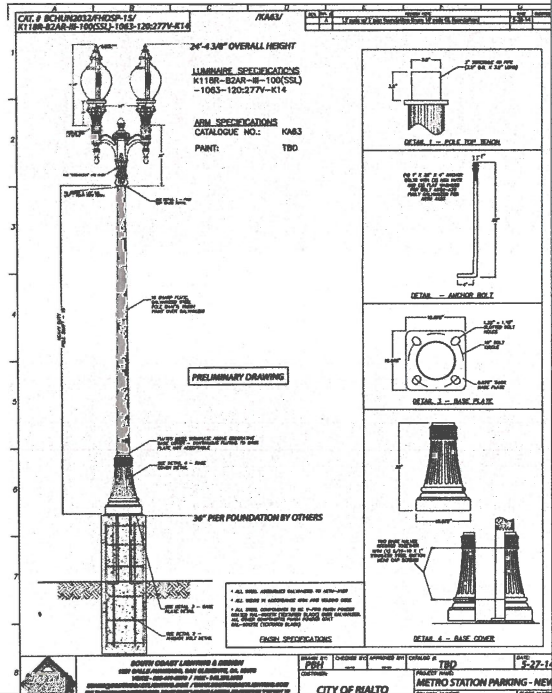
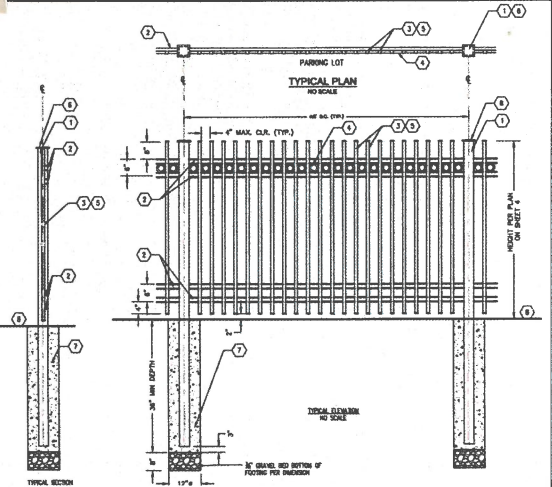
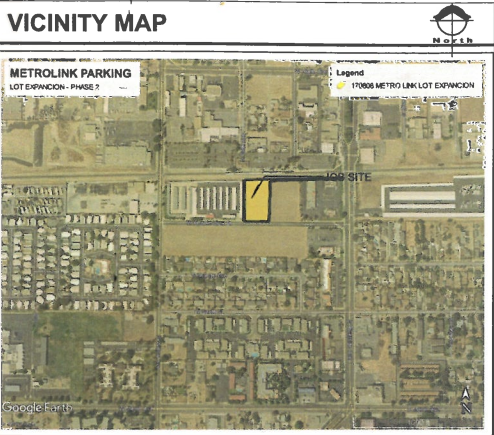
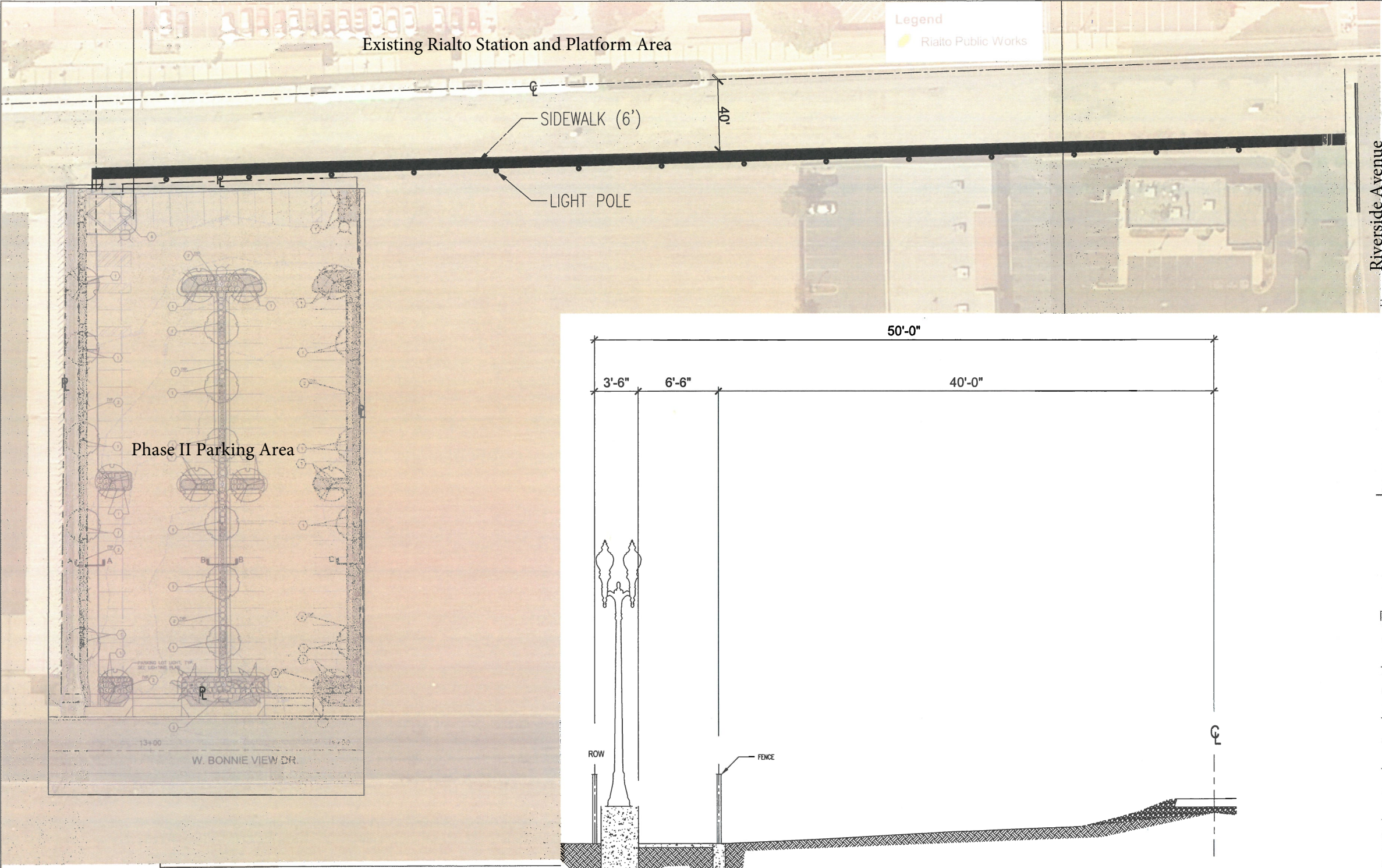
Responsible Staff:

Carrie Schindler, Director of Transit and Rail Programs

Approved
Board of Directors
Date: July 10, 2019

Witnessed By:

San Bernardino County Transportation Authority



SCALE 1"=30'



TYP. SECTION 1/4" = 1'-0"

UNDERGROUND SERVICE ALERT CALL TOLL FREE 1-800-227-2600 TWO WORKING DAYS BEFORE YOU DIG			SEAL-DESIGN ENGINEER	PREPARED UNDER THE SUPERVISION OF:		YOUR COMPANY NAME		CITY OF RIALTO	
				ENGINEER'S NAME, RCE XXXXX, EXP. XX/XX/XXXX				METROLINK PARKING LOT EXPANSION	
				RECOMMENDED FOR APPROVAL BY LOCKWOOD ENGINEERING:				PROPOSED SIDEWALK IMPROVEMENTS	
				CARLETON W. LOCKWOOD, JR., RCE 45935				(W BONNIE VIEW - S RIVERSIDE)	
MARK		REVISIONS	APPR. DATE	APPROVED BY:		BENCH MARK:		FOR:	
DESIGNED BY: _____		DRAWN BY: EMMANUEL		CHECKED BY: JEFF		DESCRIPTION:		CLIENT NAME	
				ROBERT G. EISENBEISZ, PUBLIC WORKS DIRECTOR/CITY ENGINEER, RCE 54931		B.M. No. _____		No. 170808	
						ELEVATION= _____		PLAN No. _____	
								OF X SHEETS	

Minute Action

AGENDA ITEM: 18

Date: July 10, 2019

Subject:

Measure I 2019 Population Estimates

Recommendation:

That the Board, acting as the San Bernardino County Transportation Authority:

Adopt the 2019 Population Estimates in Attachment B for use in the allocation of Measure I Local Street Projects Program and Transportation Development Act funds and in the apportionment of shares of certain State and Federal funds.

Background:

Allocation of revenue authorized by Ordinance No. 04-01 is estimated within the Transportation Expenditure Plan, but funds are allocated by percentage of the actual revenue received. Population estimates for the cities and unincorporated territory within each Measure I Subarea are used in the allocation of Measure I Local Street Program funds, commonly referred to as local pass-through funds. The Valley distribution formula for local pass-through funds is based strictly upon population, while the Mountain/Desert formula contains both population and point of generation components as detailed below:

San Bernardino Valley Subarea Expenditure Plan, Section F “Local Street Projects” states:

“Allocations to local jurisdictions shall be on a per capita basis using the most recent State Department of Finance population estimates for January 1, with the County’s portion based upon unincorporated population in the Valley Subarea. Estimates of unincorporated population within the Valley Subarea shall be determined by the County Planning Department, reconciled with the State Department of Finance population estimate for January 1 of each year.”

Mountain/Desert Expenditure Plan, Section C “Local Street Projects” Paragraph 2 states:

“...funds in the general Local Street Projects category shall be allocated to local jurisdictions based upon population (50 percent) and tax generation (50 percent). Population calculations shall be based upon the most current State Department of Finance estimates for January 1 of each year. Estimates of unincorporated population within each subarea shall be determined by the County Planning Department, reconciled with the State Department of Finance population estimates. Tax generation calculations shall be based upon State Board of Equalization data.”

Additionally, SBCTA uses population in the allocation and/or apportionment of Transportation Development Act (TDA) funds (Local Transportation Fund and State Transit Assistance funds) and certain State and Federal funds (Surface Transportation Program, Congestion Mitigation and Air Quality, State Transportation Improvement Program, Local Partnership Program, Federal Transit Administration Section 5311 Rural Grants, Senate Bill 1 State of Good Repair, and Low Carbon Transit Operations Program).

The formulas are updated annually using the State Department of Finance (DOF) population estimates as of January 1 of each year. The DOF estimating process begins with a county estimate that is produced by using customary demographic data inputs (births, deaths, school enrollment, administrative data, etc.) and applying standard demographic methodology. Growth or decline at the local level (city/unincorporated area) is estimated using data collected from local jurisdictions, mainly housing unit change and annexations, and group quarters changes (college dorms, prisons, military barracks) collected from a variety of government

Entity: San Bernardino County Transportation Authority

Board of Directors Agenda Item

July 10, 2019

Page 2

agencies and educational segments. That local estimate is then aligned to the county-level figure which is based on changes in annual counts for births, deaths, school enrollment, migration, medical care enrollment data, and group quarters population. Once DOF has the data necessary to produce the annual sub-county report, the DOF timeframe for actually calculating and producing the estimates is very limited due to the timing of the data collection (as it becomes available) and the statutory deadline that they are under. Further information from the DOF website is included as Attachment A to this agenda item.

According to DOF, local agencies that have comments or feedback pertaining to a population estimate are encouraged to first contact their planning department, building department or community development department locally to express their concerns. The housing unit changes that drive population estimates locally come directly from a survey completed by local planning, building and community development departments. In the event that a number of housing units were not reported by the local jurisdiction, DOF can revise a previous year to include those units given the proper documentation. This may result in a higher population for a previous year but does not directly impact current year transportation funds to the jurisdiction for the current year.

The San Bernardino County Demographic Research Unit takes the DOF estimates and disaggregates the unincorporated population by Measure I Subarea based on building permit activity. Urban areas are defined by Caltrans Urban Area Boundaries within the unincorporated areas. Both are controlled to the DOF Unincorporated total.

The January 1, 2019, population estimates are recommended for approval and use in allocation of Measure I Local Street Projects Program funds and the other TDA, State, and Federal funds. Both the 2019 population estimates (Attachment B) and the 2018 population estimates (Attachment C) are attached to this agenda item for comparison purposes. As there were only minor fluctuations in the population statistics, there should be no significant shift in Measure I fund allocations related to population. The distribution of Measure I funds will be adjusted retroactively to January 1, 2019, to reflect each jurisdiction's relative proportion of population within the Measure I Subarea.

This item has no direct impact on the San Bernardino County Transportation Authority's budget. The adopted population estimates are incorporated into the allocation formula for distribution to local jurisdictions.

Financial Impact:

This item is consistent with the adopted Fiscal Year 2019/2020 budget.

Reviewed By:

This item was reviewed and unanimously recommended for approval by the General Policy Committee on June 12, 2019.

Responsible Staff:

Andrea Zureick, Director of Fund Administration

Approved
Board of Directors
Date: July 10, 2019

Witnessed By:

San Bernardino County Transportation Authority

Attachment A

Department of Finance Population Estimate Methodology

Source: State of California, Department of Finance, May 1, 2019.

http://www.dof.ca.gov/Forecasting/Demographics/Estimates/E-1/documents/E-1_2019PressRelease.pdf

OVERVIEW

California added 186,807 residents in 2018 to bring the State's total population as of January 1st to 39,927,315. Last year's 1.00-percent growth rate compares to the 0.86-percent annualized growth rate since the 2010 Census. In San Bernardino County, Twentynine Palms was the fastest growing city with a population of 28,958, representing a 6.3-percent growth rate over 2018.

The population estimates are produced annually by the Department of Finance for use by local areas to calculate their annual apportionment limit. The State Controller's Office uses Finance's estimates to update their population figures for distribution of state subventions to cities and counties, and to comply with various state codes. Additionally, estimates are used for research and planning purposes by federal, state, and local agencies, the academic community, and the private sector.

Changes to the housing stock are used in the preparation of the annual city population estimates. Estimated occupancy of housing units and the number of persons per household further determine population levels. Changes in city housing stock result from new construction, demolitions, housing unit conversions, and annexations. The sub-county population estimates are then adjusted to be consistent with independently produced county estimates.

Related population reports are available on the Department's website:
<http://www.dof.ca.gov/research/demographic>

POPULATION CHANGE MODELING

The state and county population are independently estimated using population change models benchmarked on official decennial census counts. The state population is estimated using the Driver License Address Change method. County population proportions are estimated using the average of three separately estimated sets of proportions. The final distribution of proportions is applied to the independently estimated state control.

State Estimate. The state population is estimated using the Driver License Address Change (DLAC) Method. This composite method separately estimates the population under age 18, 18 through 64, and 65 years and older. Administrative records such as births, deaths, driver license address changes, tax return data, Medicare and Medi-Cal enrollment, immigration reports, elementary school enrollments, and group quarters population are among the data used in this method. All data used to develop these estimates are in summary tables and do not reveal the identity of any individual.

County Estimates. Most of county populations estimates result from averaging the first three methods below. We use one of these methods: Housing Unit Method, Vital Statistics Method, or DLAC Method, in 13 counties with 65,000 populations or less.

DLAC Method. A modified version of the state Driver License Address Change (DLAC) method is used for counties. County proportions of the state total result from changes in county population values for births, deaths, school enrollment, foreign and domestic migration, medical aid enrollments, and group quarters population.

Ratio-Correlation Method. This method models change in household population as a function of changes in the distributions of driver licenses, school enrollments, and housing units. Estimates of county group quarters are added.

Tax Return Method. County proportions are derived by the U.S. Census Bureau using matched federal income tax returns to estimate inter-county migration along with vital statistics, group quarters, and other information for the population aged 65 and over.

Housing Unit Method (HUM). Vacancy rate data from the 2010 census is applied. Assuming the average number of persons in households remains unchanged from Census 2010, county populations are then calculated from estimated counts for the household and group quarter's population data.

Vital Statistics Method. County population estimates result from changes in county population values for births, deaths, and group quarters population.

METHODOLOGY

City and Unincorporated Area Estimates. The HUM is used to estimate total and occupied housing units, household size, household population, and group quarters population. Housing units are estimated by adding new construction and annexations and subtracting demolitions, and adjusting for units lost or gained by conversions. Annual housing unit change data are supplied by local jurisdictions and the U.S. Census Bureau. Occupied housing units are estimated by applying a derived civilian vacancy rate, based on 2010 benchmark data, to the estimated civilian housing units. Adjustments to census vacancy rates are made periodically. Exact data on foreclosures or other housing market indicators are not available to adjust vacancy rates. Military occupied housing units are added to civilian occupied housing units to calculate total occupied housing units. Military surveys are used to track military changes including base realignments and closures. Household population estimates are derived by multiplying the number of occupied housing units by the current persons per household. The persons per household estimates are based on 2010 census benchmark data and are adjusted by raking the current county population series into these estimates. The group quarters population is based on the Census Bureau's 2010 SF1 File counts on group quarters and annually adjusted using reported changes for group quarters by state, federal, and local agencies. The household and group quarters populations are summed to produce the initial city population estimates. These estimates are aligned to the county estimates described below.

County Estimates. County population estimates were developed using three separate methods.

County Driver License Address Change (DLAC) Method. A modified version of the state DLAC method is used for counties. County-level estimated population results from changes in annual counts for births, deaths, school enrollment, foreign and domestic migration, medical care enrollment data for the population 65 and over, and group quarters population.

Ratio-Correlation Method. This method models change in household population as a function of changes in the distributions of births, deaths, driver licenses, public elementary school enrollment, labor force, and county housing unit counts. Estimates of county group quarters are added.

Administrative Records (ADREC) Method. County population estimates are derived using the U.S. Census Bureau ADREC Method, which are updated from their most recent estimates series and the Demographic Research Unit's (DRU) own estimated half-year migration data along with the most recent vital statistics (from the California Department of Public Health) and group quarters data obtained from several state and local sources. The DRU's half-year migration data are calculated using the percentage of change in net migration in two consecutive years.

DATA CONSIDERATIONS

Sources. Data used in estimation models come from administrative records of numerous state and federal departments and agencies. Timeliness and coverage in these series vary. Corrections, adjustments or estimates may be made while preparing the estimates.

Data used in estimation models come from administrative records of several state and federal government departments and agencies, and from the local jurisdictions for which Finance produces population estimates. Because timeliness and coverage in these series vary, corrections, smoothing, and other adjustments may be applied. Changes to 2010 Summary File 1 data in the classification of student housing on or near campus was necessary to remain consistent with the census group quarters definition. In only a few instances, some student housing (residence hall and apartment units) counted as household population in the census was redefined as

group quarters student housing population. College dorm group quarters population is defined as student population living in residence halls and apartment units located on or near college campuses.

Accuracy. In general, estimates become less precise as the time from the last census increases. Data and models used to produce population estimates are subject to both measurement and non-measurement errors. This results in imperfect correlation between the data used to estimate the population and actual population change. The data and estimating models have been thoroughly tested with decennial census results that provide benchmarks for the estimates series. Data and methods are further refined and modified throughout the decade.

ATTACHMENT B

MEASURE I 2019 POPULATION SUMMARY
PREPARED BY SAN BERNARDINO COUNTY PLANNING

PLANNING REGION	(1) DOF/CO 2019	(2) ADJUSTMENT	2019 TOTAL	PERCENT OF SUBAREA	PERCENT OF COUNTY TOTAL
WEST VALLEY					
CHINO	89,829		89,829	5.62%	4.098%
CHINO HILLS	84,364		84,364	5.28%	3.848%
FONTANA	212,078		212,078	13.28%	9.674%
MONTCLAIR	39,563		39,563	2.48%	1.805%
ONTARIO	178,268		178,268	11.16%	8.132%
RANCHO CUCAMONGA	179,412		179,412	11.23%	8.184%
UPLAND	78,481		78,481	4.91%	3.580%
UNINCORPORATED URBAN	47,168	(6)	47,168	2.95%	2.152%
UNINCORPORATED RURAL	2,350	(7)	2,350	0.15%	0.107%
TOTAL WEST VALLEY			911,513	57.06%	41.580%
EAST VALLEY					
COLTON	54,391		54,391	3.40%	2.481%
GRAND TERRACE	12,654		12,654	0.79%	0.577%
HIGHLAND	55,778		55,778	3.49%	2.544%
LOMA LINDA	24,335		24,335	1.52%	1.110%
REDLANDS	71,839		71,839	4.50%	3.277%
RIALTO	107,271		107,271	6.71%	4.893%
SAN BERNARDINO	219,233		219,233	13.72%	10.001%
YUCAIPA	54,844		54,844	3.43%	2.502%
UNINCORPORATED URBAN	82,538	(6)	82,538	5.17%	3.765%
UNINCORPORATED RURAL	3,129	(7)	3,129	0.20%	0.143%
TOTAL EAST VALLEY			686,012	42.94%	31.293%
TOTAL VALLEY			1,597,525	100.00%	72.873%

MEASURE I 2019 POPULATION SUMMARY
PREPARED BY SAN BERNARDINO COUNTY PLANNING

PLANNING REGION	(1) DOF/CO 2019	(2) ADJUSTMENT	2019 TOTAL	PERCENT OF SUBAREA	PERCENT OF COUNTY TOTAL
MOUNTAINS					
BIG BEAR LAKE	5,461		5,461	10.44%	0.249%
UNINCORPORATED URBAN	36,719	(6) (3)	36,719	70.19%	1.675%
UNINCORPORATED RURAL	10,137	(7) (3)	10,137	19.38%	0.462%
TOTAL MOUNTAINS			52,317	100.00%	2.387%
NORTH DESERT					
BARSTOW	24,150		24,150	42.42%	1.102%
UNINCORPORATED URBAN	22,577	(6)	22,577	39.65%	1.030%
UNINCORPORATED RURAL	10,207	(7)	10,207	17.93%	0.466%
TOTAL NORTH DESERT			56,934	100.00%	2.597%
COLORADO RIVER					
NEEDLES (RURAL)	5,085		5,085	70.07%	0.232%
UNINCORPORATED URBAN	0	(6)	0	0.00%	0.000%
UNINCORPORATED RURAL	2,172	(7)	2,172	29.93%	0.099%
TOTAL COLORADO RIVER			7,257	100.00%	0.331%
MORONGO BASIN					
TWENTYNINE PALMS	28,958	(4)	28,958	38.31%	1.321%
YUCCA VALLEY	22,050		22,050	29.17%	1.006%
UNINCORPORATED URBAN	6,330	(6)	6,330	8.37%	0.289%
UNINCORPORATED RURAL	18,253	(7)	18,253	24.15%	0.833%
TOTAL MORONGO BASIN			75,591	100.00%	3.448%
VICTOR VALLEY					
ADELANTO	35,136	(5)	35,136	8.73%	1.603%
APPLE VALLEY	73,464	(5)	73,464	18.25%	3.351%
HESPERIA	96,362	(5)	96,362	23.94%	4.396%
VICTORVILLE	126,543	(5)	126,543	31.43%	5.772%
UNINCORPORATED URBAN (3)	32,416	(6) (5)	32,416	8.05%	1.479%
UNINCORPORATED RURAL (3)	38,658	(7) (5)	38,658	9.60%	1.763%
TOTAL VICTOR VALLEY			402,579	100.00%	18.364%
TOTAL DESERT			542,361		
TOTAL MOUNTAIN/DESERT			594,678		27.127%

MEASURE I 2019 POPULATION SUMMARY
PREPARED BY SAN BERNARDINO COUNTY PLANNING

PLANNING REGION	(1) DOF/CO 2019	(2) ADJUSTMENT	2019 TOTAL	PERCENT OF SUBAREA	PERCENT OF COUNTY TOTAL
SUMMARY:					
TOTAL INCORPORATED	1,879,549		1,879,549		85.738%
TOTAL UNINCORPORATED	312,654		312,654		14.262%
TOTAL COUNTY	2,192,203		2,192,203		100.000%

- (1) - CITY FIGURES FROM DOF JANUARY 1, 2019 ESTIMATES; UNINCORPORATED FIGURES FROM PLANNING DEPARTMENT ESTIMATES CONTROLLED TO DOF UNINCORPORATED TOTAL.
- (2) - THIS COLUMN CONTAINS ADJUSTMENTS NECESSARY TO MODIFY CITY TOTALS AS SPECIFIED IN MEASURE I.
- (3) - THE WRIGHTWOOD COMMUNITY AND AREAS NORTH OF LONE PINE CANYON ROAD WERE EXCLUDED FROM THE MOUNTAIN AREA AND INCLUDED IN THE VICTOR VALLEY AS SPECIFIED IN MEASURE I.
- (4) - THE POPULATED PORTIONS OF THE TWENTYNINE PALMS MARINE BASE HAVE BEEN ANNEXED BY THE CITY OF TWENTYNINE PALMS.
- (5) - WITH THE CLOSING OF GEORGE AIR FORCE BASE, THERE IS NO LONGER AN ALLOCATION OF POPULATION TO THE CITIES IN THE VICTOR VALLEY.
- (6) - UNINCORPORATED URBAN FIGURES FROM PLANNING DEPARTMENT ESTIMATES CONTROLLED TO DOF UNINCORPORATED TOTALS AND CALTRANS URBAN AREA BOUNDARIES.
- (7) - UNINCORPORATED RURAL FIGURES FROM PLANNING DEPARTMENT ESTIMATES CONTROLLED TO DOF UNINCORPORATED TOTALS AND BASED ON AREAS OUTSIDE THE CALTRANS URBAN AREA BOUNDARIES.

ATTACHMENT C

MEASURE I 2018 POPULATION SUMMARY
PREPARED BY SAN BERNARDINO COUNTY PLANNING

PLANNING REGION	(1) DOF/CO 2018	(2) ADJUSTMENT	2018 TOTAL	PERCENT OF SUBAREA	PERCENT OF COUNTY TOTAL
WEST VALLEY					
CHINO	86,757		86,757	5.50%	3.989%
CHINO HILLS	83,159		83,159	5.27%	3.824%
FONTANA	212,000		212,000	13.43%	9.747%
MONTCLAIR	39,326		39,326	2.49%	1.808%
ONTARIO	177,589		177,589	11.25%	8.165%
RANCHO CUCAMONGA	176,671		176,671	11.19%	8.123%
UPLAND	77,017		77,017	4.88%	3.541%
UNINCORPORATED URBAN	43,116	(6)	43,116	2.73%	1.982%
UNINCORPORATED RURAL	2,110	(7)	2,110	0.13%	0.097%
TOTAL WEST VALLEY			897,745	56.89%	41.277%
EAST VALLEY					
COLTON	53,724		53,724	3.40%	2.470%
GRAND TERRACE	12,524		12,524	0.79%	0.576%
HIGHLAND	54,761		54,761	3.47%	2.518%
LOMA LINDA	23,946		23,946	1.52%	1.101%
REDLANDS	71,196		71,196	4.51%	3.273%
RIALTO	107,041		107,041	6.78%	4.922%
SAN BERNARDINO	221,130		221,130	14.01%	10.167%
YUCAIPA	54,651		54,651	3.46%	2.513%
UNINCORPORATED URBAN	78,670	(6)	78,670	4.98%	3.617%
UNINCORPORATED RURAL	2,766	(7)	2,766	0.18%	0.127%
TOTAL EAST VALLEY			680,409	43.11%	31.284%
TOTAL VALLEY			1,578,154	100.00%	72.561%

MEASURE I 2018 POPULATION SUMMARY
PREPARED BY SAN BERNARDINO COUNTY PLANNING

PLANNING REGION	(1) DOF/CO 2018	(2) ADJUSTMENT	2018 TOTAL	PERCENT OF SUBAREA	PERCENT OF COUNTY TOTAL
MOUNTAINS					
BIG BEAR LAKE	5,512		5,512	10.40%	0.253%
UNINCORPORATED URBAN	37,413	(6) (3)	37,413	70.60%	1.720%
UNINCORPORATED RURAL	10,068	(7) (3)	10,068	19.00%	0.463%
TOTAL MOUNTAINS			52,993	100.00%	2.437%
NORTH DESERT					
BARSTOW	24,411		24,411	40.97%	1.122%
UNINCORPORATED URBAN	23,116	(6)	23,116	38.80%	1.063%
UNINCORPORATED RURAL	12,056	(7)	12,056	20.23%	0.554%
TOTAL NORTH DESERT			59,583	100.00%	2.740%
COLORADO RIVER					
NEEDLES (RURAL)	5,177		5,177	69.29%	0.238%
UNINCORPORATED URBAN	0	(6)	0	0.00%	0.000%
UNINCORPORATED RURAL	2,294	(7)	2,294	30.71%	0.105%
TOTAL COLORADO RIVER			7,471	100.00%	0.344%
MORONGO BASIN					
TWENTYNINE PALMS	27,046	(4)	27,046	36.14%	1.244%
YUCCA VALLEY	21,834		21,834	29.18%	1.004%
UNINCORPORATED URBAN	6,800	(6)	6,800	9.09%	0.313%
UNINCORPORATED RURAL	19,152	(7)	19,152	25.59%	0.881%
TOTAL MORONGO BASIN			74,832	100.00%	3.441%
VICTOR VALLEY					
ADELANTO	35,293	(5)	35,293	8.78%	1.623%
APPLE VALLEY	73,984	(5)	73,984	18.41%	3.402%
HESPERIA	94,829	(5)	94,829	23.59%	4.360%
VICTORVILLE	123,701	(5)	123,701	30.78%	5.688%
UNINCORPORATED URBAN (3)	35,793	(6) (5)	35,793	8.91%	1.646%
UNINCORPORATED RURAL (3)	38,305	(7) (5)	38,305	9.53%	1.761%
TOTAL VICTOR VALLEY			401,905	100.00%	18.479%
TOTAL DESERT			543,791		
TOTAL MOUNTAIN/DESERT			596,784		27.439%

Attachment: Attachment C - 2018 Population Estimates (5880 : Measure I 2019 Population Estimates)

MEASURE I 2018 POPULATION SUMMARY
PREPARED BY SAN BERNARDINO COUNTY PLANNING

PLANNING REGION	(1) DOF/CO 2018	(2) ADJUSTMENT	2018 TOTAL	PERCENT OF SUBAREA	PERCENT OF COUNTY TOTAL
SUMMARY:					
TOTAL INCORPORATED	1,863,279		1,863,279		85.670%
TOTAL UNINCORPORATED	311,659		311,659		14.330%
TOTAL COUNTY	2,174,938		2,174,938		100.000%

- (1) - CITY FIGURES FROM DOF JANUARY 1, 2018 ESTIMATES; UNINCORPORATED FIGURES FROM PLANNING DEPARTMENT ESTIMATES CONTROLLED TO DOF UNINCORPORATED TOTAL.
- (2) - THIS COLUMN CONTAINS ADJUSTMENTS NECESSARY TO MODIFY CITY TOTALS AS SPECIFIED IN MEASURE I.
- (3) - THE WRIGHTWOOD COMMUNITY AND AREAS NORTH OF LONE PINE CANYON ROAD WERE EXCLUDED FROM THE MOUNTAIN AREA AND INCLUDED IN THE VICTOR VALLEY AS SPECIFIED IN MEASURE I.
- (4) - THE POPULATED PORTIONS OF THE TWENTYNINE PALMS MARINE BASE HAVE BEEN ANNEXED BY THE CITY OF TWENTYNINE PALMS.
- (5) - WITH THE CLOSING OF GEORGE AIR FORCE BASE, THERE IS NO LONGER AN ALLOCATION OF POPULATION TO THE CITIES IN THE VICTOR VALLEY.
- (6) - UNINCORPORATED URBAN FIGURES FROM PLANNING DEPARTMENT ESTIMATES CONTROLLED TO DOF UNINCORPORATED TOTALS AND CALTRANS URBAN AREA BOUNDARIES.
- (7) - UNINCORPORATED RURAL FIGURES FROM PLANNING DEPARTMENT ESTIMATES CONTROLLED TO DOF UNINCORPORATED TOTALS AND BASED ON AREAS OUTSIDE THE CALTRANS URBAN AREA BOUNDARIES.

Minute Action

AGENDA ITEM: 19

Date: July 10, 2019

Subject:

Ranchero Corridor Widening Project Funding Plan

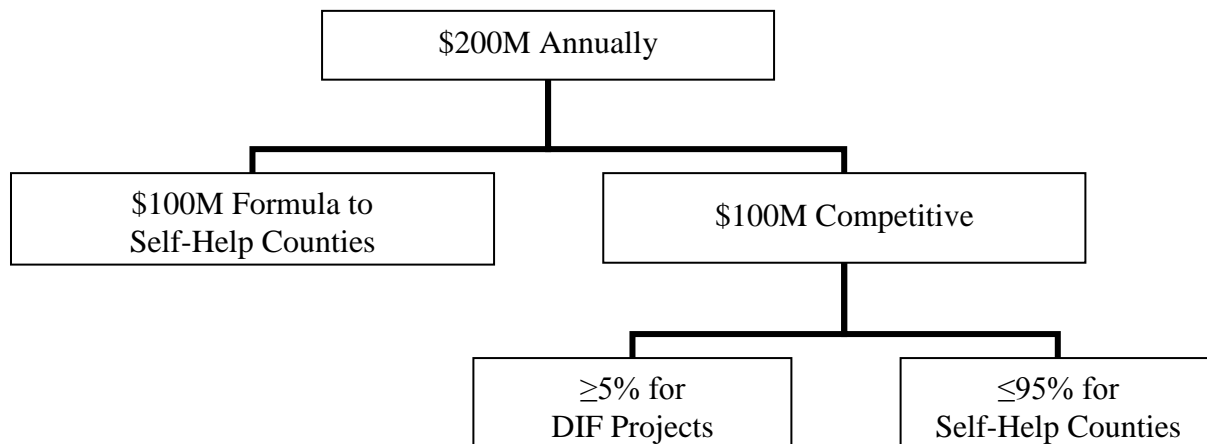
Recommendation:

That the Board, acting as the San Bernardino County Transportation Authority:

Approve the allocation of \$12.678 million of Senate Bill 1 Local Partnership Program (LPP) formulaic funds to the Ranchero Road Corridor Widening Project in the City of Hesperia and County of San Bernardino.

Background:

The Senate Bill 1 Local Partnership Program (LPP) is intended to award and incentivize agencies to develop local funding sources dedicated to transportation. The program is administered by the California Transportation Commission (CTC) as follows:



The San Bernardino County Transportation Authority (SBCTA) Board approved Policy 35100, Allocation of Senate Bill 1 LPP Funds, at the September 2018 Board meeting. Per Policy 35100, LPP Formulaic Program funds will be included in the State and Federal funds to be allocated equitably between the various Subareas of the county over time in accordance with Policy 40023, Determination of Proportional Shares of State and Federal Funds between Subareas. Prior to adoption of the 2019 Update to the 10-Year Delivery Plan, the San Bernardino Valley Subarea had received a disproportionate share of State and Federal funds because of the large delivery requirements of the Redlands Passenger Rail Project and the Interstate (I)-10 Corridor Contract 1 Project. In the 2019 Update to the Delivery Plan, SBCTA staff made a concerted effort to propose programming of State and Federal funds to projects in the Mountain/Desert Subareas to begin to establish equity in the allocation of those funds.

The Ranchero Road Corridor Widening project (Project) will widen and reconstruct Ranchero Road from four to six lanes with a center median from 0.3 miles east of Mariposa to

Entity: San Bernardino County Transportation Authority

7th Street at various locations. In the 2019 Update to the Delivery Plan staff proposed programming \$12.678 million of LPP Formulaic Program funding for the construction phase of the Project as shown in Table 1 below:

Table 1: Ranchero Road Corridor Widening (1,000s)

Phase	Funding Sources						Total
	Measure I	City DIF	City Local	LPP Comp*	LPP Formula	County DIF	
PA/ED		\$424	\$629			\$307	\$1,360
PS&E		\$188	\$824			\$1,318	\$2,330
ROW	\$2,680	\$1,670				\$1,075	\$5,425
CON	\$3,971	\$10,086		\$3,900	\$12,678	\$4,887	\$35,522
TOTAL	\$6,651	\$12,368	\$1,453	\$3,900	\$12,678	\$7,587	\$44,637

* The City of Hesperia received a LPP competitive grant for the Project, which buys down the developer share of Project costs.

At the June 2018 CTC meeting, the 2019 LPP Formulaic Program funding share distribution was adopted. SBCTA's formulaic share for Fiscal Year 2019/2020 is \$6.339 million. The proposed funding plan in Table 1 would also program the 2020 LPP Formulaic Program funding share, which is estimated to be consistent with the 2019 Program at \$6.339 million. The Project meets the LPP formulaic requirement of 1:1 match with other non-CTC allocated funding sources and will be ready for construction allocation by Fiscal Year 2020/2021. Additionally, programming LPP formulaic funds to the project will alleviate the need for bonding against Measure I to fully fund projects within the Victor Valley Subarea.

Financial Impact:

This item has no impact on the adopted SBCTA Fiscal Year 2019/2020 Budget.

Reviewed By:

This item was reviewed and unanimously recommended for approval by the General Policy Committee on June 12, 2019.

Responsible Staff:

Andrea Zureick, Director of Fund Administration

Approved
 Board of Directors
 Date: July 10, 2019

Witnessed By:

Minute Action

AGENDA ITEM: 20

Date: July 10, 2019

Subject:

Capital Project Needs Analysis Submittals and Funding Allocations for Valley Major Street Program/Arterial Sub-Program for Fiscal Year 2019/2020

Recommendation:

That the Board, acting as the San Bernardino County Transportation Authority:

- A. Approve the Measure I Funding Allocations for the Valley Major Street Program/Arterial Sub-Program for Fiscal Year 2019/2020 as referenced in Table 1 of this Agenda Item.
- B. Approve the Project List for the Measure I Valley Major Street Program/Arterial Sub-Program for Fiscal Year 2019/2020 as referenced in Attachment A to this Agenda Item.

Background:

In the Measure I 2010-2040 Strategic Plan, the San Bernardino County Transportation Authority (SBCTA) Board approved creation of the San Bernardino Valley Arterial Sub-Program under the Major Street Projects Program. Strategic Plan Policy No. 40006 required each Valley Subarea jurisdiction to execute a Jurisdiction Master Agreement (JMA) to be eligible for reimbursement of Measure I San Bernardino Valley Arterial Sub-Program funds. The agreement serves as a multi-year contract for the entirety of Measure I 2010-2040. The City of Chino Hills is the only jurisdiction that has not yet executed a JMA as they had the majority of their funds allocated to them through the Project Advancement Agreement process.

Additionally, as required by policy, Valley jurisdictions must prepare, adopt, and annually submit to SBCTA by September 30th their Capital Project Needs Analysis (CPNA), a list of projects for which they plan to request reimbursement of the public share in the next five years (Attachment A). Projects listed in the first two years and any unreimbursed expenditures from prior years are eligible for reimbursement in Fiscal Year 2019/2020. Besides identifying the need for Measure I funds by project phase, the complete submittal also lists other anticipated funding sources, including the required development mitigation fair share funds. This year two cities have also approved and submitted revised CPNAs: Redlands and Yucaipa. Attachment A includes their revised project funding needs.

Reimbursement is subject to each jurisdiction's equitable share and arterial fund allocation limits; therefore approval of the list does not guarantee availability of funds for reimbursement. However, there is an allowance for a jurisdiction to advance up to five years of allocations as long as there is sufficient fund balance in the cumulative arterial fund and the advance is approved by the SBCTA Board. To date, advances have been approved for the cities of Ontario, Montclair, and Upland. The arterial project list also contains projects where arterial funds have been pledged as collateral for development share term loans. These projects are prioritized for use of arterial funds.

The Arterial Sub-Program current year funding allocations were presented to the SBCTA Board on March 6, 2019, as part of the Fiscal Year 2019/2020 budget planning process. Table 1 shows the cumulative allocations through the current year, the Board recommended allocations for the

Entity: San Bernardino County Transportation Authority

Board of Directors Agenda Item
July 10, 2019
Page 2

current year (Column D), the proposed total allocations, project reimbursements to date, and arterial funds identified as collateral for development impact fee term loans.

Table 1
Measure I Major Street Projects Arterial Sub-Program
Fiscal Year 2019/2020 Allocation Status

Jurisdiction and Share		Allocations and Invoicing					Additional Information	
A	B	C	D	E	F	G	H	I
Jurisdiction	Equitable Share	Cumulative Allocations FY10/11-18/19	<u>Proposed FY19/20 Allocation</u>	Cumulative Allocations FY10/11-19/20	Arterial Invoicing Reimbursements at 4/30/19	Balance of Allocation Available thru FY19/20	Project Advancement Agreement Final Reimbursements	Arterial Loan Balances at 1/31/19
			Total * Col B	Col C + Col D		Col E - Col F		
Chino	7.591%	\$7,167,844.28	\$1,572,894.47	\$8,740,738.76	\$298,945.94	\$8,441,792.82	\$2,409,779.49	\$0.00
Chino Hills	2.194%	\$2,071,696.80	\$454,608.15	\$2,526,304.95	\$0.00	\$2,526,304.95	\$8,687,344.18	\$0.00
Colton	2.534%	\$2,392,743.70	\$525,057.91	\$2,917,801.61	\$326,398.13	\$2,591,403.48	\$0.00	\$0.00
Fontana	19.400%	\$18,318,558.69	\$4,019,780.37	\$22,338,339.06	\$3,036,705.42	\$19,301,633.64	\$34,928,456.92	\$0.00
Grand Terrace	1.389%	\$1,311,571.04	\$287,807.99	\$1,599,379.02	\$151,461.76	\$1,447,917.26	\$0.00	\$0.00
Highland	6.777%	\$6,399,220.21	\$1,404,229.46	\$7,803,449.68	\$238,579.00	\$7,564,870.68	\$120,709.61	\$1,223,838.00
Loma Linda	4.074%	\$3,846,897.32	\$844,153.88	\$4,691,051.20	\$2,591,018.56	\$2,100,032.64	\$0.00	\$0.00
Montclair	0.597%	\$563,720.59	\$123,701.49	\$687,422.08	\$6,308.40	\$681,113.68	\$0.00	\$3,897,667.00
Ontario	12.272%	\$11,587,904.75	\$2,542,821.89	\$14,130,726.64	\$1,029,538.32	\$13,101,188.32	\$0.00	\$6,383,764.00
Rancho Cucamonga	5.044%	\$4,792,825.25	\$1,045,142.90	\$5,837,968.15	\$4,422,166.98	\$1,415,801.17	\$6,772,713.18	\$0.00
Redlands	4.854%	\$4,583,416.69	\$1,005,773.91	\$5,589,190.61	\$2,112,512.00	\$3,476,678.61	\$0.00	\$603,973.63
Rialto	3.831%	\$3,617,443.22	\$793,803.02	\$4,411,246.24	\$2,814,254.92	\$1,596,991.32	\$899,731.56	\$0.00
San Bernardino	7.857%	\$7,419,016.27	\$1,628,011.05	\$9,047,027.32	\$1,305,790.09	\$7,741,237.23	\$0.00	\$0.00
Upland	2.743%	\$2,590,093.12	\$568,363.79	\$3,158,456.92	\$1,807,919.47	\$1,350,537.45	\$0.00	\$2,029,872.00
Yucaipa	5.965%	\$5,632,484.67	\$1,235,978.86	\$6,868,463.53	\$4,960,130.03	\$1,908,333.50	\$2,724,856.41	\$0.00
County	12.878%	\$12,160,123.65	\$2,668,388.23	\$14,828,511.88	\$5,983,366.00	\$8,845,145.88	\$0.00	\$0.00
TOTALS	100.00%	\$94,455,560.26	\$20,720,517.37	\$115,176,077.63	\$31,085,095.02	\$84,090,982.61	\$56,543,591.35	\$14,139,114.63

Financial Impact:

This item is consistent with the adopted Fiscal Year 2019/2020 budget.

Reviewed By:

This item was reviewed and recommended for approval (13-0-0) without a quorum of the Board present at the Board of Directors Metro Valley Study Session on June 13, 2019.

Responsible Staff:

Andrea Zureick, Director of Fund Administration

Approved
Board of Directors
Date: July 10, 2019

Witnessed By:

San Bernardino County Transportation Authority

ATTACHMENT A

CAPITAL PROJECT NEEDS ANALYSIS

VALLEY AGENCIES - FY2019/2020

Program	Jurisdiction	Project Name	Nexus Project Cost	Current Cost Estimate	MI Prior	MI FY19/20	MI FY20/21	MI FY21/22	MI FY22/23	MI FY23/24	MI Future	MI Total
Valley Arterial Sub-Program	Chino	Construct a Traffic Signal at the Intersection of Kimball and Hellman Ave	303,417	303,000	22,725	128,775	0	0	0	0	0	151,500
		Construct a Traffic Signal at the Intersection of Kimball and Walker	303,417	296,112	27,300	120,756	0	0	0	0	0	148,056
		Construct a Traffic Signal at the Intersection of Pine Ave and East Preserve Loop	364,100	296,112	0	0	0	0	27,300	120,756	0	148,056
		Widen Kimball Ave from Euclid Ave to Hellman Ave from 2 to 4 lanes	8,084,682	5,461,448	0	606,375	0	0	0	0	0	606,375
		Construct a Traffic Signal at the Intersection of Pine Ave and Euclid Ave	364,100	364,000	0	0	36,400	145,600	0	0	0	182,000
		Construct a Traffic Signal at the Intersection of Pine Ave and West Preserve Loop	364,100	265,168	0	0	0	27,300	105,284	0	0	132,584
		Widen Pine Ave from Euclid Ave to El Prado Rd from 2 to 4 lanes	6,707,424	8,244,616	0	250,000	250,000	0	0	0	0	500,000
		Construct a Traffic Signal at the Intersection of Pine Ave and Rincon Meadows	364,100	296,112	148,056	0	0	0	0	0	0	148,056
		Widen Pine Ave from El Prado Rd to SR-71 from 2 to 4 lanes	27,947,600	38,000,000	0	0	0	500,000	500,000	0	0	1,000,000
		Widen Pine Ave from Hellman Ave to Euclid Ave from 2 to 6 lanes	7,354,829	11,259,000	0	450,000	0	0	0	0	0	450,000
		Widen El Prado Rd from Central Ave to Pine Ave from 2 to 4 lanes	2,020,053	5,170,188	0	250,000	250,000	100,000	70,188	0	0	670,188
		Widen Edison Ave from Central Ave to Euclid Ave from 4 to 6 lanes	8,546,376		0	150,000	150,000	200,000	100,000	0	0	600,000
		Construct a Traffic Signal at the Intersection of Pine Ave and Hellman	390,075		195,000	0	0	0	0	0	0	195,000
					393,081	1,955,906	686,400	972,900	802,772	120,756	0	4,931,815
	Chino Hills	Widen Pine Ave from SR-71 to Chino Creek (north side only)	4,201,000		0	0	0	0	0	3,625,463	0	3,625,463
					0	0	0	0	0	3,625,463	0	3,625,463
	Colton	Improvement of La Cadena Dr from Rancho Ave to Litton Ave including bridge replacement at Santa Ana River	4,514,025	26,054,640	169,820	244,300	234,600	234,600	234,600	0	0	1,117,920
		Widen Reche Cyn Rd from S. Crystal Ridge to Riverside County Line from 2 to 4 lanes	3,338,430		0	15,226	185,528	262,800	312,800	369,200	0	1,145,554
		Widen Mount Vernon Ave grade separation on the Alhambra Line	9,494,000	11,149,708	293,910	207,105	207,105	207,105	207,105	0	0	1,122,330
					463,730	466,631	627,233	704,505	754,505	369,200	0	3,385,804
	Fontana	Widen Citrus Ave from Jurupa Ave to Slover Ave from 2 to 4 lanes	6,747,218		894,479	0	0	0	0	0	0	894,479
		Widen Foothill Blvd from Citrus Ave to Maple Ave from 4 to 6 lanes	8,353,966		924,911	0	0	0	0	0	0	924,911
		Widen Sierra Ave from Foothill Blvd to Baseline Ave from 4 to 6 lanes	10,353,020		1,697,321	891,462	3,463,150	530,728	0	0	0	6,582,661
		Widen Beech Ave from Miller Ave to Foothill Blvd from 2 to 4 lanes	5,358,448		1,486,853	0	0	0	0	0	0	1,486,853
		Widen Slover Ave from Etiwanda Ave to 800' e/o Etiwanda from 2 to 4 lanes	6,943,848	5,059,440	241,996	3,193,364	0	0	0	0	0	3,435,360
					5,245,560	4,084,826	3,463,150	530,728	0	0	0	13,324,264

Attachment: Attachment A - Arterial Projects Eligible for Reimbursement (5885 : CPNA Submittals and

ATTACHMENT A

CAPITAL PROJECT NEEDS ANALYSIS VALLEY AGENCIES - FY2019/2020

Program	Jurisdiction	Project Name	Nexus Project Cost	Current Cost Estimate	MI Prior	MI FY19/20	MI FY20/21	MI FY21/22	MI FY22/23	MI FY23/24	MI Future	MI Total
Valley Arterial Sub-Program	Fontana Sphere (SB County)	Widen Cherry Ave Bridge from Merrill Ave to Whittram from 4 to 6 lanes	10,200,000	10,957,087	584,217	0	0	0	0	0	5,803,765	6,387,982
		Ph1: Widen San Bernardino Ave from Cherry Ave to Fontana City Limits from 2 to 4 lanes	2,031,000	3,820,904	281,736	144,381	1,457,500	343,970	0	0	0	2,227,587
					865,953	144,381	1,457,500	343,970	0	0	5,803,765	8,615,569
	Grand Terrace	Extend Commerce Wy from 900' n/o DeBerry Rd to Main St from 0 to 4 lanes	3,500,000		0	550,000	600,000	950,000	200,000	0	0	2,300,000
					0	550,000	600,000	950,000	200,000	0	0	2,300,000
	Highland	SR 210/Base Line Interchange Improvements (PA/ED/PS&E/ROW TERM LOAN COLLATERAL)			398,733	26,121	20,887	20,887	13,969	0	0	480,597
					398,733	26,121	20,887	20,887	13,969	0	0	480,597
	Loma Linda	Intersection Improvements at Mound St and Anderson St	1,000,000,000	1,000,000	0	612,000	0	0	0	0	0	612,000
		Widen California St from Barton Rd to Redlands Blvd from 2 to 6 lanes	4,100,000	4,206,000	291,300	4,115,000	200,000	0	0	0	0	4,606,300
					291,300	4,727,000	200,000	0	0	0	0	5,218,300
	Montclair	I-10/Monte Vista Interchange Improvements (TERM LOAN COLLATERAL)			0	1,400,231	1,498,462	998,973	0	0	0	3,897,666
					0	1,400,231	1,498,462	998,973	0	0	0	3,897,666
	Ontario	Spot Widen Airport Dr from Kettering to Etiwanda Ave from 2 to 4 lanes, including intersection at Etiwanda/Slover	5,270,000		0	27,800	930,298	902,498	0	0	0	1,860,596
		Widen Holt Blvd from Benson Ave to Vineyard Ave from 4 to 6 lanes	48,817,215	3,500,000	1,082,163	717,240	0	0	0	0	0	1,799,403
		Replace 4th St structure between I-10 westbound ramps and I-10 eastbound ramps and widen to 5 lanes	21,567,000	21,566,769	3,103,767	3,592,424	3,176,958	2,117,973	0	0	0	11,991,122
		Replace 4th St structure between I-10 westbound ramps and I-10 eastbound ramps and widen to 5 lanes (TERM LOAN COLLATERAL)			0	2,155,437	2,536,996	1,691,331	0	0	0	6,383,764
		Widen Grove Ave from I-10 to Holt Blvd from 4 to 6 lanes, Including W. Cuc. Creek Bridge	32,200,000	4,100,000	205,065	590,750	486,500	0	0	0	0	1,282,315
		Widen Holt Blvd from Benson Ave to Vineyard Ave from 4 to 6 lanes	48,817,215	2,400,000	199,476	590,750	486,500	0	0	0	0	1,276,726
		Widen Mountain Ave from Sixth Street to s/o Holt Blvd	7,467,000	3,500,000	1,082,163	717,240	0	0	0	0	0	1,799,403
					5,672,634	8,391,641	7,617,252	4,711,802	0	0	0	26,393,329

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CAPITAL PROJECT NEEDS ANALYSIS

VALLEY AGENCIES - FY2019/2020

Program	Jurisdiction	Project Name	Nexus Project Cost	Current Cost Estimate	MI Prior	MI FY19/20	MI FY20/21	MI FY21/22	MI FY22/23	MI FY23/24	MI Future	MI Total
Valley Arterial Sub-Program	Rancho Cucamonga	Widen Wilson Ave from East Ave to Wardman/Bulloch from 0 to 4 lanes	6,000,000	7,434,218	3,209,663	794,856	709,691	685,061	0	0	0	5,399,271
		Construct a Traffic Signal at the Intersection of Milliken and 5th	350,000	738,737	526,720	0	0	0	0	0	0	526,720
		Construct a Traffic Signal at the Intersection of Rochester and Jersey	350,000	738,737	526,720	0	0	0	0	0	0	526,720
		Widen Victoria Ave from EHS to I-15	305,000	412,341	411,870	0	0	0	0	0	0	411,870
		Construct a Traffic Signal at the Intersection of East and Miller	350,000	738,737	526,720	0	0	0	0	0	0	526,720
		Construct a Traffic Signal at the Intersection of 6th and Rochester	350,000	738,737	526,720	0	0	0	0	0	0	526,720
		Construct a Traffic Signal at the Intersection of Camelian and Banyan	363,000	600,297	428,012	0	0	0	0	0	0	428,012
		Construct a Traffic Signal at the Intersection of 6th and Hellman	350,000	709,133	505,612	0	0	0	0	0	0	505,612
		Construct a Traffic Signal at the Intersection of East and Highland	350,000	674,133	480,657	0	0	0	0	0	0	480,657
		Construct a Traffic Signal at the Intersection of 6th and Utica	363,000	595,946	424,910	0	0	0	0	0	0	424,910
					7,567,604	794,856	709,691	685,061	0	0	0	9,757,212
	Redlands	Construct a Traffic Signal at the Intersection of Ford St and I-10 WB	441,660	442,000	10,000	273,000	0	0	0	0	0	283,000
		Construct a Traffic Signal at the Intersection of Ford St and I-10	441,660		0	283,000	0	0	0	0	0	283,000
		Widen Citrus Ave from Dearborn St to Wabash Ave from 2 to 4 lanes	1,583,891	1,584,000	0	0	0	316,800	0	0	0	316,800
		Widen Wabash Ave from I-10 to 5th Ave from 0/2 to 4 lanes	5,731,095	5,731,000	0	0	1,146,200	0	0	0	0	1,146,200
		Widen San Bernardino Ave from Church St to Wabash Ave from 2 to 4 lanes	3,564,941	3,565,000	0	0	0	0	713,000	0	0	713,000
		I-10/University Interchange Improvements (TERM LOAN COLLATERAL)			51,056	264,791	288,127	0	0	0	0	603,974
					10,000	556,000	1,146,200	316,800	713,000	0	0	2,742,000
	Rialto	Construct Pepper Ave from N. Terminus to Highland Ave to 4 lanes	14,882,000		8,878,008	0	0	0	0	0	0	8,878,008
		Widen Riverside Ave from Gateway Plaza to San Bernardino Ave from 4 to 6 lanes	1,233,000		2,825,497	0	0	0	0	0	0	2,825,497
		Widen Alder Ave from Baseline Rd to Renaissance Pkwy from 2 to 4 lanes	4,600,000		6,429,792	0	0	0	0	0	0	6,429,792
		Widen Randall Ave from West City Limits to Riverside Ave from 2 to 4 lanes	4,413,000		3,145,800	0	0	0	0	0	0	3,145,800
		Widen Ayala Dr from Baseline Rd to Renaissance Pkwy from 2 to 4 lanes	3,200,000		5,044,901	0	0	0	0	0	0	5,044,901
		Widen Cactus Av from Valley Bl to Foothill Bl from 3 to 4 lanes	1,775,733		481,229	0	0	0	0	0	0	481,229
		Construct a Traffic Signal at the Intersection of Riverside and Linden with intersection improvements	649,000		524,958	0	0	0	0	0	0	524,958
					27,330,185	0	0	0	0	0	0	27,330,185

Attachment: Attachment A - Arterial Projects Eligible for Reimbursement (5885 : CPNA Submittals and

ATTACHMENT A

CAPITAL PROJECT NEEDS ANALYSIS

VALLEY AGENCIES - FY2019/2020

Program	Jurisdiction	Project Name	Nexus Project Cost	Current Cost Estimate	MI Prior	MI FY19/20	MI FY20/21	MI FY21/22	MI FY22/23	MI FY23/24	MI Future	MI Total
Valley Arterial Sub-Program	Rialto Sphere (SB County)	Ph B: Widen Slover Ave from Tamarind Ave to Alder Ave & from Linden Ave to Cedar Ave from 2 to 4 lanes	5,327,000	3,084,255	9,865	0	0	0	0	0	0	9,865
					9,865	0	0	0	0	0	0	9,865
	San Bernardino, City of	Widen "H" St from Kendall Dr to 40th St from 2 to 4 lanes	1,237,753	993,700	350,641	33,800	287,300	0	0	0	0	671,741
		Widen State Street from 16th St to Foothill Blvd from 0 to 4 lanes	44,000,000	6,759,500	752,600	312,650	2,929,108	16,900	0	0	0	4,011,258
		Widen 5th St from Sterling to Victoria from 2 to 6 lanes	879,289	11,382,000	334,620	329,888	969,384	6,364,540	0	0	0	7,998,432
		Widen 40th St from Acre Ln to Electric Ave from 2 to 4 lanes	3,975,121	3,971,000	927,120	33,800	861,900	861,900	0	0	0	2,684,720
		Reconstruct Mt Vernon Bridge to 4 lanes (local match)	16,058,000	172,213,709	343,874	0	0	0	0	0	0	343,874
					2,708,855	710,138	5,047,692	7,243,340	0	0	0	15,710,025
	Upland	Widen Foothill Blvd from County Line to Central Ave from 2 to 6 lanes	5,900,000		1,783,081	0	0	0	0	0	0	1,783,081
		Widen Arrow Hwy from County Line to Central Ave from 2 to 4 lanes	2,874,000		0	0	0	0	0	0	913,220	913,220
		<i>I-10/Euclid Interchange Improvements (TERM LOAN COLLATERAL)</i>			0	221,139	242,071	161,381	0	0	0	624,591
		<i>I-10/Monte Vista Interchange Improvements (TERM LOAN COLLATERAL)</i>			0	504,843	540,261	360,177	0	0	0	1,405,281
					1,783,081	725,982	782,332	521,558	0	0	913,220	4,726,173
	Yucaipa	Widen County Line Rd from I-10 to Calimesa Blvd from 2 to 4 lanes	572,000		525,000	1,036,000	200,000	200,000	200,000	200,000	200,000	2,561,000
		Widen Ave E from 14th St to Bryant St from 2 lanes to 4 lanes	22,076,000		1,233,000	3,500,000	250,000	250,000	250,000	250,000	250,000	5,983,000
		Widen Yucaipa Bl from I-10 to 15th St from 4 to 6 lanes	16,575,000	9,471,691	3,729,975	181,000	231,000	300,000	300,000	300,000	300,000	5,341,975
		Widen 5th St from Yucaipa Bl to County Line Rd from 2 to 4 lanes	6,597,000		55,000	0	100,000	100,000	100,000	100,000	100,000	555,000
		Widen Calimesa Bl from Oak Glen Rd to County Line Rd from 2 to 4 lanes.	3,933,000		7,000	0	0	0	0	0	0	7,000
					5,549,975	4,717,000	781,000	850,000	850,000	850,000	850,000	14,447,975
	ARTERIAL TOTAL				58,290,556	29,250,713	24,637,799	18,850,524	3,334,246	4,965,419	7,566,985	146,896,242

Attachment: Attachment A - Arterial Projects Eligible for Reimbursement (5885 : CPNA Submittals and

Minute Action

AGENDA ITEM: 21

Date: July 10, 2019

Subject:

Fiscal Year 2019/2020 Transit Operator Allocations

Recommendation:

That the Board, acting as the San Bernardino County Transportation Authority:

- A. Approve Fiscal Year 2019/2020 Transit Operator Funding Allocations, as indicated in Attachment 1, to the City of Needles, Morongo Basin Transit Authority, Mountain Area Regional Transit Authority, Omnitrans, and Victor Valley Transit Authority.
- B. Approve the revised Congestion Mitigation and Air Quality allocation plan from Fiscal Year 2019/2020 to 2028/2029 as indicated in Attachment 2.
- C. Approve revisions to the transit agencies' Short Range Transit Plans (SRTP) revenue assumptions to reflect the final allocation amounts as identified in Attachment 3.

Background:

San Bernardino County Transportation Authority (SBCTA) staff has worked with each of the transit operators to determine their funding needs for Fiscal Year (FY) 2019/2020. Attachment 1 outlines the proposed FY 2019/2020 transit funding allocations for the individual transit operators. Attachment 2 is the proposed revised 10-year Congestion Mitigation and Air Quality allocation plan that has been developed in coordination with the transit operators. Attachment 3 contains the recommended revisions to the operator Short Range Transit Plans revenue assumptions to reflect consistency with the proposed FY 2019/2020 allocations. Allocations to SBCTA and Southern California Regional Rail Authority (SCRRA) are addressed in separate Board actions. Additional detail on the fund sources being allocated to the operators can be found in the following section.

Fund Source Detail

On an annual basis, SBCTA allocates a variety of funds to the transit operators in San Bernardino County. SBCTA's role in each of the fund sources varies, as well as the parameters by which the operators can use the funds. Below is a summary of each fund source and detailed information on how the allocation amount is determined, SBCTA's role, and how the funds can be used.

Local Transportation Fund (LTF) - LTF is derived from a quarter cent of the general sales tax collected statewide enacted as part of the Transportation Development Act (TDA) of 1971. LTF is the most flexible funding source available for transit as it can be used for capital and operations with minimal restrictions and does not require matching funds. The main qualifying requirement is that an operator must maintain a minimum ratio of fare revenue to operating cost of at least 20% in an urban area and 10% in a rural area, unless an alternate ratio has been adopted.

In March of each year, staff presents the SBCTA Board with the recommended LTF apportionment for the following year. This includes the estimated amount available and

Entity: San Bernardino County Transportation Authority

recommended set-asides for reserve and priority uses per the TDA. Set-asides for priority uses prior to apportioning based on population include one percent for TDA administrative costs, three percent for SBCTA planning efforts, three quarter percent for Southern California Association of Governments (SCAG) planning efforts, and two percent for pedestrian and bike facilities. In accordance with TDA, the remainder of LTF can be set aside for rail passenger service operations, capital improvements and community transit services prior to area apportionment. However, SBCTA does not elect to use that set-aside and allocates to rail and community transit service after apportioning the remaining balance geographically based on population.

In the Valley Subarea, LTF is entirely used for transit purposes with the focus on maintaining a steady flow of operations funding available into the future. In the Mountain/Desert Region, LTF is allocated to the individual transit operators based on population of their service areas. The amount identified in Attachment 1 is the total LTF available to the Mountain/Desert operators. It is estimated that after using the available LTF for transit purposes, Victor Valley Transit Authority (VVTa) and Morongo Basin Transit Authority (MBTA) will have surplus LTF available that can, in accordance with the TDA unmet needs process, be returned to the local jurisdictions in their service area for road maintenance purposes. However, the amount to be returned is shrinking as increases in operating costs outpace LTF revenue increases. In an effort to be proactive, MBTA Board of Directors have approved that starting FY 2020/2021 LTF will only be used for bus transit purposes and no funding will be returned to their member jurisdictions for streets and roads purposes. Staff is working with operators to plan for long-term impacts on this critical source of funds for transit operations.

State Transit Assistance (STA) – STA funding is derived from the statewide sales tax on diesel fuel enacted as part of the TDA. STA funds are allocated to SBCTA in accordance with California Public Utility Code (PUC) as follows: 1) fifty (50) percent under PUC Section 99313, STA-Population Share, based on the ratio of the population of the area under its jurisdiction to the total population of the state and 2) fifty (50) percent under PUC Section 99314, STA-Operator Share, which is allocated to individual operators based on the ratio of the prior year transit operator passenger fare and local support revenues, including revenue from member agencies, to the total revenue of all operators in the state and member agencies. The amount of STA-Operator Share funds available to each transit operator on an annual basis is determined by the State, and SBCTA functions as a pass through agency for this portion of STA for all operators but SCRRA. SCRRA is allocated STA-Operator Share funds as needed to meet their annual subsidy requirements, and if 100% of the funds are not needed in a given year, the funds are reserved solely for future use by SCRRA. Each January the State provides an STA-Population Share revenue estimate for the following year. The STA-Population Share revenue is further apportioned to the Valley and Mountain/Desert regions based on population. STA-Population Share is then allocated to the operators on an as-needed basis as approved by the SBCTA Board. The STA-Population Share is typically limited to funding capital projects unless the operator can demonstrate compliance with a specific efficiency calculation.

Senate Bill 1 (SB1) stabilized STA revenues after years of decreasing and uncertain STA revenues. The current total STA estimate from the State Controller's Office (SCO) for San Bernardino County for FY 2019/2020 is \$25 million. That is up from less than \$9 million of total STA funding estimated in 2017/2018 prior to SB1. SB1 also added a new State of Good

Repair Program (SGR) to STA that is apportioned to SBCTA and the operators in the same manner as STA. These funds are derived from a portion of a new Transportation Improvement Fee on vehicle registrations and provide funding to transit operators in California for eligible maintenance, rehabilitation, and capital projects with the specific goal of keeping transit systems in a state of good repair. SGR-Operator Share funds are apportioned and allocated in the same manner as STA-Operator Share funds. SGR-Population Share funds apportioned to the Valley are allocated on a case-by-case basis as approved by the SBCTA Board, and in the Mountain/Desert, allocations to operators are made by population and SBCTA functions as a pass through agency, similar to the Operator shares of both STA and SGR. SGR funds do not require matching funds. Increased allocations resulting from SB1 are included in this year's allocations.

Omnitrans proposed the entire apportionment of SGR Population Share funds to be used as a match for a competitive grant for their Roof Repairs and Energy Reduction Project. However since SGR funds are received by SBCTA on a quarterly basis and then passed through by SBCTA to the appropriate sub-recipient, this fund source is not appropriate for this purpose as the competitive grant is not yet secured for this project. SBCTA staff has identified State Transit Assistance funds as a more appropriate fund source and will recommend an allocation of these funds upon the successful award of the competitive grant.

Low Carbon Transit Operations Program (LCTOP) – LCTOP is a source of State funding and one of several programs that are part of the Transit, Affordable Housing, and Sustainable Communities Program established by the California Legislature in 2014 by Senate Bill 862. The LCTOP was created to provide transit operating and capital assistance to eligible project sponsors in an effort to reduce greenhouse gas emissions and improve mobility, with a priority on serving disadvantaged communities. This program is funded by auction proceeds from the California Air Resources Board (CARB) Cap-and-Trade Program where proceeds are deposited into the Greenhouse Gas Reduction Fund (GGRF). Although five (5) percent of future annual GGRF proceeds will continue to be appropriated to the LCTOP, staff is cautious to become reliant upon this source of funding as the overall availability is market driven.

Example projects include new or expanded bus or rail service, expanded intermodal transit facilities, free or reduced-fare transit passes/vouchers, and may include equipment acquisition, fueling, maintenance and other costs to operate those services or facilities, with each project required to reduce greenhouse gas emissions. For agencies whose service area includes disadvantaged communities, at least 50% of the total moneys received shall be expended on projects that will benefit disadvantaged communities.

As with STA Funds, LCTOP funding is allocated pursuant to PUC Sections 99313 and 99314. SBCTA receives LCTOP funds by formula based on the ratio of the population of the area under its jurisdiction to the total population of the state. A transit operator that is eligible to receive STA funds per PUC Section 99314 is eligible to receive LCTOP funds by formula based on the ratio of the revenue of the transit operator's jurisdiction to the total revenue of all operators in the state. The transit operators receiving LCTOP funds per PUC Section 99314 work directly with the California Department of Transportation (Caltrans) to receive their LCTOP funds. In San Bernardino County that includes City of Needles MBTA, Mountain Transit, VVTA, Omnitrans, and SCRRA.

Annually, staff recommends that LCTOP funds received under the population formula be further apportioned to the Valley and Mountain/Desert based on population, the same as the STA funds that SBCTA receives per PUC Section 99313. After apportionment, LCTOP funds apportioned to the Valley are allocated on a case-by-case basis as approved by the SBCTA Board, and in the Mountain/Desert, allocations are made by population. LCTOP funds do not require matching funds.

Due to legislation that was approved in July 2017 (AB 1113) that better defined eligible operators, the City of Needles began receiving both STA and LCTOP funds in FY 2017/2018. The City of Needles has requested that SBCTA swap their LCTOP allocations for STA funds to reduce the administrative burden of the LCTOP funds on the City. A swap of \$10,464 was approved by the Board on April 3, 2019.

Measure I Senior and Disabled Transit Program (MSI S&D) – In the Valley Subarea, eight (8) percent of the total Measure I collected is dedicated for MSI S&D of which two (2) percent is specifically dedicated to Consolidated Transportation Services Agency (CTSA) operations. In the Victor Valley Subarea and Rural Mountain/Desert Subareas, initially five (5) percent of the total Measure I collected was dedicated to MSI S&D. In the Victor Valley Subarea, the percentage for MSI S&D funding increases by one half (1/2) percent every five years after the initial collection of Measure I 2010-2040 revenues to a maximum of seven and a half (7-1/2) percent. An increase from five and a half (5-1/2) percent to six (6) percent of the Victor Valley Subarea Measure I will be effective in April 2020, and funds from the increase are included in VVTA's MSI S&D allocation. In the Rural Mountain/Desert Subareas, local representatives may provide additional funding beyond five (5) percent upon finding that such increase is required to address unmet transit needs of senior and disabled transit services. In both cases, all increases above the five (5) percent initial revenue collected come from the Local Streets Program.

Currently, 100% of the estimated annual MSI S&D funds available in the Victor Valley and Rural Mountain/Desert Subareas are allocated to the transit operators based on estimated revenues for the upcoming fiscal year as this fund is administered as a pass through fund. In the Valley area, the Board approved a change to Policy 40009, the Valley Subarea MSI S&D policy, that was effective in FY 2018/2019 that increased the allocations to Omnitrans to 100% of the balance of the Valley Subarea MSI S&D after the two (2) percent for CTSA operations, and treat the revenue as a pass through funding source, similar to the Mountain/Desert MSI S&D funds. It should be noted that Omnitrans is the only operator in the Valley Subarea eligible to use these funds.

Measure I Metrolink/Rail Service (MSI Rail) – In the Valley Subarea, eight (8) percent of the total Measure I collected is dedicated for MSI Rail. Eligible expenditures for MSI Rail include purchase of additional commuter rail passenger cars and locomotives for use on Metrolink lines serving San Bernardino County; construction of additional track capacity necessary to operate more passenger trains on Metrolink lines serving San Bernardino County; construction of additional parking spaces at Metrolink stations in San Bernardino County; and provision of funds to match State and Federal funds used to maintain the railroad track, signal systems, and road crossings for passenger rail service in San Bernardino County, construction and operation of a

new passenger rail service between the cities of San Bernardino and Redlands, and construction and operation of an extension of the Gold Line to Montclair Transit Center for San Bernardino County passengers traveling to San Gabriel Valley cities, Pasadena, and Los Angeles.

Omnitrans will be operating Arrow, a new passenger rail service from San Bernardino to Redlands, and the \$783,490 being allocated will be used to continue to fund legal services, startup costs and the staffing needed to run the rail department at Omnitrans.

Federal Transit Administration (FTA) Section 5307 Urban Area Formula Funds – Section 5307 funds are Federal urban formula funds apportioned by Southern California Association of Governments (SCAG) to SBCTA for the Riverside/San Bernardino Urbanized Area (UZA) and the Los Angeles/Long Beach/Anaheim UZA. These Valley UZAs receive apportionments for Section 5307 per an apportionment formula codified in Title 49 of the US Code that includes a formulaic split for buses and fixed guideway. The Victor Valley UZA funds are apportioned directly to VVTA. VVTA is the only operator in an urbanized area in San Bernardino County outside the Valley area. Eligible activities include public transportation capital, planning, job access and reverse commute projects, as well as operating expenses under certain circumstances that do not exist in the San Bernardino Valley. This program requires a 20% local match. SBCTA is responsible for allocating the funds available to the Riverside/San Bernardino UZA and Los Angeles/Long Beach UZA. Per the Omnitrans' SRTP, Omnitrans' regular allocation of Section 5307 funds from SBCTA has been approximately \$16.9 million per year. Although allocations to Omnitrans have remained relatively flat, Omnitrans allocations to date have included funds that were apportioned to SBCTA by the FTA under the fixed guideway formula split; this over-allocation is being reconciled and is anticipated to be completed in FY 2021/2022.

FTA Section 5339 Urban Area Formula Funds for Bus and Bus Facilities – Section 5339 funds are Federal urban formula funds apportioned by SCAG to SBCTA for the Riverside/San Bernardino UZA and the Los Angeles/Long Beach/Anaheim UZA. The Victor Valley UZA funds are apportioned directly to VVTA. The formula is based on population, vehicle revenue miles, and passenger miles. This capital program provides funding to replace, rehabilitate, and purchase buses and related equipment and to construct bus-related facilities. This program requires a 20% local match.

FTA Section 5311 Rural Area Formula Funds (Regional Apportionment) – Section 5311 funds are rural formula funds apportioned by Caltrans to the San Bernardino County region based on population. Eligible activities include public transportation planning, capital, operating, job access and reverse commute projects, and the acquisition of public transportation services. This program requires a 20% local match for capital projects and 50% match for operating assistance. SBCTA further apportions the funds to the four rural operators based on population. SBCTA is responsible for ensuring proposed projects are selected and eligible and for preparation of the Program of Projects (POP) that is submitted to Caltrans.

Congestion Mitigation and Air Quality Funds (CMAQ) – CMAQ funds are Federal formula funds apportioned by Caltrans based on population and emissions weighting factors to specific air basins such as the South Coast Air Basin and Mojave Desert Air Basin. SBCTA receives annual apportionments of CMAQ and is the agency responsible for selecting projects.

Activities typically eligible for CMAQ funding include high occupancy vehicle and express lanes, transit improvements, travel demand management strategies, traffic flow improvements such as signal synchronization, and public fleet conversions to cleaner fuels. SBCTA is responsible for submitting a CMAQ annual report to the Federal Highway Administration (FHWA) and Caltrans. The annual report documents the results of emission reduction assessment for projects in San Bernardino County using CMAQ funding for each Federal fiscal year. Each CMAQ project must be analyzed using calculation methodologies recommended and approved by Caltrans and CARB.

The SBCTA Board has identified filling funding gaps for transit as a high priority for allocation of CMAQ funds. Additionally, the SBCTA Board approved Policy 40023 in February 2015 to ensure a proportional share of State and Federal funds are available for each Subarea in accordance with the Measure I 2010-2040 Expenditure Plan. The SBCTA Board adopts a 10-year allocation plan for CMAQ funds to transit operators with annual updates during this allocation process. This allocation plan is included in the biennial analysis of the 10-Year Delivery Plan.

Additional fund sources available to the transit operators that are not included above or identified in Attachment 1 are FTA Section 5310 Enhanced Mobility of Seniors & Individuals with Disabilities Program and LTF Article 3 funds. Both fund sources are allocated to eligible recipients through a call for projects process under separate SBCTA Board action.

Measure I, LTF, STA, and SGR available for allocation to the individual transit operators are included in the SBCTA FY 2019/2020 Budget. The various other FTA, CMAQ, and LCTOP funds are received directly by the transit operators and, therefore, are not included in the SBCTA FY 2019/2020 Budget.

Financial Impact:

This item is consistent with the adopted Fiscal Year 2019/2020 budget.

Reviewed By:

This item was reviewed and unanimously recommended for approval by the Transit Committee on June 13, 2019.

Responsible Staff:

Andrea Zureick, Director of Fund Administration

Approved
 Board of Directors
 Date: July 10, 2019

Witnessed By:

Attachment 1

Fiscal Year 2019/2020 Transit Operator Allocations

	MBTA	MARTA	Needles	Omnitrans	VVTA	Total
LTF	\$3,079,208	\$2,428,238	\$213,025	\$44,105,444	\$19,083,833	\$68,909,748
STA - Population	\$109,323	\$69,195	\$199,164	\$3,100,000	\$300,000	\$3,777,682
STA - Operator	\$68,627	\$39,693	\$4,598	\$1,546,062	\$434,901	\$2,093,881
SGR - Population	\$101,747	\$72,053	\$7,039	\$0	\$630,591	\$811,430
SGR - Operator	\$9,569	\$5,537	\$640	\$215,633	\$60,692	\$292,071
LCTOP Population	\$138,213	\$97,874	Swapped for STA-Pop ⁴	\$0 ⁵	\$856,505	\$1,092,592
LCTOP Operator	\$13,062	\$7,555		\$294,270	\$82,777	\$397,664
Measure I - S&D	\$104,300	\$76,400	\$10,100	\$8,167,725	\$1,131,200	\$9,489,725
Measure I - CTSA				\$2,722,575		\$2,722,575
Measure I - Rail ¹				\$783,490		\$783,490
FTA 5307 ²				\$16,941,200	\$8,107,731	\$25,048,931
FTA 5339 ²				\$2,327,925	\$1,057,378	\$3,385,303
FTA 5311 ²	\$398,562	\$281,774	\$39,707	Not Eligible	\$671,949	\$1,391,992
CMAQ ³	\$0	\$560,000	\$0	\$0	\$2,862,735	\$3,422,735
Grand Total	\$4,022,611	\$3,638,319	\$474,273	\$80,204,324	\$35,280,292	\$123,619,819

¹ MSI Rail for Omnitrans for start up/pre-operating of Arrow Rail service.

² FTA funding based on estimates from FTA/FAST Act/prior year allocations. Actual amounts will be determined by FTA.

VVTA SRTP/budget may include additional FTA 5307 funds based on vanpool/additional calculations not available to SBCTA.

³ CMAQ amounts based on proposed revised 10-year allocation plan in Attachment 2.

⁴ Needles swapping \$10,464 of LCTOP for additional STA-Pop in FY 2019/2020

⁵ Omnitrans will accrue \$2,524,976 LCTOP funds to be used towards future Zero Emission Bus (ZEB) infrastructure costs. The funds will be allocated when they are ready to be expended.

Attachment 2

CMAQ Allocation Plan for Transit Operators

	FY 2019/2020	FY 2020/2021	FY 2021/2022	FY 2022/2023	FY 2023/2024	FY 2024/2025	FY 2025/2026	FY 2026/2027	FY 2027/2028	FY 2028/2029	Total
MBTA	\$0	\$1,110,385	\$550,887	\$927,240	\$809,804	\$1,275,441	\$179,398	\$775,000	\$0	\$1,089,018	\$6,717,173
Omnitrans	\$0	\$0	\$7,384,112	\$7,000,000	\$8,630,907	\$8,942,334	\$9,263,104	\$9,593,497	\$9,881,302	\$10,177,741	\$70,872,997
VVTA	\$1,442,000	\$2,483,000	\$2,986,840	\$2,500,000	\$2,412,000	\$2,500,000	\$2,500,000	\$2,500,000	\$2,500,000	\$2,500,000	\$24,323,840
MARTA	\$560,000	\$560,000	\$560,000	\$560,000	\$560,000	\$522,627	\$560,000	\$560,000	\$560,000	\$560,000	\$5,562,627
Barstow ¹	\$0	\$790,895	\$0	\$0	\$0	\$0	\$600,000	\$0	\$0	\$500,000	\$1,890,895
Total	\$2,002,000	\$4,944,280	\$11,481,839	\$10,987,240	\$12,412,711	\$13,240,402	\$13,102,502	\$13,428,497	\$12,941,302	\$14,826,759	\$109,367,532

Attachment 3
Summary of Changes to SRTP Revenue Assumptions for FY 2019/2020¹

Operator	FY 2019/2020 Total Revenues	FY 2019/2020 Revenues:								
		LTF	STAF	SGR	LCTOP	Measure I	FTA 5307 ²	FTA 5339 ²	FTA 5311 ²	CMAQ
MBTA Plan	\$ 3,224,814	2,531,541	147,950			130,279			415,044	
Amendment	\$ 4,022,611	3,079,208	177,950	111,316	151,275	104,300			398,562	
Difference	\$ 797,797	547,667	30,000	111,316	151,275	(25,979)	-	-	(16,482)	-
MARTA Plan	\$ 4,478,510	2,608,775	108,888		133,820	114,108			750,911	762,008
Amendment	\$ 3,638,319	2,428,238	108,888	77,590	105,429	76,400			281,774	560,000
Difference	\$ (840,191)	(180,537)	-	77,590	(28,391)	(37,708)	-	-	(469,137)	(202,008)
Needles Plan	\$ 441,882	206,182	193,298			11,500			30,902	
Amendment³	\$ 474,273	213,025	203,762	7,679		10,100			39,707	
Difference	\$ 32,391	6,843	10,464	7,679	-	(1,400)	-	-	8,805	-
Omnitrans Plan	\$ 80,421,200	43,400,000	4,000,000	-	-	6,700,000	16,941,200	1,760,000	-	7,620,000
Amendment^{4, 5, 6}	\$ 80,204,324	44,105,444	4,646,062	215,633	294,270	11,673,790	16,941,200	2,327,925		-
Difference	\$ (216,876)	705,444	646,062	215,633	294,270	4,973,790	-	567,925	-	(7,620,000)
VVTA Plan	\$ 29,032,502	20,922,504	137,385		-	1,410,384	3,500,245	367,411	622,800	2,071,773
Amendment	\$ 35,280,292	19,083,833	734,901	691,283	939,282	1,131,200	8,107,731	1,057,378	671,949	2,862,735
Difference	\$ 6,247,790	(1,838,671)	597,516	691,283	939,282	(279,184)	4,607,486	689,967	49,149	790,962
Total Original Plan	\$ 117,598,908	69,669,002	4,587,521	-	133,820	8,366,271	20,441,445	2,127,411	1,819,657	10,453,781
Total Amendment	\$ 123,619,819	68,909,748	5,871,563	1,103,501	1,490,256	12,995,790	25,048,931	3,385,303	1,391,992	3,422,735
OVERALL INCREASE/(DECREASE)	\$ 6,020,911	(759,254)	1,284,042	1,103,501	1,356,436	4,629,519	4,607,486	1,257,892	(427,665)	(7,031,046)

¹ Includes only revenues allocated by SBCTA and not all SRTP revenues (i.e., passenger fares, advertising, directly received federal & other revenues)

² FTA FY 2019/2020 apportionments are not available; amounts are estimates, and actual amounts will be determined by FTA

³ Needles swapping \$6,730 of LCTOP for additional STAF in FY 2018/2019

⁴ Omnitrans FY 2019/2020 MSI includes funds for ramp up related to future operations of Arrow Rail service per discussion with SBCTA

⁵ Omnitrans will accrue \$2,524,976 LCTOP-Pop funds in addition to the LCTOP-Op funds above to be used towards future Zero Emission Bus (ZEB) infrastructure costs. The funds will be allocated when

⁶ Omnitrans requested SBCTA advance several years of CMAQ funds in 2018/2019.

n they are ready to be expended.

Minute Action

AGENDA ITEM: 22

Date: July 10, 2019

Subject:

Fiscal Year 2019/2020 State of Good Repair Program Allocations

Recommendation:

That the Board, acting as the San Bernardino County Transportation Authority:

A. Allocate \$3,505,480 of State of Good Repair Program – Population Share and Operator Share funding to the following projects:

- i. Joshua Tree Operations Center Roadway Project (Morongo Basin Transit Authority (MBTA)) - \$29,640
- ii. Yucca Valley Video Surveillance Project (MBTA) - \$16,451
- iii. Bus Shelter Rehabilitation (MBTA) - \$38,934
- iv. Photovoltaic Illuminated Bus Stop Project (MBTA) - \$26,291
- v. Bus Stop Improvements (Mountain Transit) - \$77,590
- vi. Preventative Maintenance (City of Needles) - \$7,680
- vii. Barstow Battery Electric Bus Infrastructure (Victor Valley Transit Authority (VVTA)) - \$250,279
- viii. Barstow CNG Station Fueling Upgrade (VVTA) - \$214,042
- ix. Regional Bus Replacement (VVTA) - \$186,733
- x. Paratransit Replacement Vehicles (VVTA) - \$40,229
- xi. Roof Repairs and Energy Reduction Project (Omnitrans) - \$215,633
- xii. Metrolink Capital Maintenance (Southern California Regional Rail Authority (SCRRA)) - \$2,401,978

B. Approve Resolution No. 19-131 authorizing the San Bernardino County Transportation Authority Executive Director, or his designee, to submit project nominations to the California Department of Transportation for Fiscal Year 2019/2020 State of Good Repair Program funds for the projects listed above.

Background:

Senate Bill (SB) 1, also known as the Road Repair and Accountability Act of 2017, was approved on April 28, 2017, and will provide over \$50 billion in new transportation funding over the next decade to improve transit service and repair highways, bridges, and local roads. The State of Good Repair (SGR) Program, derived from the approval of SB 1, is funded from a portion of a Transportation Improvement Fee on vehicle registrations and provides approximately \$105 million annually to transit operators in California for eligible maintenance, rehabilitation, and capital projects. While SB 1 addresses a variety of transportation needs, the SGR Program has a specific goal of keeping transit systems in a state of good repair, including the maintenance and rehabilitation of transit facilities and vehicles and the purchase of new transit vehicles.

Administered by the California Department of Transportation (Caltrans), SGR Program funds are apportioned to eligible agencies using the State Transit Assistance (STA) Program formula. The formula apportions fifty (50) percent of the available SGR funds by population and the remaining fifty (50) percent by operator revenues from the prior fiscal year, in accordance with *Entity: San Bernardino County Transportation Authority*

Public Utilities Code (PUC) Section 99313 and PUC Section 99314, respectively. The State Controller's Office (SCO) is responsible for determining the estimated funding levels for PUC Section 99313 (Population Share) and PUC Section 99314 (Operator Share) funds. For the San Bernardino region, the SCO estimated a Fiscal Year 2019/2020 apportionment of \$2,939,959 in Population Share funds and \$547,537 in Operator Share funds, for a total of \$3,487,496. However, because the San Bernardino County Transportation Authority (SBCTA) received a small amount of Fiscal Year 2017/2018 surplus funds, the Population Share and Operator Share amounts available for allocation in Fiscal Year 2019/2020 are \$2,957,203 and \$548,277 respectively, for a total of \$3,505,480.

SBCTA, as the regional transportation planning agency, will receive direct allocations of SGR funds in accordance with PUC Section 99312.2(c) and is responsible for allocating SGR-Population Share funds to projects based on local need and sub-allocating SGR-Operator Share funds to the transit operators in the San Bernardino region based on the amounts published by the SCO. SBCTA is further responsible for providing a list annually to Caltrans of all projects proposed to be funded with SGR funds made available to San Bernardino County. Agencies eligible to receive SGR funds include SBCTA, Omnitrans, VVTA, MBTA, Mountain Transit, City of Needles, and SCRRA.

Consistent with the PUC Section 99313 funding formula utilized by the SCO, SBCTA staff recommends apportioning SGR-Population Share funds to the Valley and Mountain/Desert subareas based on the ratio of the population of these subareas to the total population of San Bernardino County. Table 1 indicates the Valley and Mountain/Desert SGR-Population Share apportionments based on a population formula.

Table 1 – Fiscal Year 2019/2020 SGR-Population Share Apportionment

Fiscal Year 2019/2020 SGR Funds PUC Section 99313			Population Formula Share ¹
			\$2,957,203
Apportionment Area	Population ²	Percentage	Apportionment
Valley	1,578,154	72.56%	\$2,145,772
Mountain/Desert	596,784	27.44%	\$811,431
Total	2,174,938	100.00%	\$2,957,203

¹ Formula Share amount is determined by the SCO. Apportionment includes Fiscal Year 2017/2018 surplus funds and interest accrued on balance.

² Population Source: California Department of Finance January 2018.

As indicated in Table 2, SBCTA staff recommends further apportioning the Mountain/Desert SGR-Population Share apportionment to the Mountain/Desert transit operators in accordance with the population of their respective service areas. The Valley SGR-Population Share apportionment is available to Omnitrans, SBCTA, and SCRRA. Project recommendations for the Valley Share are based on identified need, project schedules, and the availability of alternate fund sources. As required, SGR-Operator Share funds will be sub-allocated to the transit operators in the San Bernardino region based on the amounts determined by the SCO.

Table 2 – Recommended Fiscal Year 2019/2020 SGR Allocations

Fiscal Year 2019/2020 SGR Fund Allocations ¹			
Agency	PUC 99313 Population Share	PUC 99314 Operator Share	Total SGR Allocation
SBCTA			
MBTA	101,747	9,569	111,316
Mountain Transit	72,053	5,537	77,590
City of Needles	7,039	640	7,680
Omnitrans		215,633	215,633
VVTA	630,591	60,692	691,283
SCRRA	2,145,772	256,206	2,401,978
Total	\$2,957,203	\$548,278	\$3,505,480

¹ Numbers may not foot due to rounding.

In April 2019, SBCTA staff contacted all transit operators and the SBCTA Department of Transit and Rail requesting the submission of a proposed list of projects to be funded with SGR funds. It should be noted that MBTA and VVTA have elected to fund multiple projects with their allocation of SGR funds. Based on project list submittals and discussions with the operators concerning the availability of funds, SBCTA staff is recommending the following projects for Fiscal Year 2019/2020 SGR allocations:

Joshua Tree Operations Center Roadway Project - \$29,640

MBTA will use a portion of their SGR allocation to rehabilitate the roadway that leads from the Operations Center to State Route 62. Rehabilitation work will include grading, compacting, and replacing sections of asphalt on the roadway.

Yucca Valley Video Surveillance Project - \$16,451

MBTA will use SGR funds to replace the existing video surveillance system installed at the Yucca Valley Transit Center. The system was installed in 2009 and replacement parts needed to maintain the system are no longer available.

Bus Shelter Rehabilitation - \$38,934

With SGR funds, MBTA will rehabilitate existing lighting systems installed at various bus shelters in MBTA's service area. Batteries will be replaced and the original fluorescent lights will be upgraded to new LED lights.

Photovoltaic Illuminated Bus Stop Project – \$26,291

MBTA will install photovoltaic (PV) bus stop lighting systems at seventeen (17) bus stops. Illuminated bus stops deter crime and reduce instances of riders being passed up due to low visibility.

Bus Stop Improvements - \$77,590

With SGR funds, Mountain Transit will improve bus stops in the Mountain Transit service area.

The bus stop improvements will include design plans, construction of the bus pad and shelter, and solar lighting. Americans with Disabilities (ADA) improvements will be implemented as necessary.

Preventative Maintenance - \$7,680

Per an agreement with the City of Needles, McDonald Transit Associates, Inc. provides Needles Area Transit service and facilitates preventative maintenance on the vehicles used for service. The City of Needles will use SGR funds to partially fund the preventative maintenance portion of the McDonald Transit Associates, Inc. contract.

Barstow Battery Electric Bus Infrastructure - \$250,279

With SGR funds, VVTA will install Battery Electric Bus (BEB) infrastructure at the Compressed Natural Gas (CNG) Station located in Barstow. Funds will be used to purchase and install BEB chargers and other related infrastructure.

Barstow CNG Station Fueling Upgrade - \$214,042

VVTA will use SGR funds to upgrade the fueling system at the Barstow CNG Station. The current system was built fourteen years ago and was not intended for a large fleet of vehicles such as the fleet operated by VVTA. With SGR funds, the existing Liquefied-to-Compressed Natural Gas system will be updated to a redundant CNG system, which will improve system reliability and allow for a ten minute filling time instead of a thirty minute filling time.

Regional Bus Replacement - \$186,733

As part of VVTA's fleet replacement plan, VVTA systematically replaces transit vehicles that are part of the active vehicle fleet. VVTA will replace three (3) Class H CNG buses using SGR funds. In order to fully fund the project, SGR funds will be used to match Congestion Mitigation and Air Quality funds.

Paratransit Replacement Vehicles - \$40,229

VVTA will replace two (2) Paratransit vehicles using SGR funds. In order to fully fund the project, SGR funds will be used to match Federal Transit Administration Section 5307 funds.

Roof Repairs and Energy Reduction Project - \$215,633

With the allocation of SGR funds, Omnitrans will perform roof upgrades and repairs as needed at both East Valley and West Valley Facilities. The work performed will enhance opportunities to install solar panels or other energy-saving solutions at both facilities.

Metrolink Capital Maintenance - \$2,401,978

SCRRA will use SGR funds to rehabilitate, reconstruct, or replace various Metrolink structures and equipment vital to Metrolink service including track, track beds, signals, communication systems, facilities and stations, platforms, signage, and rolling stock. This funding will be allocated with SCRRA's Fiscal Year 2020/2021 capital maintenance subsidy.

Omnitrans proposed the entire apportionment of \$2,145,772 of SGR-Population Share funds be used for the Roof Repairs and Energy Reduction Project; the SGR allocation would be used as a matching fund source to a competitive grant sought after by Omnitrans to complete the project. Because SGR funds are received by SBCTA on a quarterly basis and then passed through by

SBCTA to the appropriate subrecipient, this fund source is not appropriate for this purpose as the competitive grant is not yet secured for this project. SBCTA staff has identified State Transit Assistance funds as a more appropriate fund source and is recommending an allocation of these funds in conjunction with the Fiscal Year 2019/2020 Transit Operator Allocations, contingent on the successful award of the competitive grant. Staff will continue to work with Omnitrans on funding of this project if the grant application is not successful. Consequently, SBCTA staff is recommending the Valley SGR-Population Share apportionment of \$2,145,772 be allocated to SCRRA for rehabilitation and capital maintenance needs in Fiscal Year 2020/2021, which has the potential to reduce the allocation of Local Transportation Fund revenue that is essential to funding transit operations.

Financial Impact:

This item is consistent with the adopted Fiscal Year 2019/2020 Budget.

Reviewed By:

This item was reviewed and unanimously recommended for approval by the Transit Committee on June 13, 2019. SBCTA General Counsel has reviewed this item and resolution.

Responsible Staff:

Andrea Zureick, Director of Fund Administration

Approved
Board of Directors
Date: July 10, 2019

Witnessed By:

RESOLUTION NO. 19-131

RESOLUTION OF THE SAN BERNARDINO COUNTY TRANSPORTATION AUTHORITY AUTHORIZING THE PROJECTS FUNDED BY CALIFORNIA STATE OF GOOD REPAIR PROGRAM FUNDS

WHEREAS, the San Bernardino County Transportation Authority (SBCTA) is an eligible project sponsor and may receive State Transit Assistance funding from the State of Good Repair Account (SGR) now or sometime in the future for transit projects; and

WHEREAS, the statutes related to state-funded transit projects require a local or regional implementing agency to abide by various regulations; and

WHEREAS, Senate Bill 1 (2017) named the Department of Transportation (Department) as the administrative agency for the SGR; and

WHEREAS, the Department has developed guidelines for the purpose of administering and distributing SGR funds to eligible project sponsors (local agencies); and

WHEREAS, the guidelines require local agencies to execute certifications and assurances, authorized agent forms and other documents in order to receive SGR funds; and

WHEREAS, SBCTA wishes to implement the SGR Projects listed below.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the San Bernardino County Transportation Authority, as follows:

Section 1. The fund recipient, SBCTA, agrees to comply with all conditions and requirements set forth in the Certification and Assurances document and the Authorized Agent documents and applicable statutes, regulations and guidelines for all SGR funded transit projects.

Section 2. The SBCTA Executive Director, Raymond W. Wolfe, is authorized to execute all required documents of the SGR program, and any Amendments thereto with the Department.

Section 3. The submittal of the following project nominations to the Department for Fiscal Year 2019/2020 SGR funds is hereby authorized:

Joshua Tree Operations Center Roadway Project
Yucca Valley Video Surveillance Project
Bus Shelter Rehabilitation
Photovoltaic Illuminated Bus Stop Project
Bus Stop Improvements
Preventative Maintenance
Barstow Battery Electric Bus Infrastructure

Barstow CNG Station Fueling Upgrade
Regional Bus Replacement
Paratransit Replacement Vehicles
Roof Repairs and Energy Reduction Project
Metrolink Capital Maintenance

Section 4. This resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED at a meeting of the San Bernardino County Transportation Authority held on July 10, 2019.

Darcy McNaboe, Board President
San Bernardino County Transportation Authority

ATTEST:

Vicki Watson, Clerk of the Board
San Bernardino County Transportation Authority

Minute Action

AGENDA ITEM: 23

Date: July 10, 2019

Subject:

Consolidated Transportation Services Agency Budget for Fiscal Year 2019/2020

Recommendation:

That the Board, acting as the San Bernardino County Transportation Authority:

Approve the Omnitrans Specialized Transportation Services budget for Consolidated Transportation Services Agency activities for Fiscal Year 2019/2020.

Background:

In November 2015, the San Bernardino County Transportation Authority (SBCTA) Board of Directors approved Resolution No. 16-005 designating Omnitrans as the Consolidated Transportation Services Agency (CTSA) for the San Bernardino Valley. As part of this resolution and subsequent Contract No. 16-1001458, it is required that the CTSA budget be approved by the SBCTA Board of Directors.

When Omnitrans assumed CTSA responsibilities, they created a new department known as the Specialized Transportation Services (STS). This would include all activities associated with their paratransit service, ACCESS, as well as the CTSA services they now provide. Attached is the Omnitrans STS – CTSA budget for Fiscal Year 2019/2020, which does not include the entire budget of Omnitrans STS department.

For a highlighted overview, Table 1 is a budget comparison of the CTSA administration budget for the current year, Fiscal Year 2018/2019, to the proposed Fiscal Year 2019/2020 budget. Changes are attributed to the increased cost of benefits such as medical, Medicare tax, California Public Employees Retirement System (PERS) employer expense as well as salary increases.

Table 1 – CTSA Administration Budget Comparison

Category	FY 2018/2019	FY 2019/2020
Total Payroll & Benefits	\$754,008	\$867,913
Services		
Accounting		
Legal		
Consulting		
Marketing	\$21,100	\$21,100
Payroll Processing		
Prof & Tech Fees	\$4,500	\$10,000
Custodial	\$2,000	\$2,000
Security Services	\$600	\$600
Other		
Total Services	\$28,200	\$33,700
Facilities	\$66,735	\$76,100
Total Expenses	\$848,943	\$977,713

Board of Directors Agenda Item

July 10, 2019

Page 2

During Fiscal Year 2018/2019 (through March) Travel Trainings successful clients took 6,323 rides on fixed-route service and 1,263 (20%) of those rides were by Americans with Disabilities Act (ADA)-certified individuals. Additionally 51 new individuals were successfully trained through this program. Through their Travel Reimbursement Program (TREP) an average of 89 individuals reported trips for reimbursement each month. The program reimbursed 10,608 trips, totaling over 147,000 miles at an average Measure I subsidy of \$5.74 per trip. On Taxi RIDE/Lyft RIDE 3,170 trips have been taken by clients, with 2,286 (72%) of those trips taken by ADA-certified clients. This program has the highest ADA-certified client participation rate of all the CTSA's mobility management programs. The average Fiscal Year 2018/2019 year-to-date Measure I subsidy per trip is \$4.15.

Lastly, Omnitrans continues to support, through their Measure I CTSA competitive grant process, Central City Lutheran Mission (Lutheran Social Services of Southern California), City of Chino, City of Grand Terrace, City of Redlands, Community Senior Services, Department of Aging and Adult Services (San Bernardino County), Highland Senior Center, Loma Linda University Medical Center - Adult Day Health Services, OPARC, Pomona Valley Workshop (PVW) and West End Young Men's Christian Association (YMCA).

Currently, Omnitrans is conducting their second call for projects and will be awarding funds during Fiscal Year 2019/2020.

Staff has reviewed the proposed budget and finds it reasonable in its assumptions. Any future programs will be incorporated into their Short Range Transit Plan update which is scheduled for approval in spring 2020 and will be presented to the Transit Committee and subsequently the SBCTA Board of Directors.

Financial Impact:

This item is consistent with the adopted Fiscal Year 2019/2020 budget.

Reviewed By:

This item was reviewed and unanimously recommended for approval by the Transit Committee on June 13, 2019.

Responsible Staff:

Andrea Zureick, Director of Fund Administration

Approved
Board of Directors
Date: July 10, 2019

Witnessed By:

OMNITRANS
3000- EXPENSE REPORT FOR SPECIALIZED TRANSPORTATION SERVICES

GL ACCT CODE DESCRIPTION	A	B	C	D	E	F
	FY18 Act	FY19 YE EST	FY 19YTD Dec	FY 19 ANNUAL BUDGET	FY 20 Proposed BDGT	Variance FY20 to FY19YE
501100 Regular Pay - Operators		-				0.00
501130 Regular Pay - Others	458,701.37	422,697.28	211,348.64	483,823.69	576,754.60	154,057.32
501310 Overtime Pay - Operator		-		-	-	0.00
501340 Overtime Pay - Other		-				0.00
TOTAL SALARIES	458,701.37	422,697.28	211,348.64	483,823.69	576,754.60	154,057.32
502210 PERS Employer Expense	48,704.51	46,752.16	23,376.08	54,508.95	66,109.51	19,357.35
502240 PERS Reimbursement Expense		-				0.00
502270 PacifiCare COPD		-				0.00
502320 Health Saving Acct Expense		-				0.00
502330 Life Insurance Expense	1,642.08	1,603.80	801.90	2,086.50	2,258.10	654.30
502360 Employers Medicare Tax Expense	7,511.59	7,517.16	3,758.58	8,070.86	9,621.48	2,104.32
502370 LTD CO PD Expense	4,470.85	4,462.06	2,231.03	7,224.36	6,577.44	2,115.38
502390 Unemployment Insurance expense		-				0.00
502420 Workers Compensation Expense		-				0.00
502450 Sick Leave Expense	12,482.88	10,328.86	5,164.43	25,689.75	30,625.39	20,296.53
502451 Sick Leave Expense - Operators						
502450 Holiday Pay Expense	18,717.40	25,991.46	12,995.73	23,548.94	28,073.28	2,081.82
502481 Holiday Pay Expense - Operators						
502490 Floating Holiday Pay Expense		-		0.00		0.00
502491 Floating Holiday Pay Expense - Operators						
502510 Vacation Pay Expense	22,806.50	25,278.74	12,639.37	21,408.13	25,544.82	266.08
502511 Vacation Pay Expense - Operators						
502580 Car Expense		-				0.00
502600 SDI Reimbursement Expense	4,760.31	4,605.34	2,302.67	5,566.11	6,635.50	2,030.16
502630 EE Bond Expense		-				0.00
502690 Jury Duty Leave Expense	536.76	(105.82)	(52.91)	2,140.81	2,552.12	2,657.94
502691 Jury Duty Leave Expense - Operators						
502721 Military Duty Leave Expense		-				0.00
502720 Military Duty Leave Expense - Operators						
502780 Deferred Compensation Expense	4,439.32	7,151.54	3,575.77		4,875.00	(2,276.54)
502790 Bonus Pay		-				0.00
502791 Bonus Pay - Operators						
502880 Kaiser COPD	95,792.97	69,653.52	34,826.76	119,939.95	108,285.94	38,632.42
502900 Pension Expense		-				0.00
502980 Payroll Expenses Reimbursement		-				0.00
TOTAL BENEFITS	221,865.17	203,238.82	101,619.41	270,184.37	291,158.58	87,919.76
503060 Professional & Technical Fees		10,976.00	5,488.00	4,500.00	10,000.00	(976.00)
503110 Contract Maintenance Services		-		0.00	0.00	0.00
503160 Custodial Services Expense		960.00	480.00	2,000.00	2,000.00	1,040.00
503210 Security Services Expense		456.00	228.00	600.00	600.00	144.00
503260 Fare Collection Service Expense		-		0.00	0.00	0.00
503310 Contract Labor Expense		-		0.00	0.00	0.00
503360 Employee Physicals Expense		-		0.00	0.00	0.00
503990 Other Services		635,131.60	317,565.80	1,503,850.00	200,000.00	(435,131.60)
TOTAL SERVICES	-	647,523.60	323,761.80	1,510,950.00	212,600.00	(434,923.60)
504000 Discounts Received		-		0.00	0.00	0.00
504010 Bus & Other Rolling Stock Parts		(26,153.58)	(13,076.79)	67,000.00	70,000.00	96,153.58
504011 Non Rev Rolling Stock Parts						0.00
504020 Tire s & Tubes		-		0.00	0.00	0.00
504030 Preventative Maintenance		-		0.00	0.00	0.00
504060 Workshop clearing account		-		0.00	0.00	0.00
504090 LNG/CNG Fuels		-		0.00	0.00	0.00
504091 CNG Hedging Activities		-		0.00	0.00	0.00
504100 Gasoline		-		0.00	0.00	0.00
504110 Diesel Fuel		-		0.00	0.00	0.00
504120 Oil		-		0.00	0.00	0.00
504130 Lubricants & Chemicals		-		1,000.00	1,000.00	1,000.00
504140 CNG Fuel Tax Credit		-		0.00	0.00	0.00
504190 Computer Supplies		-		0.00	0.00	0.00
504200 Washer & Cleaner Supplies		-		0.00	0.00	0.00
504210 Office Supplies		1,655.84	827.92	2,100.00	3,000.00	1,344.16
504220 Small Tools		-		1,500.00	1,500.00	1,500.00
504230 Clothing & Safety Supplies		3,230.16	1,615.08	5,250.00	6,250.00	3,019.84
504240 Tool Allowance		-		0.00	0.00	0.00
504900 Price Variance		-		0.00	0.00	0.00
504910 Inventory Adjustment		-		200.00	0.00	0.00
504990 Other materials & supplies		46.54	23.27	1,000.00	0.00	(46.54)
TOTAL MATERIALS & SUPPLIES	-	(21,221.04)	(10,610.52)	78,050.00	81,750.00	102,971.04

OMNITRANS
3000- EXPENSE REPORT FOR SPECIALIZED TRANSPORTATION SERVICES

GL ACCT CODE DESCRIPTION	A	B	C	D	E	F
	FY18 Act	FY19 YE EST	FY 19YTD Dec	FY 19 ANNUAL BUDGET	FY 20 Proposed BDGT	Variance FY20 to FY19YE
505020 Utility Other than Propulsion Power	159.36	3,653.90	1,826.95	4,500.00	4,500.00	846.10
505030 Telephone		10,679.38	5,339.69	12,280.00	12,280.00	1,600.62
505040 Data communication Lines		-		0.00	0.00	0.00
505060 Repairs & Maint - Buildings		594.30	297.15	3,500.00	3,500.00	2,905.70
505110 Repairs & Maint - Equipment		-		3,500.00	3,500.00	3,500.00
505160 Repairs & Maint - Office Equipment		-		1,000.00	1,000.00	1,000.00
505170 R & M Software [Contracts]		1,552.00	776.00	12,500.00	13,500.00	11,948.00
505210 Repairs & Maint Grounds		-		0.00	0.00	0.00
505230 Repairs & Maint Stops & Satations		-		0.00	0.00	0.00
505960 Other Occupancy Expense		73,395.92	36,697.96	55,735.00	63,600.00	(9,795.92)
TOTAL OCCUPANCY	159.36	89,875.50	44,937.75	93,015.00	101,880.00	12,004.50
506110 Property/Official & Emp Liab Insurance		-		0.00	0.00	0.00
506160 General Liab & Veh Liab/Loss Insurance		-		4,500.00	4,500.00	4,500.00
506180 General Auto PD/PL Uninsured Ded/IBNR		-		0.00	0.00	0.00
506310 Worker's Comp Excess/Employer's Liab Ex		-		0.00	0.00	0.00
506360 Worker's Comp Self Insured IBNR		-		0.00	0.00	0.00
506960 General Liability/Loss IBNR		-		0.00	0.00	0.00
TOTAL CASUALTY & LIABILITY	-	-	-	4,500.00	4,500.00	4,500.00
507040 Vehicle License Registration Fees				0.00	0.00	0.00
507050 Fuel & Lubricant taxes		-		0.00	0.00	0.00
507990 Other Taxes		-		0.00	0.00	0.00
TOTAL TAXES	-	-	-	-	-	-
508220 Purchased Transportation		-		0.00	0.00	0.00
508900 Purch Trans Lease Cost - LTF		-		0.00	0.00	0.00
508990 Purch Trans Lease Cost - FTA		-		0.00	0.00	0.00
TOTAL PURCH TRANSPORT	-	-	-	0.00	0.00	0.00
509080 Advertising/Promotion Media		2,421.90	1,210.95	9,800.00	9,800.00	7,378.10
509230 Printing Charges		1,776.04	888.02	11,300.00	11,300.00	9,523.96
TOTAL PRINTING & AVERTISING	-	4,197.94	2,098.97	21,100.00	21,100.00	16,902.06
508000 Interest Expense		-		0.00	0.00	0.00
509010 Memberships, Dues, Pub, Subscript		-		0.00	2,000.00	2,000.00
509020 Travel & Meetings	366.00	13,508.62	6,754.31	11,800.00	13,000.00	(508.62)
509030 Postage and Express Mail		-		0.00	0.00	0.00
509070 Bad Debt expense /NSF		-		0.00	0.00	0.00
509100 Bus Pass Sales Discounts		-		0.00	20,000.00	20,000.00
509200 Safety Training		-		0.00	0.00	0.00
509210 Employee Training		474.00	237.00	6,500.00	6,500.00	6,026.00
509220 Educational Reimbursements		-		0.00	0.00	0.00
509240 Outside Freight		-		0.00	0.00	0.00
509250 Bank Charges		-		0.00	0.00	0.00
509260 Employee Recognition		-		0.00	0.00	0.00
PO Invoice Over Under		-		0.00	0.00	0.00
509990 Other Miscellaneous Expense		-		0.00	0.00	0.00
590300 Distributed Labor - Maintenance - Direc		-		0.00	0.00	0.00
590400 Allocated Indirect Labor & Benefits		-		0.00	0.00	0.00
TOTAL MISCELLANEOUS EXPENSE	366.00	13,982.62	6,991.31	18,300.00	41,500.00	
512340 Leases/Rentals - Other		-		0.00	0.00	0.00
512400 Capital Lease - Tires		-		0.00	0.00	0.00
TOTAL LEASES & RENTALS	-	-	-	0.00	0.00	
513200 Deprec Exp - Bus Shelters		-		0.00	0.00	0.00
513210 Deprec Exp - Buildings		-		0.00	0.00	0.00
513220 Deprec Exp - Building Improvements		-		0.00	0.00	0.00
513230 Deprec Exp - Land Improvements		-		0.00	0.00	0.00
513240 Deprec Exp -sbX Corridor	0.00	-		0.00	0.00	0.00
513240 Deprec Exp -Bus Platforms & Stops		-		0.00	0.00	0.00
513250 Deprec Exp -Transit Centers		-		0.00	0.00	0.00
513300 Deprec Exp - Support Vehicles		-		0.00	0.00	0.00
513310 Deprec Exp - Fixed Route Revenue Vehicl		-		0.00	0.00	0.00
513320 Deprec Exp - Access Revenue Vehicles		-		0.00	0.00	0.00
513400 Deprec Exp - Furniture and Fixtures		-		0.00	0.00	0.00
513410 Deprec Exp - Machinery and Shop Equipme		-		0.00	0.00	0.00
513420 Deprec Exp - Office Equipment		-		0.00	0.00	0.00
513430 Deprec Exp - Computers and Software		-		0.00	0.00	0.00
TOTAL DEPRECIATION	-	-	-	-	-	-
TOTAL EXPENSES	681,091.90	1,360,294.72	680,147.36	2,479,923.06	1,331,243.18	(56,568.92)

Attachment: Attachment A CTSA Budget (5889 : Consolidated Transportation Services Agency Budget for Fiscal Year 2019/2020)

Minute Action

AGENDA ITEM: 24

Date: July 10, 2019

Subject:

Transportation Development Act Unmet Needs Hearings for Fiscal Year 2019/2020

Recommendation:

That the Board, acting as the San Bernardino County Transportation Authority:

- A. Adopt definitions of “Unmet Transit Needs” and “Reasonable to Meet” as identified in Attachment A.
- B. Set times, dates and locations for Transportation Development Act Unmet Transit Needs Public Hearings.

Background:

Each year the San Bernardino County Transportation Authority (SBCTA) is required by Public Utilities Code Sections 99238.5 and 99401.5 to hold public hearings for obtaining testimony regarding unmet transit needs that can be reasonably met and must adopt findings prior to making an allocation of Local Transportation Funds (LTF) for street purposes. The information obtained at these hearings will be used in the planning and budget development of the affected transit operators for the subsequent fiscal year, as recommend in the transit operators’ performance audit. Written comments will also be accepted until November 30, 2019.

The California Department of Transportation has suggested that the definitions of “Unmet Transit Needs” and “Reasonable to Meet” be reviewed and adopted on a periodic basis. On May 4, 2016, the Board approved the definitions contained in Attachment A. These definitions will be used to respond to the testimony received.

Two public hearings are proposed with the locations being the Victor Valley and Morongo Basin. The Boards of the Victor Valley Transit Authority (VVTa) and the Morongo Basin Transit Authority (MBTA) will serve as the hearing boards at their respective locations. In accordance with the Board action in June 1993, a public hearing will not be held in the Valley as all LTF revenues are committed to transit. The schedules for the proposed hearings are as follows:

Upper Desert Region

Monday, September 16, 2019, at 9:30am
Victor Valley Transit Authority
17150 Smoketree Street
Hesperia, California 92345

Lower Desert Region

Thursday, September 26, 2019, at 5:00pm
Helen Gray Center
6601 White Feather Road
Joshua Tree, California 92252

Entity: San Bernardino County Transportation Authority

Board of Directors Agenda Item
July 10, 2019
Page 2

Transportation will be provided by VVTA and MBTA for those wishing to attend the hearing and live within their service area.

Financial Impact:

This item is consistent with the adopted Fiscal Year 2019/2020 budget.

Reviewed By:

This item was reviewed and unanimously recommended for approval by the Transit Committee on June 13, 2019.

Responsible Staff:

Andrea Zureick, Director of Fund Administration

Approved
Board of Directors
Date: July 10, 2019

Witnessed By:

San Bernardino County Transportation Authority

As adopted by SBCTA
May 4, 2016

Attachment A

San Bernardino County Definitions of “Unmet Transit Needs” and “Reasonable to Meet” As recommended by the Public and Specialized Transportation Advisory and Coordination Council (PASTACC)

**Adopted May 4, 2016
by the San Bernardino County Transportation Authority**

Unmet Transit Needs: Unmet transit needs are any deficiency in the provision of public transit services, specialized transit service, or private for-profit and non-profit transportation.

Reasonable to Meet: Reasonable to meet is a determination to be made based upon the following guidelines, performance, and financial standards in accordance with federal Title VI Non Discrimination regulations and recognizing the following components:

- A. Community acceptance** – The proposed service has community acceptance and support as determined by the Unmet Transit Needs public hearing record or as a component of adopted programs and plans.
- B. Implementation -**
The proposed service shall:
 - 1. Be in response to an existing rather than future need.
 - 2. Be implemented consistent with the timing of funding availability.
 - 3. Be implemented safely and in accordance with local, state, and federal laws and regulations.
 - 4. Not cause the operator to incur expenditures in excess of the maximum amount of Local Transportation Funds (LTF), State Transportation Assistance (STA) funds, Federal Transit Administration (FTA) funds, fare revenues, and local support.
- C. Cost effectiveness** – the proposed service shall:
 - 1. Minimize duplication of existing transportation services or resources.

2. Consider opportunities for coordinating among adjoining public entities or with private transportation providers and/or funding agencies in order to maximize existing resources (including financial) as well as legal or customary responsibilities of other entities such as social service agencies, religious organizations, and schools.
3. Excluding the first three years, not adversely affect systemwide performance standards including the operator's ability to meet the required farebox recovery.
4. Show continued progress in key performance indicators over the pilot period.

Minute Action

AGENDA ITEM: 25

Date: July 10, 2019

Subject:

Amendment No. 5 to Funding Agreement with the City of Victorville for Green Tree Boulevard

Recommendation:

That the Board, acting as the San Bernardino County Transportation Authority:

A. Allocate \$8,903,400 of federal Surface Transportation Program and \$7,544,194 of federal Highway Infrastructure Program funds to the Green Tree Boulevard Project in the City of Victorville for the Public Share of the Construction Phase.

B. Approve Amendment No. 5 to Project Funding Agreement 15-1001115 for the Green Tree Boulevard Project in the City of Victorville to include the funding plan and Public Share commitment for the project through the Construction Phase, to be effective on the date of its execution by all parties to the agreement.

Background:

The City of Victorville (City) is the lead agency for the Green Tree Boulevard Extension Project (Project), which is the third and final phase of the Yucca Loma Corridor Project and lies within the jurisdictions of the City of Victorville and the County of San Bernardino (County). The Project will widen, realign, and construct a new roadway as well as a new bridge over BNSF Railway. This project will connect Yates Road at Ridgecrest Road to Hesperia Road in Victorville.

The City anticipates completing the Right-of-Way Phase by the end of Summer 2019 and to advertise for construction bids in November 2019. The Notice to Proceed to construction is expected to be issued in April 2020. The revised estimated project cost that separates cost between the City and County, as shown in Attachment B to the agreement, is based on 100% design plans provided by the City to the San Bernardino County Transportation Authority (SBCTA) in April 2019. Per the SBCTA Nexus Study, the City and the County each must contribute a development share in order to receive public share funding for their portions of the project. Because the City is the lead agency, it is responsible for coordination of development shares with other jurisdictions.

On August 9, 2011, Memorandum of Understanding No. 11-569 was approved among the City, County and Town of Apple Valley (Town) for project delivery and a funding strategy in which the County and Town agreed that, in lieu of contributing their required development shares to the La Mesa/Nisqualli Interchange Project, they would contribute an equal amount to the Green Tree Boulevard Extension Project at the time of construction. These amounts are \$3,981,600 for the Town and \$325,000 for the County, and will be part of the City's required development share as shown in the Construction Phase on Attachment B of the agreement. Cooperative Agreement No. 16-797, approved on October 18, 2016 among the parties, identified the development contributions of each party toward the design and construction phases of the project.

Entity: San Bernardino County Transportation Authority

Board of Directors Agenda Item

July 10, 2019

Page 2

The City is now asking for the Public Share of funding for the Construction Phase of the project. This agenda item requests approval of an amendment to the existing funding agreement to add the Construction Phase and funding amount, which staff recommends funding with Victor Valley share of Federal funds. The current construction cost estimate for the project, including construction management and a 10% contingency, is \$39,451,390. The revised total project cost is \$44,639,390, with a total public share of \$21,635,594 and a total local development share of \$18,784,700. Note that an additional \$50,000 in project costs for the Right-of-Way Phase in the jurisdiction of the County is included in Funding Agreement 18-1001792.

The City had previously requested that SBCTA loan the City two-thirds of the estimated local development share for the project, and a term loan agreement, Contract No. 16-1001481, was approved by the SBCTA Board on September 7, 2016. With the new revised construction cost estimate, the current estimated amount of the loan could increase by about \$18,000; however, any required amendment to the loan will be processed after construction bids are received. The City Council approved the loan agreement in concept on September 6, 2016. The Council is scheduled to consider this revised funding agreement for approval at their July 23, 2019 meeting.

Financial Impact:

This item is consistent with the adopted Fiscal Year 2019/2020 budget.

Reviewed By:

This item was unanimously recommended for approval by the Mountain/Desert Policy Committee on June 21, 2019. SBCTA General Counsel has reviewed this item and the draft amendment.

Responsible Staff:

Andrea Zureick, Director of Fund Administration

Approved
Board of Directors
Date: July 10, 2019

Witnessed By:

San Bernardino County Transportation Authority

General Contract Information

Contract No: 15-1001115 Amendment No.: 5 Sole Source? N/A
 Vendor No.: 02324 Vendor/Customer Name: City of Victorville
 Description: Green Tree Boulevard Extension Project
 Estimated Start Date: 02/11/2015 Expiration Date: 12/31/2022 Revised Expiration Date: _____
 List Any SBCTA Related Contracts Nos.: _____

Dollar Amount							
Original Contract		\$	1,240,465.00	Original Contingency		\$	-
Prior Amendments		\$	-	Prior Amendments		\$	-
Current Amendment		\$	-	Current Amendment		\$	-
Total/Revised Contract Value		\$	1,240,465.00	Total Contingency Value		\$	-
	Total Dollar Authority (Contract Value and Contingency)					\$	1,240,465.00

Contract Authorization

Board of Directors _____ Date: 07/10/2019 Board _____ Item # 5898

Contract Management (Internal Purposes Only)

Payable _____ Other Contracts _____ N/A _____

Accounts Payable													
Total Contract Funding: \$							1,240,465.00	Total Contingency: \$					-
GL: 4230 50 0550 0516 54840 41100000							1,240,465.00	GL:					-
GL:							-	GL:					-
GL:							-	GL:					-
GL:							-	GL:					-
GL:							-	GL:					-
GL:							-	GL:					-
GL:							-	GL:					-
GL:							-	GL:					-
GL:							-	GL:					-
GL:							-	GL:					-
GL:							-	GL:					-
GL:							-	GL:					-
GL:							-	GL:					-
GL:							-	GL:					-

Accounts Receivable												
Total Contract Funding: \$ _____ -												
Funding Agreement No: _____						Reversion Date: _____						
GL:						-	GL:					-
GL:						-	GL:					-
GL:						-	GL:					-
GL:						-	GL:					-
GL:						-	GL:					-

Ellen Pollema

Project Manager (Print Name)

Andrea Zureick

Task Manager (Print Name)

Additional Notes: Additional allocations of federal funds that will not flow through the SBCTA budget total \$20,395,129 for total Public Share commitment of \$21,635,594.

Attachment: Contract Summary Sheet [Revision 1] (5898 : Amendment No. 5 to Funding Agreement with the City of Victorville for Green Tree

AMENDMENT NO. 5 TO PROJECT FUNDING AGREEMENT 15-1001115

FOR

THE YUCCA LOMA CORRIDOR-GREEN TREE BOULEVARD EXTENSION PROJECT
IN THE CITY OF VICTORVILLE

(CITY OF VICTORVILLE)

THIS AMENDMENT NO. 5 to PROJECT FUNDING AGREEMENT 15-1001115 is made and entered into by and between the CITY OF VICTORVILLE ("CITY") and the SAN BERNARDINO COUNTY TRANSPORTATION AUTHORITY ("SBCTA"). SBCTA and CITY are each a "Party" and collectively "Parties".

RECITALS

- A. On September 5, 2012, the SBCTA Board of Directors approved allocation principles resulting in the allocation of \$3,947,535 in idle federal earmark funds as Public Share funding to the Design and Right of Way Phases of the Yucca Loma Corridor – Green Tree Boulevard Extension Project ("PROJECT"); and
- B. The Parties entered into Project Funding Agreement No. 15-1001115 on or about February 11, 2015 ("Agreement"), to allocate an additional \$1,240,465 in Measure I Major Local Highway Projects Program funds to fully fund the Right of Way Phase of the PROJECT; and
- C. Amendment No. 1 to the Agreement, dated March 15, 2017, extended the termination date to December 31, 2018; and
- D. Amendment No. 2 to the Agreement, dated July 31, 2017, extended the termination date to June 30, 2019; and
- E. Amendment No. 3 to the Agreement, dated October 3, 2018, increased the allocation from \$1,240,465 to \$2,090,465 for the Right of Way Phase; and
- F. Amendment No. 4 to the Agreement, dated June __, 2019, extended the termination date to December 31, 2022; and
- G. City has requested to add the Construction Phase to the PROJECT Agreement; and
- H. City has requested funding for the Public Share of PROJECT costs totaling \$21,635,594, inclusive of prior allocations.

NOW, THEREFORE, the Parties agree to amend the Agreement as follows:

1. Paragraph 1 of Section I is deleted in its entirety and replaced with the following:

“1. To allocate up to a maximum of \$21,635,594 in Public Share funds for the actual cost of the PROJECT, or up to the eligible Public Share of PROJECT costs, whichever is less. An estimate of costs for the PROJECT and Public Share fund sources is provided in Attachment B. SBCTA shall have no further responsibilities to provide any funding for the PROJECT exceeding this amount unless a written amendment to this Agreement is signed by both Parties.”
2. Paragraph 2 of Section I is deleted in its entirety and replaced with the following:

“2. In the case that Measure I funds are allocated to the Project, to reimburse CITY within 30 days after CITY submits an original and two copies of the signed invoices in the proper form covering those actual allowable PROJECT expenditures that were incurred by CITY, consistent with the invoicing requirements of the Measure I 2010-2040 Strategic Plan, including backup information. Invoices may be submitted to SBCTA as frequently as monthly. Right of Way Phase invoices for expenses incurred after December 1, 2014, are eligible for reimbursement.”
3. Paragraph 2 of Section II is deleted in its entirety and replaced with the following:

“2. To be responsible for all project costs in excess of \$21,635,594 in Public Share funding absent approval of an additional allocation from the SBCTA Board of Directors.”
4. Paragraph 3 of Section II is deleted in its entirety and replaced with the following:

“3. To be responsible for expending that portion of the allocated Public Share funds on eligible PROJECT expenses in an amount not to exceed \$21,635,594, or up to the eligible Public Share of PROJECT costs, whichever is less, unless this Agreement is amended and approved increasing PROJECT costs. Reimbursement by SBCTA shall be in accordance with Section I, Paragraph 2. Additionally, expenses relative to time spent on the PROJECT by CITY staff are considered eligible PROJECT expenses and may be charged to the PROJECT, subject to SBCTA, State, and Federal guidelines.”
5. Paragraph 4 of Section II is deleted in its entirety and replaced with the following:

“4. In the case that State and Federal funds are allocated to the PROJECT, to secure all necessary State and Federal authorizations that are required before incurring eligible PROJECT expenditures.”
6. Paragraph 6 of Section II is deleted in its entirety and replaced with the following:

“6. In the case that Measure I funds are allocated to the PROJECT, to prepare and submit to SBCTA an original and two copies of signed invoices for reimbursement of eligible PROJECT expenses. Invoices may be submitted to SBCTA as frequently as monthly.”

7. The following Paragraph 14 is added to Section II:

“14. To include in all contracts between CITY and contractors for the PROJECT the requirement that SBCTA be named as an additional insured under general liability insurance policies maintained by the contractor for the PROJECT.”

8. The following Paragraph 7.A. is added to Section III, between Paragraphs 7 and 8:

“7.A. In the event CITY and/or SBCTA is found to be comparatively at fault for any claim, action, loss or damage which results from their respective obligations under this Agreement, CITY and/or SBCTA shall indemnify the other to the extent of its comparative fault.”

9. Attachment B is replaced in its entirety with the Revised Summary of Estimated Costs attached to this Amendment.

10. Except as amended by this Amendment No. 5, all other terms and conditions of the Agreement, and amendments thereto, shall remain in full force and effect and are incorporated herein by this reference.

11. This Amendment No. 5 shall be effective on the date executed by SBCTA.

-- SIGNATURES ON FOLLOWING PAGE --

IN WITNESS WHEREOF, SBCTA and CITY have executed this Amendment No. 5 below.

SAN BERNARDINO COUNTY
TRANSPORTATION AUTHORITY

CITY OF VICTORVILLE

By: _____
Darcy McNaboe
President

By: _____
Gloria Garcia
Mayor

Date: _____

Date: _____

APPROVED AS TO FORM:

ATTEST:

By: _____
Julianna K. Tillquist
SBCTA General Counsel

By: _____
Carolee Bates,
City Clerk

Date: _____

Date: _____

By: _____
Jeffrey Hill
Procurement Manager

By: _____
Chuck Buquet,
Risk Manager

Date: _____

Date: _____

By: _____
Andres de Bortnowsky,
City Attorney

Date: _____

ATTACHMENT B

YUCCA LOMA CORRIDOR - GREEN TREE BOULEVARD EXTENSION PROJECT CITY OF VICTORVILLE

Revised Summary of Estimated Costs

			Shares per Nexus Study				Actual Contributions			
			City		County		City		County	
			Public Share	Dev Share	Public Share	Dev Share	Public Share	Dev Share	Public Share	Dev Share
		Earmark Buy-down								
PHASE	Total Cost		51%	49%	82.2%	17.8%	51%	49%	82.2%	17.8%
DESIGN	\$3,188,000		\$1,473,860	\$1,416,062	\$245,020	\$53,058	\$2,889,922		\$298,078	
ROW ¹	\$2,000,000		\$1,020,000	\$980,000			\$2,000,000			
CON ²	\$39,451,390	\$4,219,196	\$16,451,149	\$15,806,005	\$2,445,565	\$529,575	\$14,055,087	\$18,202,067	\$2,392,507	\$582,633
TOTAL	\$44,639,390	\$4,219,196	\$18,945,009	\$18,202,067	\$2,690,585	\$582,633	\$18,945,009	\$18,202,067	\$2,690,585	\$582,633

¹ ROW Costs totaling \$50,000 in the jurisdiction of the County of San Bernardino are covered under Agreement 18-1001792

² Earmark buy-down is a City of Victorville earmark that applies to the Public and Development Shares for the City costs.

TOTAL PUBLIC SHARE: \$21,635,594

TOTAL DEVELOPMENT SHARE: \$18,784,700

FUNDING PLAN:

PHASE	Total Cost	Earmark Buy-down	Public Share Earmark	Public Share MSI MLHP	Public Share Federal STP	Public Share Federal HIP	Dev Share City	Dev Share County
DESIGN	\$3,188,000		\$3,188,000					
ROW	\$2,000,000		\$759,535	\$1,240,465				
CON	\$39,451,390	\$4,219,196			\$8,903,400	\$7,544,194	\$18,202,067	\$582,633
TOTAL	\$44,639,390	\$4,219,196	\$3,947,535	\$1,240,465	\$8,903,400	\$7,544,194	\$18,202,067	\$582,633

Additional Notes:

(1) The revised cost estimate was prepared by Dokken Engineering in April 2019.

(2) SBCTA's Share can be from sources under control of SBCTA including but not limited to Measure I (MSI) Major Local Highway Projects Program (MLHP), State Transportation Improvement Program (STIP), Surface Transportation Program (STP), Highway Improvement Program (HIP), and Local Partnership Program (LPP) without necessitating an amendment of this agreement. SBCTA shall provide City written notice of any change in source of funds. Savings from one phase of PROJECT may be used in another phase for eligible Public Share costs without necessitating an amendment of this agreement as long as the total allocation of Public Share funding is not exceeded. The \$3,947,535 of federal earmark funds allocated to PROJECT as part of the idle earmark process is regarded as Public Share. The federal earmark funds of \$4,219,196 buy down the City's share of the total project cost before application of Nexus Study shares.

(3) CITY shall be responsible for coordination of Development Share funds with the County of San Bernardino and other jurisdictions as required by Cooperative Agreement C12038.

Minute Action

AGENDA ITEM: 26

Date: July 10, 2019

Subject:

Bear Valley Road Overhead at BNSF Railroad Project Funding Agreement with the City of Victorville

Recommendation:

That the Board, acting as the San Bernardino County Transportation Authority:

A. Allocate \$1,633,758 of Federal Surface Transportation Program funds to the Bear Valley Road Overhead at BNSF Railroad Project in the City of Victorville.

B. Approve Project Funding Agreement 19-1002212 with the City of Victorville for the Construction Phase of the Bear Valley Road Overhead at BNSF Railroad Project in the City of Victorville.

Background:

The Bear Valley Road Overhead at BNSF Railroad (Project) is an existing bridge, No. 54C0547. There are two segments of the project, the first will widen a six lane bridge to seven lanes (adding a median turn lane) and the second will seismically retrofit the existing bridge. This segment has been funded by the Highway Bridge Program (HBP) in the amount of \$5,047,747.

The HBP has excluded a portion of road approaches at Bear Valley Road/Industrial Road and Bear Valley Road/Ridgecrest Road. These approaches need operational improvements to meet current American Association of State Highway and Transportation Officials (AASHTO) and City of Victorville (City) super arterial geometric standards for lane and shoulder widths. The City has requested Major Local Highway Program funding for the 51% public share of the non-participating costs in the amount of \$1,633,758.

As Major Local Highway Program funding is not currently available, San Bernardino County Transportation Authority (SBCTA) has programmed Federal Surface Transportation Program (STP) funds for the public share as they are available in Fiscal Year 2019/2020.

Construction on the project is scheduled to begin in December 2019 with completion anticipated in December 2021.

Financial Impact:

This item is consistent with the adopted Fiscal Year 2019/2020 budget.

Reviewed By:

This item was unanimously recommended for approval by the Mountain/Desert Policy Committee on June 21, 2019. SBCTA General Counsel and Procurement Manager have reviewed this item and the draft agreement.

Responsible Staff:

Andrea Zureick, Director of Fund Administration

Entity: San Bernardino County Transportation Authority

Board of Directors Agenda Item
July 10, 2019
Page 2

Approved
Board of Directors
Date: July 10, 2019
Witnessed By:

San Bernardino County Transportation Authority

General Contract Information

Contract No: 19-1002212 Amendment No.: _____ Sole Source? N/A
 Vendor No.: 02324 Vendor/Customer Name: City of Victorville
 Description: Bear Valley Road Bridge over BNSF Railway Project Funding Agreement
 Estimated Start Date: 07/10/2019 Expiration Date: 12/31/2022 Revised Expiration Date: _____
 List Any SBCTA Related Contracts Nos.: _____

Dollar Amount

Original Contract	\$	-	Original Contingency	\$	-
Prior Amendments	\$	-	Prior Amendments	\$	-
Current Amendment	\$	-	Current Amendment	\$	-
Total/Revised Contract Value	\$	-	Total Contingency Value	\$	-
Total Dollar Authority (Contract Value and Contingency)					\$ -

Contract Authorization

Board of Directors _____ Date: 07/10/2019 Board _____ Item # 5899

Contract Management (Internal Purposes Only)

Payable _____ Other Contracts _____ No Budget Adjustment _____

Accounts Payable

Total Contract Funding: \$				-	Total Contingency: \$				-
GL: I				-	GL: I				-
GL: I				-	GL: I				-
GL: I				-	GL: I				-
GL: I				-	GL: I				-
GL: I				-	GL: I				-
GL: I				-	GL: I				-
GL: I				-	GL: I				-
GL: I				-	GL: I				-
GL: I				-	GL: I				-
GL: I				-	GL: I				-
GL: I				-	GL: I				-
GL: I				-	GL: I				-
GL: I				-	GL: I				-
GL: I				-	GL: I				-

Accounts Receivable

Total Contract Funding: \$				-	Reversion Date: _____			
Funding Agreement No: _____								
GL: I				-	GL: I			-
GL: I				-	GL: I			-
GL: I				-	GL: I			-
GL: I				-	GL: I			-
GL: I				-	GL: I			-

Ellen Pollema

Project Manager (Print Name)

Andrea Zureick

Task Manager (Print Name)

Project Accounting Code 022-239. Public Share is currently assumed to be paid with federal STP that would not pass through SBCTA budget; however, it is possible some Victor Valley MLHP could be used in the future.

Attachment: Contract Summary Sheet [Revision 1] (5899 : Bear Valley Road Overhead at BNSF Railroad Project Funding Agreement with the

PROJECT FUNDING AGREEMENT NO. 19-1002212

FOR

BEAR VALLEY ROAD OVERHEAD AT BNSF RAILROAD PROJECT

(CITY OF VICTORVILLE)

THIS Project Funding Agreement (“Agreement”) is made and entered into this July 10, 2019 by and between the San Bernardino County Transportation Authority (“SBCTA”) and the City of Victorville (“CITY”). SBCTA and CITY are each a “Party” or collectively “Parties.”

RECITALS

- A. The Measure I 2010-2040 Expenditure Plan and the Victor Valley Subarea transportation planning partners have identified projects eligible for Public Share funding from the Measure I 2010-2040 Victor Valley Subarea Major Local Highway Projects Program (“MLHP”); and
- B. SBCTA prepared the Development Mitigation Nexus Study, referenced herein as the Nexus Study, originally approved in October 2005 and regularly updated, most recently on July 11, 2018, that, in accordance with the Measure I 2010-2040 Expenditure Plan, identified for projects located in CITY, the SBCTA Public Share as 51% and the CITY Development Share as 49%; and
- C. The Measure I 2010-2040 Strategic Plan Policy 40013, Victor Valley Major Local Highways Program, includes as Public Share funds: Measure I Major Local Highways, State Transportation Improvement Program, Surface Transportation Program, Congestion Mitigation and Air Quality, State Local Partnership Program, and Local Partnership Program funds; and
- D. The Bear Valley Road Bridge over BNSF Railway Project (“PROJECT”) is one of the projects identified as eligible for such funding and is described more fully in Attachment A; and
- E. CITY identified a cost of \$3,203,448 to complete the construction phase of the PROJECT; and
- F. The Victor Valley Subarea transportation planning partners have identified this PROJECT as eligible for Public Share funding in an amount up to \$1,633,758, or 51% of the eligible PROJECT cost, whichever is less; and
- G. This Agreement is to be carried out in accordance with the policies in the Measure I 2010-2040 Strategic Plan including the use of Development Impact Fees by CITY to pay the Development Share of PROJECT costs; and

H. Parties desire to proceed with the PROJECT in a timely manner; and

I. This Agreement is intended to delineate the duties and funding responsibilities of the Parties for the PROJECT.

NOW, THEREFORE, SBCTA and CITY agree to the following:

SECTION I

SBCTA AGREES:

1. To allocate up to a maximum of \$1,633,758 in Public Share funds for the actual cost of the PROJECT, or up to 51% of the eligible PROJECT cost, whichever is less. An estimate of costs for the PROJECT and Public Share fund sources is provided in Attachment B. SBCTA shall have no further responsibilities to provide any funding for PROJECT exceeding this amount without a written amendment to this Agreement signed by both Parties.
2. In the case that Measure I funds are allocated to the PROJECT, to reimburse CITY within 30 days after CITY submits an original and two copies of the signed invoices in the proper form covering those actual allowable PROJECT expenditures that were incurred by CITY, consistent with the invoicing requirements of the Measure I 2010-2040 Strategic Plan, including backup information. Invoices may be submitted to SBCTA as frequently as monthly.
3. When conducting an audit of the costs claimed under the provisions of this Agreement, to rely to the maximum extent possible on any prior audit of CITY performed pursuant to the provisions of State and Federal laws. In the absence of such an audit, work of other auditors will be relied upon to the extent that work is acceptable to SBCTA when planning and conducting additional audits.
4. To assign a project liaison for the purpose of attending Project Development Team (PDT) meetings.

SECTION II

CITY AGREES:

1. To be the lead agency for this PROJECT and to diligently undertake and complete in a timely manner the Scope of Work for the PROJECT as shown in Attachment A.
2. To be responsible for expending that portion of allocated Public Share funds on eligible PROJECT expenses in an amount not to exceed \$1,633,758, or up to 51% of eligible PROJECT costs, whichever is less, unless this Agreement is amended and

approved increasing PROJECT costs. Reimbursement by SBCTA shall be in accordance with Section I, Paragraph 2. Additionally, expenses relative to time spent on the PROJECT by CITY staff are considered eligible PROJECT expenses and may be charged to the PROJECT, subject to SBCTA, State, and Federal guidelines.

3. In the case that State and Federal funds are allocated to the PROJECT, to secure all necessary State and Federal authorizations that are required before incurring eligible PROJECT expenditures.
4. To abide by all applicable SBCTA, CITY, State and Federal laws, regulations, policies and procedures pertaining to the PROJECT.
5. In the case that Measure I funds are allocated to the PROJECT, to prepare and submit to SBCTA an original and an electronic copy of signed invoices for reimbursement of eligible PROJECT expenses. Invoices may be submitted to SBCTA as frequently as monthly.
6. To maintain all source documents, books and records connected with its performance under this Agreement for a minimum of five (5) years from the date of the Final Report of Expenditures submittal to SBCTA or until audit resolution is achieved, whichever is later, and to make all such supporting information available for inspection and audit by representatives of SBCTA during normal business hours at CITY's City Hall. Copies will be made and furnished by CITY upon written request by SBCTA.
7. To establish and maintain an accounting system conforming to Generally Accepted Accounting Principles (GAAP) to support CITY's requests for reimbursement, payment vouchers, or invoices which segregate and accumulate costs of PROJECT work elements and produce monthly reports which clearly identify reimbursable costs, matching fund costs, indirect cost allocation, and other allowable expenditures by CITY.
8. To prepare a Final Report of Expenditures, including a final invoice reporting the actual eligible PROJECT costs expended for those activities described in the work activities, and to submit that Final Report of Expenditures and final invoice no later than one hundred twenty (120) days following the completion of the PROJECT work funded under this Agreement. An original and two copies of the Final Report of Expenditures shall be submitted to SBCTA and must state that these PROJECT funds were used in conformance with this Agreement and for those PROJECT-specific work activities described.
9. To cooperate in having a PROJECT-specific audit completed by SBCTA, at SBCTA's option and expense, upon completion of the PROJECT. The audit must state that all funds expended on the PROJECT were used in conformance with this Agreement.

10. To repay to SBCTA any reimbursement for Measure I costs that are determined by subsequent audit to be unallowable within one hundred twenty (120) days of CITY receiving notice of audit findings, which time shall include an opportunity for CITY to respond to and/or resolve the findings. Should the findings not be otherwise resolved and CITY fail to reimburse moneys due SBCTA within one hundred twenty (120) days of audit findings, or within such other period as may be agreed between both Parties, SBCTA reserves the right to withhold future payments due CITY from any source under SBCTA's control.
11. To include SBCTA in PDT meetings if and when such meetings are held and in related communications on PROJECT progress, to provide at least quarterly schedule updates to SBCTA, and to consult with SBCTA on critical issues relative to the PROJECT.
12. In the case that Measure I funds are allocated to the PROJECT, as an eligible PROJECT expense, to post signs at the boundaries of the PROJECT noting that PROJECT is funded with Measure I funds. Signs shall bear the logos of SBCTA and CITY.
13. To include in all contracts between CITY and contractors for the PROJECT the requirement that SBCTA be named as an additional insured under general liability insurance policies maintained by the contractor for the PROJECT.

SECTION III

IT IS MUTUALLY AGREED:

1. To abide by all applicable Federal, State and Local laws and regulations pertaining to the PROJECT, including policies in the applicable program in the Measure I 2010-2040 Strategic Plan, as amended, as of the Effective Date of this Agreement.
2. The final PROJECT cost may ultimately exceed current estimates of PROJECT cost. Any additional eligible costs resulting from unforeseen conditions over the estimated total of the PROJECT cost shall be subject to prior authorization by the SBCTA Board of Directors pursuant to Section III, Paragraph 3 of this Agreement. In the event CITY determines PROJECT work may exceed the not to exceed amount identified in Section I, Paragraph 1, CITY shall inform SBCTA of this determination and thereafter the Parties shall work together in an attempt to agree upon an amendment to the PROJECT amounts identified in this Agreement. In no event, however, shall SBCTA be responsible for PROJECT costs in excess of the PROJECT amounts identified herein absent a written amendment to this Agreement that is approved and signed by the Parties.
3. Eligible PROJECT reimbursements shall include only those costs incurred by CITY for PROJECT-specific work activities that are described in this Agreement and shall not include escalation or interest.

4. Neither SBCTA nor any officer or employee thereof is responsible for any injury, damage or liability occurring or arising by reason of anything done or omitted to be done by CITY under or in connection with any work, authority or jurisdiction delegated to CITY under this Agreement. It is understood and agreed that, pursuant to Government Code Section 895.4, CITY shall fully defend, indemnify and save harmless SBCTA, its officers and employees from all claims, suits or actions of every name, kind and description brought for or on account of injury (as defined by Government Code Section 810.8) occurring by reason of anything done or omitted to be done by CITY under or in connection with any work, authority or jurisdiction delegated to CITY under this Agreement. CITY's indemnification obligation applies to SBCTA's "active" as well as "passive" negligence but does not apply to SBCTA's "sole negligence" or "willful misconduct" within the meaning of Civil Code Section 2782.
5. Neither CITY nor any officer or employee thereof is responsible for any injury, damage or liability occurring or arising by reason of anything done or omitted to be done by SBCTA under or in connection with any work, authority or jurisdiction delegated to SBCTA under this Agreement. It is understood and agreed that, pursuant to Government Code Section 895.4, SBCTA shall fully defend, indemnify and save harmless CITY, its officers and employees from all claims, suits or actions of every name, kind and description brought for or on account of injury (as defined by Government Code Section 810.8) occurring by reason of anything done or omitted to be done by SBCTA under or in connection with any work, authority or jurisdiction delegated to SBCTA under this Agreement. SBCTA's indemnification obligation applies to CITY's "active" as well as "passive" negligence but does not apply to CITY's "sole negligence" or "willful misconduct" within the meaning of Civil Code Section 2782.
6. In the event CITY and/or SBCTA is found to be comparatively at fault for any claim, action, loss or damage which results from their respective obligations under this Agreement, CITY and/or SBCTA shall indemnify the other to the extent of its comparative fault.
7. This Agreement will be considered terminated upon reimbursement of all eligible costs by SBCTA or December 31, 2022, whichever is sooner, provided that the provisions of Paragraphs 6, 7, 8, 9, and 10 of Section II, and Paragraphs 5, 6 and 7 of Section III, shall survive the termination of this Agreement. The Agreement may also be terminated by SBCTA, in its sole discretion, in the event the PROJECT work described in Attachment A has not been initiated by CITY within twelve (12) months of the Effective Date of this Agreement.
8. SBCTA may terminate this Agreement if CITY fails to perform according to the terms of this Agreement and if this failure jeopardizes the delivery of the PROJECT according to the terms herein.
9. The Recitals to this Agreement are true and correct and are incorporated into this Agreement.

10. Attachment A, Description of Project and Milestones, and Attachment B, Summary of Estimated Costs, are attached to and incorporated into this Agreement.
11. The Agreement may be signed in counterparts, each of which shall constitute an original.
12. This Agreement is effective when it has been executed by both Parties, and shall be dated on the date of the last signature..

----SIGNATURES ON FOLLOWING PAGE----

IN WITNESS WHEREOF, the Parties have executed this Agreement by their authorized signatories below.

**SAN BERNARDINO COUNTY
TRANSPORTATION AUTHORITY**

CITY OF VICTORVILLE

By: _____
Darcy McNaboe, President
Board of Directors

By: _____
Gloria Garcia
Mayor

Date: _____

Date: _____

APPROVED AS TO FORM AND
PROCEDURE:

APPROVED AS TO FORM AND
PROCEDURE:

By: _____
Julianna K. Tillquist
General Counsel

By: _____
Andre de Bortnowsky
City Attorney

Date: _____

By: _____
Jeffery Hill
Procurement Manager

Date: _____

Attachment A
BEAR VALLEY ROAD OVERHEAD AT BNSF RAILROAD PROJECT
Description of Project and Milestones

Project Title			
BEAR VALLEY RD OVERHEAD AT BNSF RAILROAD, 3.8 MI. E. OF 1-15			
Location, Project Limits, Description, Scope of Work, Legislative Description			
Bridge No. 54C0547. Widen 6 lane bridge to 7 lanes (median turn lane) and seismically retrofit existing bridge. Widen road approaches for standard lane widths. Through lanes will not be added.			
Component	Implementing Agency	Reimbursements	
PA&ED	City of Victorville		
PS&E	City of Victorville		
Right of Way	City of Victorville		
Construction	City of Victorville		
Legislative Districts			
Assembly:	33	Senate:	21
Congressional:	8		
Purpose and Need			
Bridge and road approaches need to be widened and improved to meet current AASHTO and City super arterial geometric standards. Bridge needs to be seismically retrofit to meet structural requirements. Operational improvements are needed at intersections at both ends of project.			
Project Benefits			
Project meets AASHTO standards for lane and shoulder widths. The Bridge will be seismically retrofit to meet current standards. Improvements at the intersections of Bear Valley Rd / Industrial Rd and Bear Valley Rd / Ridgecrest Rd will improve operational efficiency.			
Project Milestone			Proposed
Project Study Report Approved			N/A
Begin Environmental (PA&ED) Phase			7/8/2010
Circulate Draft Environmental Document	Document Type IS/MND		6/11/2014
Draft Project Report			N/A
End Environmental Phase (PA&ED Milestone)			1/20/2015
Begin Design (PS&E) Phase			1/21/2015
End Design Phase (Ready to List for Advertisement Milestone)			12/20/2018
Begin Right of Way Phase			1/21/2015
End Right of Way Phase (Right of Way Certification Milestone)			4/11/2018
Begin Construction Phase (Contract Award Milestone)			12/2/2019
End Construction Phase (Construction Contract Acceptance Milestone)			9/30/2021
Begin Closeout Phase			10/1/2021
End Closeout Phase (Closeout Report)			12/31/2021

ATTACHMENT B

BEAR VALLEY ROAD OVERHEAD AT BNSF RAILROAD PROJECT Summary of Estimated Costs

	Total Project Cost	HBP Participating Amount	Project Balance	Development Share (City - 49%)	Public Share ¹ (SBCTA - 51%) (Federal STP)
Construction Contract	\$6,522,684	\$3,990,314	\$2,532,370	\$1,240,861	\$1,291,509
Contingencies (10%)	\$652,268	\$399,031	\$253,237	\$124,086	\$129,151
Management (12%)	\$860,994	\$526,721	\$334,273	\$163,794	\$170,479
Support (3%)	\$215,249	\$131,680	\$83,569	\$40,949	\$42,620
Construction Total	\$8,251,195	\$5,047,747	\$3,203,448	\$1,569,690	\$1,633,758

(1) SBCTA's Share can be from sources under control of SBCTA including but not limited to Measure I Major Local Highway Projects Program, State Transportation Improvement Program (STIP), Surface Transportation Program (STP), or other funds without necessitating an amendment of this agreement. SBCTA shall provide City written notice of any change in source of funds.

Minute Action

AGENDA ITEM: 27

Date: July 10, 2019

Subject:

Split Rock Ave Bridge at Flood Control Channel Funding Agreement with the City of Twentynine Palms

Recommendation:

That the Board, acting as the San Bernardino County Transportation Authority:

A. Approve an allocation of \$285,560 in Measure I Morongo Basin Major Local Highway Projects Program Funds to the Split Rock Avenue Bridge at Flood Control Channel Project in the City of Twentynine Palms.

B. Approve Funding Agreement No. 19-1002195 with the City of Twentynine Palms for the Split Rock Avenue Bridge at Flood Control Channel Project.

Background:

The Split Rock Avenue Bridge at the Flood Control Channel Project (Project) is designed to replace an existing two lane low water crossing with a new two lane bridge across the flood control channel north of State Route 62, from Buena Vista Drive to Bagley Drive in the City of Twentynine Palms (City).

The estimated construction cost for the project included in the San Bernardino County Transportation Authority (SBCTA) 10-Year Delivery Plan is \$2,489,630 with the federal Highway Bridge Program (HBP) funding expected to fund 88.53% of the cost. The City is requesting Morongo Basin Subarea Major Local Highway Projects Program funding in the amount of \$285,560 for the corresponding match of 11.47% for the construction phase of the Project.

The Project is currently in the Design and Right-of-Way Phases, with construction expected to begin in fall 2019.

Financial Impact:

This item is consistent with the adopted Fiscal Year 2019/2020 budget.

Reviewed By:

This item was unanimously recommended for approval by the Mountain/Desert Policy Committee on June 21, 2019. SBCTA General Counsel and Procurement Manager have reviewed this item and the draft agreement.

Responsible Staff:

Andrea Zureick, Director of Fund Administration

Entity: San Bernardino County Transportation Authority

Board of Directors Agenda Item
July 10, 2019
Page 2

Approved
Board of Directors
Date: July 10, 2019

Witnessed By:

San Bernardino County Transportation Authority

General Contract Information

Contract No: 19-1002195 Amendment No.: _____ Sole Source? N/A

Vendor No.: 02201 Vendor/Customer Name: City of Twentynine Palms

Description: Split Rock Ave Bridge at Flood Control Channel Project Funding Agreement

Estimated Start Date: 07/10/2019 Expiration Date: 12/31/2023 Revised Expiration Date: _____

List Any SBCTA Related Contracts Nos.: _____

Dollar Amount							
Original Contract		\$	285,560.00	Original Contingency		\$	-
Prior Amendments		\$	-	Prior Amendments		\$	-
Current Amendment		\$	-	Current Amendment		\$	-
Total/Revised Contract Value		\$	285,560.00	Total Contingency Value		\$	-
	Total Dollar Authority (Contract Value and Contingency)					\$	285,560.00

Contract Authorization

Board of Directors _____ Date: 07/10/2019 Board _____ Item # 5895

Contract Management (Internal Purposes Only)

Payable _____ Other Contracts _____ No Budget Adjustment _____

Accounts Payable											
Total Contract Funding: \$						285,560.00	Total Contingency: \$				
GL: 4530 50 0550 0516 54840 41100000						285,560.00	GL:				-
GL:						-	GL:				-
GL:						-	GL:				-
GL:						-	GL:				-
GL:						-	GL:				-
GL:						-	GL:				-
GL:						-	GL:				-
GL:						-	GL:				-
GL:						-	GL:				-
GL:						-	GL:				-
GL:						-	GL:				-
GL:						-	GL:				-
GL:						-	GL:				-
GL:						-	GL:				-
GL:						-	GL:				-

Accounts Receivable											
Total Contract Funding: \$						-	Reversion Date: _____				
Funding Agreement No: _____							GL:				-
							GL:				-
							GL:				-
							GL:				-
							GL:				-

Ellen Pollema

Andrea Zureick

Project Manager (Print Name)

Task Manager (Print Name)

Project Accounting Code 020-237

Attachment: Contract Summary Sheet [Revision 1] (5895 : Split Rock Avenue Bridge Funding Agreement)

PROJECT FUNDING AGREEMENT NO. 19-1002195

FOR

SPLIT ROCK AVE BRIDGE AT FLOOD CONTROL CHANNEL PROJECT

(CITY OF TWENTYNINE PALMS)

THIS Project Funding Agreement (“Agreement”) is made and entered into this July 10, 2019, by and between the San Bernardino County Transportation Authority (“SBCTA”) and the City of Twentynine Palms (“CITY”). SBCTA and CITY are each a “Party” or collectively “Parties.”

RECITALS

- A. The Measure I 2010-2040 Expenditure Plan and the Morongo Basin Subarea transportation planning partners have identified projects eligible for funding from Measure I 2010-2040 Morongo Basin Subarea Major Local Highway Projects Program (“MLHP”) funds; and
- B. The Split Rock Avenue Bridge at Flood Control Channel Project (“PROJECT”) is one of the projects identified as eligible for such funding and is described more fully in Attachment A; and
- C. The CITY has identified a need of \$285,560 for construction of the PROJECT; and
- D. The Morongo Basin Subarea transportation planning partners have identified this PROJECT as eligible for funding in an amount up to \$285,560 from Measure I 2010-2040 MLHP funds for the PROJECT; and
- E. This Agreement is to be carried out in accordance with the policies in the Measure I 2010-2040 Strategic Plan; and
- F. CITY desires to proceed with the PROJECT in a timely manner; and
- G. This Agreement is intended to delineate the duties and funding responsibilities of the Parties for the PROJECT.

NOW, THEREFORE, SBCTA and CITY agree to the following:

SECTION I

SBCTA AGREES:

Attachment: 19-1002195 (5895 : Split Rock Avenue Bridge Funding Agreement)

1. To reimburse CITY for the actual cost of the PROJECT up to a maximum of \$285,560 in MLHP funds. An estimate of costs for the PROJECT is provided in Attachment B. SBCTA shall have no further responsibilities to provide any funding for the PROJECT exceeding this amount without a written amendment to this Agreement signed by both Parties.
2. To reimburse CITY within thirty (30) days after CITY submits an original and two copies of the signed invoices in the proper form covering those actual allowable PROJECT expenditures that were incurred by CITY, consistent with the invoicing requirements of the Measure I 2010-2040 Strategic Plan, including backup information. Invoices may be submitted to SBCTA as frequently as monthly.
3. When conducting an audit of the costs claimed under the provisions of this Agreement, to rely to the maximum extent possible on any prior audit of CITY performed pursuant to the provisions of State and Federal laws. In the absence of such an audit, work of other auditors will be relied upon to the extent that work is acceptable to SBCTA when planning and conducting additional audits.
4. SBCTA shall assign a project liaison for the purpose of attending Project Development Team (PDT) meetings.

SECTION II

CITY AGREES:

1. To be the lead agency for PROJECT and to diligently undertake and complete in a timely manner the Scope of Work for the PROJECT as shown in Attachment A.
2. To be responsible for expending that portion of allocated MLHP funds on eligible PROJECT expenses for an amount not to exceed \$285,560 in MLHP funds unless this Agreement is amended and approved increasing PROJECT costs. Reimbursement by SBCTA shall be in accordance with Section I, Paragraph 2. Additionally, expenses relative to time spent on the PROJECT by CITY staff are considered eligible PROJECT expenses and may be charged to the PROJECT, subject to SBCTA's guidelines.
3. To abide by all applicable SBCTA, CITY, State, and Federal laws, regulations, policies and procedures pertaining to the PROJECT.
4. To prepare and submit to SBCTA an original and an electronic copy of signed invoices for reimbursement of eligible PROJECT expenses. Invoices may be submitted to SBCTA as frequently as monthly.
5. To maintain all source documents, books and records connected with its performance under this Agreement for a minimum of five (5) years from the date of the Final Report of Expenditures submittal to SBCTA or until audit resolution is achieved, whichever is later, and to make all such supporting information available for

inspection and audit by representatives of SBCTA during normal business hours at CITY. Copies will be made and furnished by CITY upon written request by SBCTA.

6. To establish and maintain an accounting system conforming to Generally Accepted Accounting Principles (GAAP) to support CITY's requests for reimbursement, payment vouchers, or invoices which segregate and accumulate costs of PROJECT elements and produce monthly reports which clearly identify reimbursable costs, matching fund costs, indirect cost allocation, and other allowable expenditures by CITY.
7. To prepare a Final Report of Expenditures, including a final invoice reporting the actual eligible PROJECT costs expended for those activities described in the work activities, and to submit that Final Report of Expenditures and final invoice no later than one hundred twenty (120) days following the completion of those expenditures. An original and two copies of the Final Report of Expenditures shall be submitted to SBCTA and must state that these PROJECT funds were used in conformance with this Agreement and for those PROJECT-specific work activities described.
8. To cooperate in having a PROJECT-specific audit completed by SBCTA, at SBCTA's option and expense, upon completion of the PROJECT. The audit must state that all funds expended on the PROJECT were used in conformance with this Agreement.
9. To repay to SBCTA any reimbursement for Measure I costs that are determined by subsequent audit to be unallowable within one hundred twenty (120) days of CITY receiving notice of audit findings, which time shall include an opportunity for CITY to respond to and/or resolve the findings. Should the findings not be otherwise resolved and CITY fail to reimburse moneys due SBCTA within one hundred twenty (120) days of audit findings, or within such other period as may be agreed between both Parties, SBCTA reserves the right to withhold future payments due CITY from any source under SBCTA's control.
10. To include SBCTA in PDT meetings if and when such meetings are held and in related communications on PROJECT progress, to provide at least quarterly schedule updates to SBCTA, and to consult with SBCTA on critical issues relative to the PROJECT.
11. As an eligible PROJECT expense, to post signs at the boundaries of the PROJECT noting that PROJECT is funded with Measure I funds. Signs shall bear the logos of SBCTA and CITY.
12. To include in all contracts between CITY and contractors for the PROJECT the requirement that SBCTA be named as an additional insured under general liability insurance policies maintained by the contractor for the PROJECT.

SECTION III

IT IS MUTUALLY AGREED:

1. To abide by all applicable Federal, State and Local laws and regulations pertaining to the PROJECT, including policies in the applicable program in the Measure I 2010-2040 Strategic Plan, as amended, as of the Effective Date of this Agreement.
2. The final PROJECT cost may ultimately exceed current estimates of PROJECT cost. Any additional eligible costs resulting from unforeseen conditions over the estimated total of the PROJECT cost shall be borne by CITY unless prior authorization has been approved by the SBCTA Board of Directors pursuant to Section III, Paragraph 3 of this Agreement.
3. In the event CITY determines PROJECT costs may exceed the not to exceed amount identified in Section I, Paragraph 1, CITY shall inform SBCTA of this determination and thereafter the Parties shall work together in an attempt to agree upon an amendment to the CITY PROJECT amounts identified in this Agreement. In no event, however, shall SBCTA be responsible for PROJECT costs in excess of the amounts identified herein absent a written amendment to this Agreement that is approved and signed by the Parties.
4. Eligible PROJECT reimbursements shall include only those costs incurred by CITY for PROJECT-specific work activities that are described in this Agreement and shall not include escalation or interest.
5. Neither SBCTA nor any officer or employee thereof is responsible for any injury, damage or liability occurring or arising by reason of anything done or omitted to be done by CITY under or in connection with any work, authority or jurisdiction delegated to CITY under this Agreement. It is understood and agreed that, pursuant to Government Code Section 895.4, CITY shall fully defend, indemnify and save harmless SBCTA, its officers and employees from all claims, suits or actions of every name, kind and description brought for or on account of injury (as defined by Government Code Section 810.8) occurring by reason of anything done or omitted to be done by CITY under or in connection with any work, authority or jurisdiction delegated to CITY under this Agreement. CITY's indemnification obligation applies to SBCTA's "active" as well as "passive" negligence but does not apply to SBCTA's "sole negligence" or "willful misconduct" within the meaning of Civil Code Section 2782.
6. Neither CITY nor any officer or employee thereof is responsible for any injury, damage or liability occurring or arising by reason of anything done or omitted to be done by SBCTA under or in connection with any work, authority or jurisdiction delegated to SBCTA under this Agreement. It is understood and agreed that, pursuant to Government Code Section 895.4, SBCTA shall fully defend, indemnify

- and save harmless CITY, its officers and employees from all claims, suits or actions of every name, kind and description brought for or on account of injury (as defined by Government Code Section 810.8) occurring by reason of anything done or omitted to be done by SBCTA under or in connection with any work, authority or jurisdiction delegated to SBCTA under this Agreement. SBCTA's indemnification obligation applies to CITY's "active" as well as "passive" negligence but does not apply to CITY's "sole negligence" or "willful misconduct" within the meaning of Civil Code Section 2782.
7. In the event CITY and/or SBCTA is found to be comparatively at fault for any claim, action, loss or damage which results from their respective obligations under this Agreement, CITY and/or SBCTA shall indemnify the other to the extent of its comparative fault.
 8. This Agreement will be considered terminated upon reimbursement of eligible costs by SBCTA or December 31, 2023, whichever is sooner, provided that the provisions of Paragraphs 5, 6, 7, 8, and 9 of Section II, and Paragraphs 5, 6 and 7 of Section III, shall survive the termination of this Agreement. The Agreement may also be terminated by SBCTA, in its sole discretion, in the event the PROJECT described in Attachment A has not been initiated by CITY within twelve (12) months of the Effective Date of this Agreement.
 9. SBCTA may terminate this Agreement if CITY fails to perform according to the terms of this Agreement and if this failure jeopardizes the delivery of the CITY PROJECT according to the terms herein.
 10. The Recitals to this Agreement are true and correct and are incorporated into this Agreement.
 11. Attachment A, Description of Project and Milestones, and Attachment B, Summary of Estimated Costs, are attached to and incorporated into this Agreement.
 12. This Agreement may be signed in counterparts, each of which shall constitute an original.
 13. This Agreement is effective and shall be dated on the date executed by SBCTA.

-----SIGNATURES ON FOLLOWING PAGE-----

IN WITNESS WHEREOF, the Parties have executed this Agreement by their authorized signatories below.

**SAN BERNARDINO COUNTY
TRANSPORTATION AUTHORITY**

CITY OF TWENTYNINE PALMS

By: _____
Darcy McNaboe, President
Board of Directors

By: _____
Steven Bilderain,
Mayor

Date: _____

Date: _____

APPROVED AS TO FORM

APPROVED AS TO FORM:

By: _____
Julianna K. Tillquist
SBCTA General Counsel

By: _____
City Attorney

Date: _____

By: _____
Jeffery Hill
Procurement Manager

Date: _____

Attachment: 19-1002195 (5895 : Split Rock Avenue Bridge Funding Agreement)

Attachment A

SPLIT ROCK AVE BRIDGE AT FLOOD CONTROL CHANNEL PROJECT

Description of Project and Milestones

Project Title			
SPLIT ROCK AVENUE BRIDGE			
Location, Project Limits, Description, Scope of Work, Legislative Description			
THE CITY OF TWENTYNINE PALMS IS PROPOSING TO REPLACE A TWO LANE LOW WATER CROSSING ON SPLIT ROCK AVENUE (JUST NORTH OF STATE ROUTE 62) WITH A NEW 2-LANE BRIDGE OVER THE TWENTYNINE PALMS FLOOD CONTROL CHANNEL (29FCC)			
Component	Implementing Agency	Reimbursements	
PA&ED	CITY OF TWENTYNINE PALMS		
PS&E	CITY OF TWENTYNINE PALMS		
Right of Way	CITY OF TWENTYNINE PALMS		
Construction	CITY OF TWENTYNINE PALMS		
Legislative Districts			
Assembly:		Senate:	
Congressional:			
Purpose and Need			
THE PRIMARY OBJECTIVE IS TO CONSTRUCT A NEW BRIDGE OVER THE FLOOD-PRONE ROADWAY SECTION TO PROVIDE SAFE ACCESS DURING STORM EVENTS. THE HORIZONTAL ALIGNMENT WILL FOLLOW THE EXISTING ROADWAY, BUT WILL BE RAISED 10'.			
Project Benefits			
THE PROJECT WILL IMPROVE SAFETY BY CORRECTING THE REGULAR FLOODING ISSUES THAT RENDER THE LOW WATER CROSSING OF SPLIT ROCK AVENUE IMPASSIBLE DURING STORM EVENTS.			
Project Milestone			Proposed
Project Study Report Approved			April 2015
Begin Environmental (PA&ED) Phase			January 2015
Circulate Draft Environmental Document	Document Type	CE	March, 2016
Draft Project Report			June 2017
End Environmental Phase (PA&ED Milestone)			March 2018
Begin Design (PS&E) Phase			January 2016
End Design Phase (Ready to List for Advertisement Milestone)			December 2019
Begin Right of Way Phase			March 2018
End Right of Way Phase (Right of Way Certification Milestone)			December 2019
Begin Construction Phase (Contract Award Milestone)			July 2020
End Construction Phase (Construction Contract Acceptance Milestone)			July 2022
Begin Closeout Phase			September 2022
End Closeout Phase (Closeout Report)			November 2022

Attachment: 19-1002195 (5895 : Split Rock Avenue Bridge Funding Agreement)

ATTACHMENT B

SPLIT ROCK AVE BRIDGE AT FLOOD CONTROL CHANNEL PROJECT

Summary of Estimated Costs

Phase	Total Cost	Federal Highway Bridge Program (HBP) Funds	SBCTA MLHP Funds*	City Funds
Engineering (PA/ED & PS&E)	\$476,775	\$422,089		\$54,686
ROW	\$30,000	\$26,559		\$3,441
Construction	\$2,489,630	\$2,204,070	\$285,560	
TOTAL	\$2,996,405	\$2,652,718	\$285,560	\$58,127

*SBCTA's share can be from sources under control of SBCTA including, but not limited to, Measure I Major Local Highways Program (MLHP), State Transportation Improvement Program (STIP), Surface Transportation Program (STP), or other funds without necessitating an amendment of this Agreement. SBCTA shall provide City written notice of any change in source of funds.

Minute Action

AGENDA ITEM: 28

Date: July 10, 2019

Subject:

Amendment No. 1 to Funding Agreement for First Avenue Bridge over Mojave River

Recommendation:

That the Board, acting as the San Bernardino County Transportation Authority:

A. Approve a scope modification for Agreement No. 15-1001118 to include the Mojave River Overflow Area adjacent to the First Avenue Bridge over Mojave River Project (Project).

B. Allocate an additional \$4,225,014 for the First Avenue Bridge over Mojave River and Overflow Area, bringing the total allocation to \$7,403,885 consisting of \$1,267,435 in North Desert Major Local Highway Projects Program funds and \$6,136,450 in federal Surface Transportation Program funds.

C. Approve Amendment No. 1 to Agreement No. 15-1001118, with the City of Barstow, modifying the Project scope and increasing the not-to-exceed amount, as set forth in Recommendations A and B, above, and extending the termination date of the contract to June 1, 2026.

Background:

This project consists of replacing both the existing Mojave River Bridge (Bridge No. 54C0089), constructed in 1933, and the Mojave River Overflow Bridge (Bridge No. 54C0090), constructed in 1939, in the City of Barstow (City) with two structures that meet current geometric standards. The proposed project will have two twelve-foot lanes of vehicular traffic, two eight-foot shoulders, and one eight-foot sidewalk on one side in accordance to American Association of State Highway and Transportation Officials (AASHTO) minimum requirements. The Mojave River Bridge will also include one twelve-foot median/turn lane between the traffic lanes. In addition, the proposed project encompasses necessary approach roadway work, re-striping, and utility relocation.

Due to the age and condition of the existing structures, this project proposes a complete replacement of the structures on an adjacent alignment located to the east of the existing bridges. The replacement of both the Mojave River Bridge and the Overflow Bridge is proposed to address the overall condition of the bridges and provide standard lanes, shoulders, and sidewalks that will match the City's typical section of the current roadway classifications identified in the City of Barstow's General Plan.

This project is being supported and funded by the Highway Bridge Program (HBP). The funding provided with this agreement will assist with the match and non-participating costs.

Entity: San Bernardino County Transportation Authority

Board of Directors Agenda Item

July 10, 2019

Page 2

Financial Impact:

This item is consistent with the adopted Fiscal Year 2019/2020 budget.

Reviewed By:

This item was unanimously recommended for approval by the Mountain/Desert Policy Committee on June 21, 2019. SBCTA General Counsel and Procurement Manager have reviewed this item and the draft agreement.

Responsible Staff:

Andrea Zureick, Director of Fund Administration

Approved
Board of Directors
Date: July 10, 2019

Witnessed By:

San Bernardino County Transportation Authority

Contract No:	<u>15-1001118</u>	Amendment No.:	<u>1</u>	Sole Source?	<u>N/A</u>
Vendor No.:	<u>00227</u>	Vendor/Customer Name:	<u>City of Barstow</u>		
Description:	<u>First Avenue Bridges over Mojave River and Overflow</u>				
Estimated Start Date:	<u>03/04/2015</u>	Expiration Date:	<u>12/31/2021</u>	Revised Expiration Date:	<u>06/01/2026</u>
List Any SBCTA Related Contracts Nos.:	<u></u>				

Dollar Amount							
Original Contract		\$	3,178,871.00	Original Contingency		\$	-
Prior Amendments		\$	-	Prior Amendments		\$	-
Current Amendment*		\$	(1,911,436.00)	Current Amendment		\$	-
Total/Revised Contract Value		\$	1,267,435.00	Total Contingency Value		\$	-
*Total allocation is \$7,403,885; however, only an estimated \$315,425 will flow through SBCTA budget as balance is federal funds		Total Dollar Authority (Contract Value and Contingency)				\$	1,267,435.00

Board of Directors	Date:	07/10/2019	Board	Item #	5892
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Payable	Other Contracts	No Budget Adjustment
---------	-----------------	----------------------

[illegible]

Accounts Receivable						
Total Contract Funding:	\$	-				
Funding Agreement No:				Reversion Date:		
GL:	-	-	-	-	-	-
GL:	-	-	-	-	-	-
GL:	-	-	-	-	-	-
GL:	-	-	-	-	-	-
GL:	-	-	-	-	-	-

Project Accounting Code 003-219

AMENDMENT NO. 1 TO AGREEMENT NO. 15-1001118

FOR

**NORTH FIRST AVENUE BRIDGE OVER THE MOJAVE RIVER
BRIDGE NO. 54C-0089 AND
MOJAVE RIVER OVERFLOW BRIDGE NO. 54C-0090**

(CITY OF BARSTOW)

THIS Amendment No. 1 to Project Funding Agreement 15-1001118 is made and entered into this July 10, 2019 by and between the San Bernardino County Transportation Authority ("SBCTA") and the City of Barstow ("CITY"). SBCTA and CITY are each a "Party" or collectively, "Parties."

RECITALS

- A. The Parties entered into Project Funding Agreement 15-1001118 on or about March 4, 2015 ("Agreement"), to fund the NORTH FIRST AVENUE BRIDGE OVER THE MOJAVE RIVER BRIDGE NO. 54C-0089 in the City of Barstow ("PROJECT"); and
- B. CITY is requesting a change of scope to add the MOJAVE RIVER OVERFLOW BRIDGE NO. 54C-0090 in the City of Barstow to the PROJECT; and
- C. CITY is requesting an additional allocation of \$4,225,014 for the PROJECT, bringing the total allocation to \$7,403,885; and
- D. CITY is requesting an extension of the termination date of the AGREEMENT to June 1, 2026.

NOW, THEREFORE, SBCTA and CITY agree to the following:

SECTION I

- 1. All references to the San Bernardino County Transportation Authority as AUTHORITY in the Agreement 15-1001118 shall mean SBCTA.
- 2. Section I, Paragraph 1 is hereby deleted in its entirety and replaced with the following:
 - "1. To allocate up to a maximum of \$7,403,885 for the actual cost of the PROJECT. . An estimate of costs for the PROJECT and fund sources is provided in Attachment B. SBCTA shall have no further responsibilities to provide any funding for PROJECT exceeding this amount unless a written amendment to this Agreement is signed by both Parties."

3. Section I, Paragraph 2 is hereby deleted in its entirety and replaced with the following:

“2. In the case that Measure I funds are allocated to the Project, to reimburse CITY within 30 days after CITY submits an original and two copies of the signed invoices in the proper form covering those actual allowable PROJECT expenditures that were incurred by CITY, consistent with the invoicing requirements of the Measure I 2010-2040 Strategic Plan, including backup information. Invoices may be submitted to SBCTA as frequently as monthly.”

4. Section II, Paragraph 2 is hereby deleted in its entirety and replaced with the following:

“2. To be responsible for coordinating with the California Department of Transportation to obligate and seek reimbursement of State and Federal funds that are allocated to this project and for expending that portion of the eligible PROJECT expenses that are incurred by CITY for an amount not to exceed \$7,403,885 unless this Agreement is amended and approved increasing PROJECT costs. Reimbursement by SBCTA shall be in accordance with Section I, Paragraph 2. Expenses relative to time spent on the PROJECT by CITY are considered eligible PROJECT expenses and may be charged to the PROJECT funds subject to SBCTA, State, and Federal guidelines.”

5. Section II, Paragraph 4 is hereby deleted in its entirety and replaced with the following:

“4. In the case that Measure I funds are allocated to the PROJECT, to prepare and submit to SBCTA an original and two copies of signed invoices for reimbursement of eligible PROJECT expenses. Invoices may be submitted to SBCTA as frequently as monthly.”

6. Section III, Paragraph 7 is hereby deleted in its entirety and replaced with the following:

“7. This Agreement will be considered terminated upon reimbursement of eligible costs by SBCTA or **June 1, 2026**, whichever is sooner, provided that the provisions of Paragraphs 5, 6, 7, 8 and 9 of Section II, and Paragraphs 5 and 6 of Section III, shall survive the termination of this Agreement. The Agreement may also be terminated by SBCTA, in its sole discretion, in the event the PROJECT work described in Attachment A has not been initiated or let by CITY within twelve (12) months of the Effective Date of this Agreement.”

7. Attachment A has been replaced in its entirety to reflect a change in the Project milestones.
8. Attachment B has been replaced in its entirety to reflect the change in funding.

--- SIGNATURES ON NEXT PAGE ---

IN WITNESS WHEREOF, the Parties have executed this Amendment No. 1 below.

**SAN BERNARDINO COUNTY
TRANSPORTATION AUTHORITY**

CITY OF BARSTOW

By: _____
Darcy McNaboe, President
Board of Directors

By: _____
Julie Hackbarth-McIntyre
Mayor

Date: _____

Date: _____

APPROVED AS TO FORM

APPROVED AS TO FORM AND
PROCEDURE:

By: _____
Julianna K. Tillquist
SBCTA General Counsel

By: _____
Terry Highsmith
CITY Attorney

Date: _____

CONCURRENCE:

By: _____
Jeffery Hill
Procurement Manager

Date: _____

Attachment A

NORTH FIRST AVENUE BRIDGE OVER THE MOJAVE RIVER BRIDGE NO. 54C-0089 AND MOJAVE RIVER OVERFLOW BRIDGE NO. 54C0090

Description of Project and Milestones

Project Title	
NORTH FIRST AVENUE BRIDGE OVER THE MOJAVE RIVER BRIDGE NO. 54C-0089 AND MOJAVE RIVER OVERFLOW BRIDGE NO. 54C0090	
Location, Project Limits, Description, Scope of Work, Legislative Description	
<p>The Mojave River Bridge and the Mojave Overflow Bridge are located along North First Avenue in the City of Barstow, 0.3 miles and 0.6 miles respectively, northeast of the North First Avenue Bridge over BNSF railway UPRR AMTRAK. This roadway serves as the primary route between downtown Barstow, north Barstow, and Fort Irwin.</p> <p>This project proposes complete replacement of the existing bridges due to their condition, age, and insufficient geometric standards. The proposed improvements address the general condition of the structures by providing standard geometry including lanes, shoulders, barriers, and sidewalk consistent with the typical roadway section classification in the City's General Plan. The proposed structures are on an alignment located to the east of the existing bridges and will be constructed at the same time, minimizing traffic disturbance and reducing costs.</p>	
Component	Implementing Agency
PA&ED and PS&E	City of Barstow
Right of Way	City of Barstow
Construction	City of Barstow
Purpose and Need	
<p>Currently, the existing Mojave River Bridge, built in 1933, has a Sufficiency Rating (SR) of 54.5 based on the March 9, 2018 Inspection Report. A fracture critical inspection was performed on January 30, 2018. Multiple weld cracks were found along with a new crack in a knee brace connection. Previously identified cracks had grown. The bridge geometry is insufficient and does not meet AASHTO standards, shoulders and sidewalks do not meet minimum AASHTO requirements. The existing Mojave Overflow Bridge, built in 1939, has a Sufficiency Rating of 48.4 based on the March 9, 2018 Inspection Report, is considered structurally deficient, with multiple cracks identified in the approach area, deck, and roadway. Several posts of the timber railing are decayed, and several columns exhibit exposure of the steel casing at the base. Deck geometry is insufficient due to existing lane, shoulder, and curb widths not meeting AASHTO minimum requirements. Replacement of these two bridges will greatly minimize any potential bridge failures that would disconnect northern and southern communities of the City of Barstow and Fort Irwin.</p>	
Project Benefits	
<p>The replacement of the two bridges would have the following benefits:</p> <ul style="list-style-type: none">• Provide continuity.• Keep Barstow's northern and southern communities connected.• Keep transportation goods moving from the west coast to middle eastern United States.• Provide for a safe transportation route.• Provide alternate transportation methods such as walking and bicycling due to their location along the same alignment as the North First Avenue Bridge over BNSF railway UPRR AMTRAK.	

Project Milestone			Proposed
Preliminary Environmental Study (PES) Approved			11/3/16
Begin Environmental (PA&ED) Phase			4/18/16
Draft Environmental Document	Document Type	CE	6/28/19
Begin Draft Project Report			11/5/18
End Environmental Phase (PA&ED Milestone)			1/29/20
Begin Preliminary Engineering 30% Design (PS&E) Phase			1/29/20
End Design Phase (Ready to List for Advertisement Milestone)			6/20/22
Begin Right of Way Phase			4/9/20
End Right of Way Phase (Right of Way Certification Milestone)			5/23/22
Begin Construction Phase (Contract Award Milestone)			11/7/22
End Construction Phase (Construction Contract Acceptance Milestone)			3/21/25
Begin Closeout Phase			3/24/25
End Closeout Phase (Closeout Report)			3/30/26

ATTACHMENT B

NORTH FIRST AVENUE BRIDGE OVER THE MOJAVE RIVER
BRIDGE NO. 54C-0089 AND
MOJAVE RIVER OVERFLOW BRIDGE NO. 54C0090

Summary of Estimated Costs

Phase	Total Cost	Federal Highway Bridge Program (HBP) Funds	SBCTA MLHP Funds*	STP*
PA/ED	\$2,750,000	\$2,434,575	\$315,425	\$0
PS&E	\$4,600,000	\$4,072,380	\$527,620	\$0
ROW	\$3,700,000	\$3,275,610	\$424,390	\$0
Construction	\$53,500,000	\$47,363,550	\$0	\$6,136,450
TOTAL	\$64,550,000	\$57,146,115	\$1,267,435	\$6,136,450

*SBCTA's Share can be from sources under control of SBCTA including but not limited to Measure I Major Local Highway Projects program, State Transportation Improvement Program (STIP), Surface Transportation Program (STP), or other funds without necessitating an amendment of this agreement. SBCTA share of funding can be moved between phases.

Minute Action

AGENDA ITEM: 29

Date: July 10, 2019

Subject:

Amendment No. 1 to Funding Agreement 15-1001119 First Avenue Bridge over BNSF Project with the City of Barstow

Recommendation:

That the Board, acting as the San Bernardino County Transportation Authority:

A. Allocate an additional \$2,896,500 in Measure I 2010-2040 North Desert Subarea Major Local Highway Projects Program funding to the North First Avenue Bridge over BNSF Project in the City of Barstow.

B. Approve Amendment No. 1 to 15-1001119 with the City of Barstow to increase the funding amount to \$7,823,592 and to extend the termination date to January 31, 2024.

Background:

The North First Avenue Overhead Bridge Project (Project) will replace an existing two-lane bridge over the BNSF tracks in the City of Barstow (City). The Project has been awarded Highway Bridge Program (HBP) funds by the California Department of Transportation, and the City is currently in the Right-of-Way Phase and expects construction to begin in fall 2020.

With the recent work to update the San Bernardino County Transportation Authority (SBCTA) 10-Year Delivery Plan, the City provided an updated cost estimate and delivery schedule and confirmed the availability of a repurposed federal earmark. The revised estimate includes escalated costs through completion of the project. The City has also requested that SBCTA assume the role of lead agency for the construction phase of the project. Should SBCTA agree to serve as the lead agency for construction, additional project management costs would apply to the total project cost, and funding those costs would be the sole responsibility of the City. A cooperative agreement between the City and SBCTA is being developed and will be brought to the Board for approval in the future.

Financial Impact:

This item is consistent with the adopted Fiscal Year 2019/2020 budget.

Reviewed By:

This item was unanimously recommended for approval by the Mountain/Desert Policy Committee on June 21, 2019. SBCTA General Counsel and Procurement Manager have reviewed this item and the draft agreement.

Responsible Staff:

Andrea Zureick, Director of Fund Administration

Approved
Board of Directors
Date: July 10, 2019

Witnessed By:

Entity: San Bernardino County Transportation Authority

Contract No:	<u>15-1001119</u>	Amendment No.:	<u>1</u>	Sole Source?	<u>N/A</u>
Vendor No.:	<u>0227</u>	Vendor/Customer Name:	<u>City of Barstow</u>		
Description:	<u>First Avenue Bridge over BNSF Funding Agreement</u>				
Estimated Start Date:	<u>02/04/2015</u>	Expiration Date:	<u>12/31/2021</u>	Revised Expiration Date:	<u>01/31/2024</u>
List Any SBCTA Related Contracts Nos.:	<u></u>				

Contract Authorization				
Board of Directors	Date:	07/10/2019	Board	Item # 5893

Payable	Other Contracts	No Budget Adjustment
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Accounts Receivable	
Total Contract Funding:	\$ _____ -
Funding Agreement No: _____	Reversion Date: _____
GL: _____ -	GL: _____ -
GL: _____ -	GL: _____ -
GL: _____ -	GL: _____ -
GL: _____ -	GL: _____ -
GL: _____ -	GL: _____ -

Project Accounting Code 003-218

AMENDMENT NO. 1 TO AGREEMENT NO. 15-1001119
FOR
NORTH FIRST AVENUE OVERHEAD BRIDGE OVER THE BNSF RAILROAD
BRIDGE NO. 54C-0088
(CITY OF BARSTOW)

THIS Amendment No. 1 to the Project Funding Agreement 15-1001119 is made and entered into this July 10, 2019 by and between the San Bernardino County Transportation Authority (“SBCTA”) and the City of Barstow (“CITY”). SBCTA and CITY are each a “Party” or collectively “Parties.”

RECITALS

- A. The Parties entered into Project Funding Agreement 15-1001119 on or about March 4, 2015 (“Agreement”), to fund the NORTH FIRST AVENUE OVERHEAD BRIDGE OVER THE BNSF RAILROAD BRIDGE NO. 54C-0088 in the City of Barstow (“PROJECT”); and
- B. CITY has requested an additional allocation of \$2,896,500 in Measure I 2010-2040 North Desert Subarea Major Local Highway Projects (“MLHP”) Program funding; and
- C. CITY is requesting an extension of the termination date of the AGREEMENT to January 31, 2024.

NOW, THEREFORE, SBCTA and CITY agree to the following:

SECTION I

1. All references to the San Bernardino County Transportation Authority as AUTHORITY in the Agreement 15-1001119 shall mean SBCTA.
2. Section I, Paragraph 1 is hereby deleted in its entirety and replaced with the following:

“1. To reimburse CITY for the actual cost of the PROJECT up to a maximum of \$7,823,592 in MLHP Funds. An estimate of costs for the PROJECT is provided in Attachment B. SBCTA shall have no further responsibilities to provide any funding for PROJECT exceeding this amount.”

3. Section I, Paragraph 2 is hereby deleted in its entirety and replaced with the following:

“2. To reimburse CITY within 30 days after CITY submits an original and two copies of the signed invoices in the proper form covering those actual allowable PROJECT expenditures that were incurred by CITY up to a maximum of \$7,823,592, consistent with the invoicing requirements of the Measure I 2010-2040 Strategic Plan, including backup information. Invoices may be submitted to SBCTA as frequently as monthly.”

4. Section II, Paragraph 2 is hereby deleted in its entirety and replaced with the following:

“2. To be responsible for expending that portion of the eligible PROJECT expenses that are incurred by CITY, subject to reimbursement by SBCTA hereunder, for an amount not to exceed \$7,823,592 in MLHP Funds, and are reimbursable by SBCTA in accordance with Section I, Paragraph 2. Expenses relative to time spent on the PROJECT by CITY are considered eligible PROJECT expenses and may be charged to the PROJECT funds subject to SBCTA’s guidelines.”

5. Section III, Paragraph 7 is hereby deleted in its entirety and replaced with the following:

“7. This Agreement will be considered terminated upon reimbursement of eligible costs by SBCTA or January 31, 2024, whichever is sooner, provided that the provisions of Paragraphs 6, 7, 8, 9 and 10 of Section II, and Paragraphs 5 and 6 of Section III, shall survive the termination of this Agreement. The Agreement may also be terminated by SBCTA, in its sole discretion, in the event the PROJECT work described in Attachment A has not been initiated or let by CITY within twelve (12) months of the Effective Date of this Agreement.”

6. Attachment A has been replaced in its entirety to reflect a change in the project milestones.

7. Attachment B has been replaced in its entirety to reflect the change in funding.

IN WITNESS WHEREOF, the Parties have executed this Amendment No. 1 below.

--- SIGNATURES ON NEXT PAGE ---

**SAN BERNARDINO COUNTY
TRANSPORTATION AUTHORITY**

By: _____
Darcy McNaboe, President
Board of Directors

Date: _____

APPROVED AS TO FORM

By: _____
Julianna K. Tillquist
SBCTA General Counsel

Date: _____

CONCURRENCE:

By: _____
Jeffery Hill
Procurement Manager

Date: _____

CITY OF BARSTOW

By: _____
Julie Hackbarth-McIntyre
Mayor

Date: _____

APPROVED AS TO FORM AND
PROCEDURE:

By: _____
Terry Highsmith
CITY Attorney

Attachment A

NORTH FIRST AVENUE OVERHEAD BRIDGE OVER THE BNSF RAILROAD BRIDGE NO. 54C-0088 CITY OF BARSTOW

Description of Project and Milestones

Project Title		
NORTH FIRST AVENUE OVERHEAD BRIDGE OVER THE BNSF RAILROAD BRIDGE NO. 54C-0088		
Location, Project Limits, Description, Scope of Work, Legislative Description		
The North First Avenue Bridge over BNSF railway UPRR AMTRAK is located 0.2 miles north of Main Street. The project limits are approximately from White Street to Riverside Drive. North First Avenue Bridge is the main north-south corridor connecting then northern and southern communities of the City of Barstow. Currently, the bridge has only two lanes, no shoulder, and only a 4' clear walkway on one side of the existing bridge and a Sufficiency Rating (SR) of 3.0. The replacement bridge is proposed to address the overall condition of the bridge and provide standard lanes, shoulders, and sidewalks.		
Component	Implementing Agency	
PA&ED and PS&E	City of Barstow	
Right of Way	City of Barstow	
Construction	City of Barstow	
Purpose and Need		
As stated above, North First Avenue bridge is the main north-south corridor connecting the northern and southern communities of the City of Barstow. BNSF transcontinental railway and classification yard divides these two communities. Currently the existing bridge, initially built in 1930, is listed as structurally deficient in Caltrans Structure Maintenance & Investigation reports. This rating is due to its age, geometry, substandard vertical clearance. Barstow's railroad classification yard is one of California's major facilities. The replacement of the North First Avenue Bridge will greatly minimize any potential bridge failures which may have a negative impact on the transportation of goods on the transcontinental railway tracks. A bridge failure would also disconnect northern and southern communities of the City of Barstow.		
Project Benefits		
The replacement of the bridge would have the following benefits: <ul style="list-style-type: none">• Keeps Barstow's northern and southern communities connected.• Keeps transportation goods moving from the west coast to middle eastern United States.• Provides for a safe transportation route.• Provides alternate transportation methods such as walking and bicycling.		
Project Milestone		Proposed
Preliminary Environmental Study (PES) Approved		4/9/2014
Begin Environmental (PA&ED) Phase		4/10/2014
Draft Environmental Document	Document Type	CE 10/3/2015
Begin Draft Project Report		1/5/2015
End Environmental Phase (PA&ED Milestone)		12/4/2015
Begin Preliminary Engineering 30% Design (PS&E) Phase		9/5/2015
End Design Phase (Ready to List for Advertisement Milestone)		9/11/2019
Begin Right of Way Phase		10/12/2016
End Right of Way Phase (Right of Way Certification Milestone)		7/30/2019
Begin Construction Phase (Contract Award Milestone)		11/15/2020
End Construction Phase (Construction Contract Acceptance Milestone)		1/25/2023
Begin Closeout Phase		1/26/2023
End Closeout Phase (Closeout Report)		1/31/2024

ATTACHMENT B

NORTH FIRST AVENUE OVERHEAD BRIDGE OVER THE BNSF RAILROAD
BRIDGE NO. 54C-0088
CITY OF BARSTOW

Summary of Estimated Costs

Phase	Total Cost	Federal Highway Bridge Program (HBP) Funds	SBCTA MLHP Funds*	Federal Repurposed Earmark
PS&E	\$4,800,000	\$4,249,440	\$550,560	\$0
ROW	\$16,000,000	\$14,164,800	\$1,835,200	\$0
Construction	\$50,000,000	\$41,971,342	\$5,437,832	\$2,590,826
TOTAL	\$70,800,000	\$60,385,582	\$7,823,592	\$2,590,826

*SBCTA's Share can be from sources under control of SBCTA including but not limited to Measure I Major Local Highway Projects program, State Transportation Improvement Program (STIP), Surface Transportation Program (STP), or other funds without necessitating an amendment of this agreement. SBCTA share of funding can be moved between phases.

Minute Action

AGENDA ITEM: 30

Date: July 10, 2019

Subject:

Rock Springs Bridge over Mojave River Funding Agreement with the County of San Bernardino

Recommendation:

That the Board, acting as the San Bernardino County Transportation Authority:

A. Approve an allocation of \$1,456,938 in Public Share funding from the Measure I Victor Valley Subarea Major Local Highway Projects Program for the Rock Springs Bridge over Mojave River Project.

B. Approve Funding Agreement 19-1002202 with the County of San Bernardino for the Rock Springs Bridge over Mojave River Project in the County of San Bernardino effective on the date of its execution by all parties to the agreement.

Background:

The Rock Springs Bridge over Mojave River Project in the unincorporated Apple Valley Sphere of Influence was identified in the 2017 Update to the 10-Year Delivery Plan (Delivery Plan). During the preparation of the 2019 update to the Delivery Plan, the scope, cost estimate and schedule were revised for this project to reflect the reduction from a four-lane bridge to a two-lane bridge. The proposed project would replace the existing Rock Springs Road low-water crossing across the Mojave River with a new bridge.

This project was identified in the Victor Valley Major Local Highway Projects Program in the 2019 Update to the Delivery Plan, which was approved by the Board on June 5, 2019. As such, it is eligible to receive Victor Valley Major Local Highway Projects Program funds. The San Bernardino County Transportation Authority (SBCTA) will provide the Public Share (42.8%) of future eligible project costs for the design phase. The Federal Highway Bridge Program will fund 88.53% of the participating project costs for the Right-of-Way and construction phases, and SBCTA will fund the Public Share (42.8%) of the required 11.47% local match and the additional non-participating project costs. The County of San Bernardino Board of Supervisors has scheduled approval of the Agreement at their July 9, 2019 meeting.

Financial Impact:

This item is consistent with the adopted Fiscal Year 2019/2020 budget.

Reviewed By:

This item was unanimously recommended for approval by the Mountain/Desert Policy Committee on June 21, 2019. SBCTA General Counsel and Procurement Manager have reviewed this item and the draft agreement.

Responsible Staff:

Andrea Zureick, Director of Fund Administration

Entity: San Bernardino County Transportation Authority

Board of Directors Agenda Item
July 10, 2019
Page 2

Approved
Board of Directors
Date: July 10, 2019

Witnessed By:

San Bernardino County Transportation Authority

General Contract Information

Contract No: 19-1002202 Amendment No.: _____ Sole Source? N/A

Vendor No.: 02324 Vendor/Customer Name: County of San Bernardino

Description: Rock Springs Bridge over Mojave River Funding Agreement

Estimated Start Date: 07/10/2019 Expiration Date: 12/31/2024 Revised Expiration Date: _____

List Any SBCTA Related Contracts Nos.: _____

Dollar Amount							
Original Contract		\$	1,456,938.00	Original Contingency		\$	-
Prior Amendments		\$	-	Prior Amendments		\$	-
Current Amendment		\$	-	Current Amendment		\$	-
Total/Revised Contract Value		\$	1,456,938.00	Total Contingency Value		\$	-
	Total Dollar Authority (Contract Value and Contingency)					\$	1,456,938.00

Contract Authorization

Board of Directors _____ Date: 07/10/2019 Board _____ Item # 5897

Contract Management (Internal Purposes Only)

Payable _____ Other Contracts _____ No Budget Adjustment _____

Accounts Payable													
Total Contract Funding: \$							1,456,938.00	Total Contingency: \$					-
GL: 4230 50 0550 0516 54840 41100000							1,456,938.00	GL:					-
GL:							-	GL:					-
GL:							-	GL:					-
GL:							-	GL:					-
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Accounts Receivable												
Total Contract Funding: \$ _____ -												
Funding Agreement No: _____						Reversion Date: _____						
GL:						-	GL:					-
GL:						-	GL:					-
GL:						-	GL:					-
GL:						-	GL:					-
GL:						-	GL:					-
GL:						-	GL:					-

Ellen Pollema

Project Manager (Print Name)

Andrea Zureick

Task Manager (Print Name)

Additional Notes:

Attachment: Contract Summary Sheet [Revision 1] (5897 : Rock Springs Bridge over Mojave River Funding Agreement with the County of San

PROJECT FUNDING AGREEMENT NO. 19-1002202

FOR

ROCK SPRINGS BRIDGE OVER MOJAVE RIVER PROJECT

(COUNTY OF SAN BERNARDINO)

THIS Project Funding Agreement (“Agreement”) by and between the San Bernardino County Transportation Authority (hereinafter referred to as “SBCTA”) and the COUNTY OF SAN BERNARDINO (hereinafter referred to as “COUNTY”). SBCTA and COUNTY are each a “Party” or collectively “Parties.”

RECITALS

A. The Measure I 2010-2040 Expenditure Plan and the Victor Valley Subarea transportation planning partners have identified projects eligible for Public Share funding from the Measure I 2010-2040 Victor Valley Subarea Major Local Highway Projects Program (“MLHP”); and

B. SBCTA prepared the Development Mitigation Nexus Study, referenced herein as the Nexus Study, originally approved in October 2005 and regularly updated, most recently on July 11, 2018, that, in accordance with the Measure I 2010-2040 Expenditure Plan, identified for projects located in COUNTY Apple Valley Sphere of Influence, the SBCTA Public Share as 42.8% and the COUNTY Development Share as 57.2%; and

C. The Measure I 2010-2040 Strategic Plan Policy 40013, Victor Valley Major Local Highways Program, includes as Public Share funds: Measure I Major Local Highways, State Transportation Improvement Program, Surface Transportation Program, Congestion Mitigation and Air Quality, State Local Partnership Program, and Local Partnership Program funds; and

D. Rock Springs Bridge over Mojave River Project (“PROJECT”) is one of the projects identified as eligible for such funding and is described more fully in Attachment A; and

E. COUNTY identified a cost of \$20,234,837, which reflects a cost escalation to the mid-construction year of 2021, to complete the engineering, right-of-way and construction phases of the PROJECT, with the right-of-way and construction phases to be funded 88.53% with Federal Highway Bridge Program funds; and

F. The Victor Valley Subarea transportation planning partners have identified this project as eligible for Public Share funding in an amount up to \$1,456,938, or 42.8% of the revised design phase costs and 42.8% of the required 11.47% local match to the Federal Highway Bridge

Program funds and other right-of-way and construction costs that are not eligible for federal reimbursement, whichever is less; and

G. This Agreement is to be carried out in accordance with the policies in the Measure I 2010-2040 Strategic Plan including the use of Development Impact Fees by COUNTY to pay the Development Share of PROJECT costs; and

H. This Agreement is intended to delineate the duties and funding responsibilities of the Parties for the PROJECT.

NOW, THEREFORE, SBCTA and COUNTY agree to the following:

SECTION I

SBCTA AGREES:

1. To allocate up to a maximum of \$1,456,938 in Public Share funds for the actual cost of the PROJECT, which includes the 42.8% public share of the revised design phase and up to 42.8% of the required 11.47% local match to the Federal Highway Bridge Program funds and other right-of-way and construction costs that are not eligible for federal reimbursement, whichever is less. An estimate of costs for the PROJECT and Public Share fund sources is provided in Attachment B. SBCTA shall have no further responsibilities to provide any funding for the PROJECT exceeding this amount unless a written amendment to this Agreement is signed by both Parties.
2. In the case that Measure I funds are allocated to the Project, to reimburse COUNTY within thirty (30) days after COUNTY submits an original and two copies of the signed invoices in the proper form covering those actual allowable PROJECT expenditures that were incurred by COUNTY, consistent with the invoicing requirements of the Measure I 2010-2040 Strategic Plan, including backup information. Invoices may be submitted to SBCTA as frequently as monthly.
3. When conducting an audit of the costs claimed under the provisions of this Agreement, to rely to the maximum extent possible on any prior audit of COUNTY performed pursuant to the provisions of State and Federal laws. In the absence of such an audit, work of other auditors will be relied upon to the extent that work is acceptable to SBCTA when planning and conducting additional audits.
4. To assign a project liaison for the purpose of attending Project Development Team (PDT) meetings.

SECTION II

COUNTY AGREES:

1. To be the lead agency for PROJECT and to diligently undertake and complete in a timely manner the Scope of Work for the PROJECT as shown in Attachment A.
2. To be responsible for expending that portion of allocated Public Share funds on eligible PROJECT expenses in an amount not to exceed \$1,456,938, which includes the 42.8% public share of the revised design phase and up to 42.8% of the required 11.47% local match to the Federal Highway Bridge Program funds and other right-of-way and construction costs that are not eligible for federal reimbursement, whichever is less, unless this Agreement is amended and approved increasing PROJECT costs. Reimbursement by SBCTA shall be in accordance with Section I, Paragraph 2. Additionally, expenses relative to time spent on the PROJECT by COUNTY staff are considered eligible PROJECT expenses and may be charged to the PROJECT, subject to SBCTA, State, and Federal guidelines.
3. In the case that State and Federal funds are allocated to the PROJECT, to secure all necessary State and Federal authorizations that are required before incurring eligible PROJECT expenditures
4. To abide by all SBCTA, COUNTY, State, and Federal laws, regulations, policies and procedures pertaining to the PROJECT.
5. In the case that Measure I funds are allocated to the PROJECT, to prepare and submit to SBCTA an original and two copies of signed invoices for reimbursement of eligible PROJECT expenses. Invoices may be submitted to SBCTA as frequently as monthly.
6. In the case that State and Federal funds are allocated to the PROJECT, to be responsible for requesting reimbursement through the California Department of Transportation.
7. To maintain all source documents, books and records connected with its performance under this Agreement for a minimum of five (5) years from the date of the Final Report of Expenditures submittal to SBCTA or until audit resolution is achieved, whichever is later, and to make all such supporting information available for inspection and audit by representatives of SBCTA during normal business hours at COUNTY Department of Public Works. Copies will be made and furnished by COUNTY upon written request by SBCTA.
8. To establish and maintain an accounting system conforming to Generally Accepted Accounting Principles (GAAP) to support COUNTY's requests for reimbursement, payment vouchers, or invoices which segregate and accumulate costs of PROJECT elements and produce monthly reports which clearly identify reimbursable costs,

matching fund costs, indirect cost allocation, and other allowable expenditures by COUNTY.

9. To prepare a Final Report of Expenditures, including a final invoice reporting the actual eligible PROJECT costs expended for those activities described in the work activities, and to submit that Final Report of Expenditures and final invoice no later than one hundred twenty (120) days following the completion of those expenditures. An original and two copies of the Final Report of Expenditures shall be submitted to SBCTA and must state that these PROJECT funds were used in conformance with this Agreement and for those PROJECT-specific work activities described.
10. To cooperate in having a PROJECT-specific audit completed by SBCTA, at SBCTA's option and expense, upon completion of the PROJECT. The audit must state that all funds expended on the PROJECT were used in conformance with this Agreement.
11. To repay to SBCTA any reimbursement for Measure I costs that are determined by subsequent audit to be unallowable within one hundred twenty (120) days of COUNTY receiving notice of audit findings, which time shall include an opportunity for COUNTY to respond to and/or resolve the findings. Should the findings not be otherwise resolved and COUNTY fail to reimburse moneys due SBCTA within one hundred twenty (120) days of audit findings, or within such other period as may be agreed between both Parties, SBCTA reserves the right to withhold future payments due COUNTY from any source under SBCTA's control.
12. To include SBCTA in PDT meetings if and when such meetings are held, and in related communications on PROJECT progress, to provide at least quarterly schedule updates to SBCTA, and to consult with SBCTA on critical issues relative to the PROJECT.
13. In the case that Measure I funds are allocated to the PROJECT, as an eligible PROJECT expense, to post signs at the boundaries of the PROJECT noting that PROJECT is funded with Measure I funds. Signs shall bear the logos of SBCTA and COUNTY.
14. To include in all contracts between COUNTY and contractors for the PROJECT the requirement that SBCTA be named as an additional insured under general liability insurance policies maintained by the contractor for the PROJECT.

SECTION III

IT IS MUTUALLY AGREED:

1. To abide by all applicable Federal, State and Local laws and regulations pertaining to the PROJECT, including policies in the applicable program in the Measure I 2010-2040 Strategic Plan, as amended, as of the Effective Date of this Agreement.

2. The final PROJECT cost may ultimately exceed current estimates of PROJECT cost. Any additional eligible costs resulting from unforeseen conditions over the estimated total of the PROJECT cost shall be borne by COUNTY unless prior authorization has been approved by the SBCTA Board of Directors pursuant to Section III, Paragraph 3 of this Agreement;
3. In the event COUNTY determines PROJECT costs may exceed the not to exceed amount identified in Section I, Paragraph 1, COUNTY shall inform SBCTA of this determination and thereafter the Parties shall work together in an attempt to agree upon an amendment to the PROJECT amounts identified in this Agreement. In no event, however, shall SBCTA be responsible for PROJECT costs in excess of the amounts identified herein absent a written amendment to this Agreement that is approved and signed by the Parties.
4. Eligible PROJECT reimbursements shall include only those costs incurred by COUNTY for PROJECT-specific work activities that are described in this Agreement and shall not include escalation or interest.
5. Neither SBCTA nor any officer or employee thereof is responsible for any injury, damage or liability occurring or arising by reason of anything done or omitted to be done by COUNTY under or in connection with any work, authority or jurisdiction delegated to COUNTY under this Agreement. It is understood and agreed that, pursuant to Government Code Section 895.4, COUNTY shall fully defend, indemnify and save harmless SBCTA, its officers and employees from all claims, suits or actions of every name, kind and description brought for or on account of injury (as defined by Government Code Section 810.8) occurring by reason of anything done or omitted to be done by COUNTY under or in connection with any work, authority or jurisdiction delegated to COUNTY under this Agreement. COUNTY's indemnification obligation applies to SBCTA's "active" as well as "passive" negligence but does not apply to SBCTA's "sole negligence" or "willful misconduct" within the meaning of Civil Code Section 2782.
6. Neither COUNTY nor any officer or employee thereof is responsible for any injury, damage or liability occurring or arising by reason of anything done or omitted to be done by SBCTA under or in connection with any work, authority or jurisdiction delegated to SBCTA under this Agreement. It is understood and agreed that, pursuant to Government Code Section 895.4, SBCTA shall fully defend, indemnify and save harmless COUNTY, its officers and employees from all claims, suits or actions of every name, kind and description brought for or on account of injury (as defined by Government Code Section 810.8) occurring by reason of anything done or omitted to be done by SBCTA under or in connection with any work, authority or jurisdiction delegated to SBCTA under this Agreement. SBCTA's indemnification obligation applies to COUNTY's "active" as well as "passive" negligence but does not apply to COUNTY's "sole negligence" or "willful misconduct" within the meaning of Civil Code Section 2782.

7. In the event COUNTY and/or SBCTA is found to be comparatively at fault for any claim, action, loss or damage which results from their respective obligations under this Agreement, COUNTY and/or SBCTA shall indemnify the other to the extent of its comparative fault.
8. This Agreement will be considered terminated upon reimbursement of eligible costs by SBCTA or **December 31, 2024**, whichever is sooner, provided that the provisions of Paragraphs 7, 8, 9, 10, and 11 of Section II, and Paragraphs 5 and 6 of Section III, shall survive the termination of this Agreement. The Agreement may also be terminated by SBCTA, in its sole discretion, in the event the PROJECT described in Attachment A has not been initiated by COUNTY within twelve (12) months of the Effective Date of this Agreement.
9. SBCTA may terminate this Agreement if COUNTY fails to perform according to the terms of this Agreement and if this failure jeopardizes the delivery of the PROJECT according to the terms herein.
10. The Recitals to this Agreement are true and correct and are incorporated into this Agreement.
11. Attachment A, Description of Project and Milestones, and Attachment B, Summary of Estimated Costs for PROJECT, are attached to and incorporated into this Agreement.
12. This Agreement may be signed in counterparts, each of which shall constitute an original.
13. This Agreement is effective and shall be dated on the date executed by SBCTA.

---SIGNATURES ON NEXT PAGE ---

IN WITNESS WHEREOF, the Parties have executed this Agreement by their authorized signatories below.

**SAN BERNARDINO COUNTY
TRANSPORTATION AUTHORITY**

COUNTY OF SAN BERNARDINO

By: _____
Darcy McNaboe, President
Board of Directors

By: _____
Curt Hagman, Chairman
Board of Supervisors

Date: _____

Date: _____

APPROVED AS TO FORM

APPROVED AS TO FORM:
MICHELLE BLAKEMORE, County Counsel

By: _____
Julianna K. Tillquist
SBCTA General Counsel

By: _____
Suzanne Bryant
Deputy County Counsel

Date: _____

By: _____
Jeffery Hill
Procurement Manager

Date: _____

Attachment: 19-1002202 - County approved (5897 : Rock Springs Bridge over Mojave River Funding Agreement with the County of San

Attachment A

ROCK SPRINGS BRIDGE OVER MOJAVE RIVER PROJECT

Description of Project and MilestonesProject Title			
ROCK SPRINGS BRIDGE OVER MOJAVE RIVER PROJECT			
Location, Project Limits, Description, Scope of Work, Legislative Description			
The project is to replace the existing low-water crossing across the Mojave River on Rock Springs Road with a new bridge.			
Component	Implementing Agency		Reimbursements
PA&ED	County of San Bernardino		No
PS&E	County of San Bernardino		Yes
Right of Way	County of San Bernardino		Yes
Construction	County of San Bernardino		Yes
Legislative Districts			
Assembly:	33	Senate:	21
Congressional:	8		
Purpose and Need			
This bridge is part of a major circulation link in the high desert between the Town of Apple Valley and the City of Hesperia, with approximately 12,939 vehicles per day using the roadway. Additionally, many residents of the Town of Apple Valley and the County unincorporated areas to the east of the Mojave River utilize this road for commuting to work in Riverside, San Bernardino, Orange and Los Angeles counties. Storm water runoff during large weather events overtops the existing three section box culvert, making it necessary to close the road multiple times each year. Road closures result in as much as a 13 mile detour for travel and result in emergency response delays. The nearest alternative river crossing is approximately four miles to the north. A larger bridge is needed to replace the existing low-water crossing across.			
Project Benefits			
This project will eliminate significant delays created by road closures due to storm events.			
Project Milestone			Proposed
Project Study Report Approved			N/A
Begin Environmental (PA&ED) Phase			September 2010
Circulate Draft Environmental Document	Document Type	MND/CE	
Draft Project Report			
End Environmental Phase (PA&ED Milestone)			June 2015
Begin Design (PS&E) Phase			July 2019
End Design Phase (Ready to List for Advertisement Milestone)			March 2021
Begin Right of Way Phase			December 2019
End Right of Way Phase (Right of Way Certification Milestone)			December 2020
Begin Construction Phase (Contract Award Milestone)			June 2021
End Construction Phase (Construction Contract Acceptance Milestone)			December 2022
Begin Closeout Phase			June 2023
End Closeout Phase (Closeout Report)			December 2023

Attachment: 19-1002202 - County approved (5897 : Rock Springs Bridge over Mojave River Funding Agreement with the County of San

ATTACHMENT B

ROCK SPRINGS BRIDGE OVER MOJAVE RIVER PROJECT

Summary of Estimated Costs

Phase	Total Cost (including federally ineligible project costs)	Federal Highway Bridge Program (HBP) Funds	SBCTA MLHP Funds*	County Funds
PA/ED	\$1,432,789	\$0	\$0	\$1,432,789
PS&E	\$572,000	\$0	\$244,816	\$327,184
ROW	\$520,000	\$460,356	\$25,528	\$34,116
CONSTRUCTION	\$17,710,048	\$14,937,631	\$1,186,594	\$1,585,822
TOTAL	\$20,234,837	\$15,397,987	\$1,456,938	\$3,379,911

*SBCTA'S Share can be from sources under control of SBCTA including but not limited to Measure I Major Local Highway Projects Program (MLHP), State Transportation Improvement Program (STIP), Surface Transportation Program (STP), or other funds without necessitating an amendment of this Agreement. SBCTA shall provide County written notice of any change in source of funds.

Note: SBCTA and County contributions include PROJECT costs not eligible for federal reimbursement under the HBP program. Non-participating costs include construction of a median strip and road approaches to the bridge beyond 200 feet.

Minute Action

AGENDA ITEM: 31

Date: July 10, 2019

Subject:

Advance Expenditure Agreement with City of Big Bear Lake for Moonridge Road Project

Recommendation:

That the Board, acting as the San Bernardino County Transportation Authority:

A. Allocate \$1,500,000 in Measure I Mountains Subarea Major Local Highway Projects Program Funds to the City of Big Bear Lake for the Moonridge Road Project.

B. Approve Advance Expenditure Agreement No. 19-1002192 with the City of Big Bear Lake for future reimbursement of \$1,500,000 in Measure I Mountains Subarea Major Local Highway Projects Program Funds for the Moonridge Road Project.

Background:

The City of Big Bear Lake (City) has requested an Advance Expenditure Agreement in the amount of \$1,500,000 for the construction phase of the Moonridge Road Project (Project). Moonridge Road is a primary arterial in the City that connects Big Bear Boulevard with the Big Bear Mountain Ski and Golf Resort, residential areas within Big Bear Lake, and US Forest Service public lands.

The Project will reconstruct the roadway from Elm Street to Club View Drive. The Project is part of the larger Rathbun Corridor Plan, which provides a slate of improvements that include dedicated, protected pedestrian and bicycle facilities, center raised median, angled and parallel parking, public trash sites, roundabouts, a cycle track bicycle area separated from traffic, and landscaping. The Project is currently in the engineering design phase (60% complete). Construction is scheduled to begin in Fiscal Year 2020/2021 and be completed by Fiscal Year 2021/2022.

Because of commitments to other projects in the Mountains Subarea, there may not be sufficient cash flow in the program to reimburse the City as project costs are incurred. Reimbursement is expected by Fiscal Year 2024/2025. The Advance Expenditure Agreement will allow the City to incur costs for future reimbursement.

Financial Impact:

This item is consistent with the adopted Fiscal Year 2019/2020 budget.

Reviewed By:

This item was unanimously recommended for approval by the Mountain/Desert Policy Committee on June 21, 2019. SBCTA General Counsel, Procurement Manager, and Risk Manager have reviewed this item and the draft agreement.

Responsible Staff:

Andrea Zureick, Director of Fund Administration

Entity: San Bernardino County Transportation Authority

Approved
Board of Directors
Date: July 10, 2019
Witnessed By:

General Contract Information

Contract No: 19-1002192 Amendment No.: _____ Sole Source? N/A
 Vendor No.: 00236 Vendor/Customer Name: City of Big Bear Lake
 Description: Moonridge Road Project Advance Expenditure Agreement
 Estimated Start Date: 07/10/2019 Expiration Date: 07/04/2025 Revised Expiration Date: _____
 List Any SBCTA Related Contracts Nos.: _____

Dollar Amount

Original Contract	\$	1,500,000.00	Original Contingency	\$	-
Prior Amendments	\$	-	Prior Amendments	\$	-
Current Amendment	\$	-	Current Amendment	\$	-
Total/Revised Contract Value	\$	1,500,000.00	Total Contingency Value	\$	-
Total Dollar Authority (Contract Value and Contingency)					\$ 1,500,000.00

Contract Authorization

Board of Directors _____ Date: 07/10/2019 Board _____ Item # 5894

Contract Management (Internal Purposes Only)

Payable _____ Other Contracts _____ No Budget Adjustment _____

Accounts Payable

Total Contract Funding: \$ 1,500,000.00							Total Contingency: \$ -						
GL: 4630	50	0550	0516	54840	41100000	1,500,000.00	GL:						-
GL:						-	GL:						-
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Accounts Receivable

Total Contract Funding: \$ -							Reversion Date: _____						
Funding Agreement No: _____							GL:						-
							GL:						-
							GL:						-
							GL:						-
							GL:						-

Ellen Pollema

Project Manager (Print Name)

Andrea Zureick

Task Manager (Print Name)

Project Accounting String: 4630.004.235.54840. Expiration date shown is based on estimated reimbursement date in FY24/25; actual expiration date is after reimbursement to City.

Attachment: Contract Summary Sheet [Revision 1] (5894 : Advance Expenditure Agreement with City of Big Bear Lake for Moonridge Road

ADVANCE EXPENDITURE AGREEMENT NO. 19-1002192

FOR

MOONRIDGE DRIVE PROJECT

(CITY OF BIG BEAR LAKE)

This Advance Expenditure Agreement (“AGREEMENT” or “AEA”) is made and entered into by and between the City of Big Bear Lake (“CITY”) and the San Bernardino County Transportation Authority (“SBCTA”). SBCTA and CITY are each a “Party” and collectively “Parties”.

RECITALS

A. The Measure I 2010-2040 (“Measure I”) Expenditure Plan and the Mountains Subarea transportation planning partners have identified projects eligible for partial funding from Measure I 2010-2040 Mountains Subarea Major Local Highway Projects Program (MLHP) funds;

B. The Moonridge Road Project in the City of Big Bear Lake (“PROJECT”) is one of the projects identified as eligible for such funding and is described more fully in Attachment A;

C. SBCTA has determined that the PROJECT is eligible to receive the Mountains Subarea MLHP funds;

D. CITY has requested an allocation of \$1,500,000 in Mountains Subarea MLHP funds that are not immediately available;

E. CITY wishes to begin the PROJECT prior to Measure I funds being available for this PROJECT; and

F. Since revenue from Measure I 2010-2040 is limited, SBCTA and CITY are entering into this AGREEMENT, which will allow CITY to use its own funds to implement the PROJECT in advance of the availability of Measure I funds, with the understanding that SBCTA will reimburse CITY at a later date for SBCTA’s share of eligible PROJECT expenditures incurred after July 10, 2019, in accordance with the Advance Expenditure Agreement (AEA) reimbursement policy in the Measure I 2010-2040 Strategic Plan Rural Mountain/Desert Subareas Advance Expenditure Processes Policy No. 40022 (POLICY), as applicable;

G. This AGREEMENT is to be carried out in accordance with the policies in the Measure I 2010-2040 Strategic Plan as adopted by SBCTA.

NOW, THEREFORE, SBCTA and CITY agree to the following:

SECTION I

SBCTA AGREES:

1. To reimburse CITY for those eligible PROJECT expenses that are incurred by CITY for the PROJECT, as set forth in Attachment A to this Agreement and as governed by POLICY in the Measure I 2010-2040 Strategic Plan, in effect as of this AGREEMENT's Effective Date.
2. To reimburse CITY, subject to Article 1 of this Section I, in accordance with the POLICY and after CITY submits to SBCTA an original and an electronic copy of the signed invoices in the proper form covering those actual allowable PROJECT expenditures that were incurred by CITY.
3. When conducting an audit of the costs claimed under the provisions of this AGREEMENT, to rely to the maximum extent possible on any prior audit of CITY performed pursuant to the provisions of State and Federal laws. In the absence of such an audit, work of other auditors will be relied upon to the extent that work is acceptable to SBCTA when planning and conducting additional audits.

SECTION II

CITY AGREES:

1. That only eligible PROJECT expenses, as set forth in Attachment A to this AGREEMENT, that conform to the SBCTA Measure I 2010-2040 Strategic Plan Policies will be eligible for Measure I reimbursement. CITY agrees that it will only request reimbursement for eligible PROJECT activities and that reimbursement will occur based on timelines governed by the POLICY.
2. To submit to SBCTA an original and an electronic copy of signed invoices for reimbursement of eligible preconstruction PROJECT expenses no later than PROJECT acceptance. CITY further agrees and understands that SBCTA will not reimburse CITY for any PROJECT expenditures that are inconsistent with the Measure I 2010-2040 Strategic Plan. The Final Report of Expenditures must state that these PROJECT funds were used in conformance with this AGREEMENT and for those PROJECT activities described in Attachment A.
3. To repay to SBCTA any reimbursement for Measure I costs that are determined by subsequent audit to be unallowable within ninety (90) days of CITY receiving notice of audit findings, which time shall include an opportunity for CITY to respond to and/or resolve the finding. Should the

finding not be otherwise resolved and CITY fail to reimburse moneys due SBCTA within ninety (90) days of audit finding, or within such other period as may be agreed between both parties hereto, the SBCTA Board reserves the right to withhold future payments due CITY from any source under SBCTA's control.

4. To provide a share of total eligible PROJECT expenses as defined in Attachment A.
5. To provide the CITY portion of funds for the PROJECT under this AGREEMENT.
6. To maintain all copies of all consultant/contractor invoices, source documents, books and records connected with performance under this AGREEMENT for a minimum of five (5) years from the date of the Final Report of Expenditures or until audit resolution is achieved, whichever is later.
7. To establish and maintain an accounting system and internal controls conforming to Generally Accepted Accounting Principles (GAAP) to support CITY's request for reimbursement, payment vouchers and invoices which segregate and accumulate costs of PROJECT work elements and produce monthly reports which clearly identify reimbursable costs, matching fund costs, indirect cost allocation, and other allowable expenditures by CITY.
8. To allow for the preparation of a PROJECT audit to be completed by CITY or by SBCTA, at SBCTA's option and expense, and to cooperate in the audit as described in Section I Article 3 upon completion of the PROJECT. The audit must find that all funds expended on the PROJECT were used in conformance with this AGREEMENT.
9. To include in all contracts between CITY and contractors for the PROJECT the requirement that SBCTA be named as an additional insured under general liability insurance policies maintained by the contractor for the PROJECT.

SECTION III

IT IS MUTUALLY AGREED:

1. To abide by all applicable federal, state and local laws and regulations pertaining to the PROJECT, including policies in the applicable program in the Measure I 2010-2040 Strategic Plan, as amended, as of the Effective Date of this AGREEMENT.
2. SBCTA's financial responsibility for the PROJECT shall not exceed the SBCTA share listed in Attachment B unless amended by both Parties.

Reimbursement for the PROJECT shall be limited to the SBCTA share of the estimated cost of the PROJECT for which funds have been allocated by the SBCTA Board, or to the SBCTA share of the actual cost, whichever is less.

3. This agreement can be amended, in writing, when agreed upon by both Parties.
4. CITY will use its own funds to implement the PROJECT in advance of the availability of \$1,500,000 of Measure I funds, with the understanding that SBCTA will reimburse CITY for SBCTA share of eligible PROJECT expenditures at a later date in accordance with the POLICY.
5. Eligible PROJECT reimbursements shall include only those costs incurred by CITY for PROJECT activities that are described in this AGREEMENT and shall not include escalation or interest.
6. CITY shall defend, indemnify, and hold harmless SBCTA, its officers and employees, from and against any and all actions, claims, injuries, damages, liabilities, demands, losses, judgments, penalties, expenses and costs including attorney's fees for staff attorneys and outside counsel (collectively "Liabilities") arising out of or in any way connected with anything done or omitted to be done by CITY, its officers, employees, agents, contractors, consultants, subcontractors and subconsultants of any level, in connection with the PROJECT or under or in connection with any work, authority or jurisdiction delegated to CITY under this AGREEMENT. CITY's obligations under this Article apply to SBCTA's "passive" and "active" negligence, but do not apply to SBCTA's "sole negligence" or "willful misconduct" within the meaning of Civil Code Section 2782.
7. SBCTA shall defend, indemnify, and hold harmless CITY, its officers and employees, from and against any and all actions, claims, injuries, damages, liabilities, demands, losses, judgments, penalties, expenses and costs including attorney's fees for staff attorneys and outside counsel (collectively "Liabilities") arising out of or in any way connected with anything done or omitted to be done by SBCTA, its Board of Directors, employees, agents, contractors, consultants, subcontractors and subconsultants of any level, in connection with the PROJECT or under or in connection with any work, authority or jurisdiction delegated to SBCTA under this AGREEMENT. SBCTA's obligations under this Article apply to CITY's "passive" and "active" negligence, but do not apply to CITY's "sole negligence" or "willful misconduct" within the meaning of Civil Code Section 2782.
8. CITY is an authorized self-insured public entity for purposes of Professional Liability, General Liability, Automobile Liability and Workers' Compensation and warrants that through its programs of self-insurance, it has adequate coverage or resources to protect against liabilities arising out of the performance of the terms, conditions or obligations of this AGREEMENT.

9. SBCTA is a public entity which for purposes of Professional Liability, General Liability, Automobile Liability and Workers' Compensation maintains adequate coverage or resources to protect against liabilities arising out of its performance of the terms, conditions or obligations of this AGREEMENT
10. This AGREEMENT is expressly subordinate to any bonds, notes, certificates or other evidences of indebtedness involved in bond financings as are now outstanding or as may hereafter be issued by SBCTA.
11. This AGREEMENT will be considered terminated upon reimbursement of eligible costs by SBCTA. The AGREEMENT may also be terminated by SBCTA, in its sole discretion, in the event the PROJECT construction work described in Attachment A has not been initiated within twenty-four (24) months of the date of execution of this agreement.
12. Attachments A (Description and Project Milestones) and Attachment B (Summary of Estimated Costs) for PROJECT are attached to and incorporated into this Agreement.
13. The Recitals stated above are true and correct and are incorporated by this reference into the AGREEMENT.

IN WITNESS WHEREOF, the Parties have executed this AGREEMENT below.

----SIGNATURES ON NEXT PAGE----

**SAN BERNARDINO COUNTY
TRANSPORTATION AUTHORITY**

By: _____
Darcy McNaboe, President
Board of Directors

Date: _____

APPROVED AS TO FORM AND
PROCEDURE:

By: _____
Julianna K. Tillquist
General Counsel

Date: _____

CONCURRED:

By: _____
Jeffery Hill,
Procurement Manager

CITY OF BIG BEAR LAKE

By: _____
Jeff Mathieu
City Manager

Date: _____

APPROVED AS TO FORM AND
PROCEDURE:

By: _____
CITY Attorney

Date: _____

ATTEST:

By: _____
City Clerk

Attachment A

MOONRIDGE ROAD PROJECT

Description of Project and Milestones

Project Title		
Moonridge Road Improvement Project		
Location, Project Limits, Description, Scope of Work, Legislative Description		
Moonridge Road (Elm Street – Club View Drive) – Reconstruction of an existing arterial street including, curb, gutter, sidewalk, ADA compliant parking and access, drainage, lighting, bike lanes, landscaping, roundabouts, and associated site civil work.		
Component	Implementing Agency	Reimbursements
PA&ED	City of Big Bear Lake	
PS&E	City of Big Bear Lake	
Right of Way	City of Big Bear Lake	
Construction	City of Big Bear Lake	\$1,500,000
Legislative Districts		
Assembly:		Senate:
Congressional:		
Purpose and Need		
<p>Improve pedestrian, bicycle, and vehicle safety by constructing infrastructure improvements including traffic calming features, crosswalks, ADA compliant curb access, protected bike lanes, striping, signage, and lighting. This is one of the heaviest traveled corridors in Big Bear Lake, and retail development in the area is increasing.</p>		
Project Benefits		
<p>Pedestrian, bicycle, and vehicle improvements will increase safety. The construction of new pedestrian and bicycle facilities that connect with existing facilities will reduce GHG emissions by encouraging alternative modes of transportation.</p>		
Project Milestone		Proposed
Project Study Report Approved		N/A
Begin Environmental (PA&ED) Phase		CEQA Exempt
Circulate Draft Environmental Document	Document Type	N/A
Draft Project Report		N/A
End Environmental Phase (PA&ED Milestone)		N/A
Begin Design (PS&E) Phase		2018-2019
End Design Phase (Ready to List for Advertisement Milestone)		2019-2020
Begin Right of Way Phase		N/A
End Right of Way Phase (Right of Way Certification Milestone)		N/A
Begin Construction Phase (Contract Award Milestone)		2020-2021
End Construction Phase (Construction Contract Acceptance Milestone)		2021-2022
Begin Closeout Phase		2022
End Closeout Phase (Closeout Report)		2022-2023

ATTACHMENT B

MOONRIDGE ROAD PROJECT

Summary of Estimated Costs

Phase	Total Cost	SBCTA Funds	City Funds
Engineering (PA/ED & PS&E)	\$300,000	0	\$300,000
ROW	0	0	0
Construction	\$4,200,000	\$1,500,000	\$2,700,000
TOTAL	\$4,500,000	\$1,500,000	\$3,000,000

*SBCTA'S Share can be from sources under control of SBCTA including but not limited to Measure I Major Local Highways Program (MLHP), State Transportation Improvement Program (STIP), Surface Transportation Program (STP), or other funds without necessitating an amendment of this agreement.

Minute Action

AGENDA ITEM: 32

Date: July 10, 2019

Subject:

Amendment No. 1 to 16-1001422 Advance Expenditure Agreement for the SR62/Encelia to Larrea Project in the City of Twentynine Palms

Recommendation:

That the Board, acting as the San Bernardino County Transportation Authority:

A. Allocate an additional \$300,000 of Measure I Morongo Basin Subarea Major Local Highway Projects Program Funds to the City of Twentynine Palms for the State Route 62 between Encelia Avenue and Larrea Avenue project.

B. Approve Amendment No. 1 to the Advance Expenditure Agreement 16-1001422 with the City of Twentynine Palms to increase the future reimbursement of Measure I Morongo Basin Subarea Major Local Highway Projects Program Funds for the State Route 62 between Encelia Avenue and Larrea Avenue project (Project) from \$100,000 to \$400,000.

Background:

The City of Twentynine Palms (City) has been awarded Highway Safety Improvement Program (HSIP) funds for the construction phase of the State Route 62 (SR 62) between Encelia Avenue and Larrea Avenue Project in the amount of \$606,510 toward the total project cost of \$1.462 million. The City has requested an increased allocation from \$100,000 to \$400,000 in Measure I Morongo Basin Subarea Major Local Highway Projects Program (MLHP) funds toward the balance of the project cost, to be matched with \$455,000 of City funds.

This project is the first segment of the phased improvements to meet current highway design and pedestrian standards. The project will install sidewalk infrastructure on the south side of the highway where no sidewalk exists. Pedestrian crossing signage and high-visibility crosswalk pavement markings will be installed at Encelia and Larrea Avenue. The project will complement the SR62/Encelia Avenue Traffic Signal project that was previously completed with MLHP funding.

The project is currently undergoing a revalidation of its environmental document and final design. Construction is scheduled to begin in late 2019 and be completed by summer 2020. Because of commitments to other projects in the Morongo Basin Subarea, there may not be sufficient cash flow in the program to reimburse the City as project costs are incurred, although reimbursement is expected by the end of Fiscal Year 2019/2020. The Advance Expenditure Agreement will allow the City to incur costs for future reimbursement.

Entity: San Bernardino County Transportation Authority

Board of Directors Agenda Item

July 10, 2019

Page 2

Financial Impact:

This item is consistent with the adopted Fiscal Year 2019/2020 budget.

Reviewed By:

This item was unanimously recommended for approval by the Mountain/Desert Policy Committee on June 21, 2019. SBCTA General Counsel and Procurement Manager have reviewed this item and the draft amendment.

Responsible Staff:

Andrea Zureick, Director of Fund Administration

Approved
Board of Directors
Date: July 10, 2019

Witnessed By:

San Bernardino County Transportation Authority

General Contract Information

Contract No: 16-1001422 Amendment No.: 1 Sole Source? N/A
 Vendor No.: 02201 Vendor/Customer Name: City of Twentynine Palms
 Description: Advance Expenditure Agreement for SR 62 - Encelia to Larrea Project
 Estimated Start Date: 02/03/2016 Expiration Date: 07/04/2021 Revised Expiration Date: _____
 List Any SBCTA Related Contracts Nos.: _____

Dollar Amount							
Original Contract		\$	100,000.00	Original Contingency		\$	-
Prior Amendments		\$	-	Prior Amendments		\$	-
Current Amendment		\$	300,000.00	Current Amendment		\$	-
Total/Revised Contract Value		\$	400,000.00	Total Contingency Value		\$	-
	Total Dollar Authority (Contract Value and Contingency)					\$	400,000.00

Contract Authorization

Board of Directors _____ Date: 07/10/2019 Board _____ Item # 5904

Contract Management (Internal Purposes Only)

Payable _____ Other Contracts _____ No Budget Adjustment _____

Accounts Payable											
Total Contract Funding: \$						Total Contingency: \$					
400,000.00						-					
GL: 4530 50 0550 0516 54840 41100000	400,000.00					GL:					-
GL:						GL:					-
GL:						GL:					-
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Accounts Receivable											
Total Contract Funding: \$						-					
Funding Agreement No: _____						Reversion Date: _____					
GL:						GL:					-
GL:						GL:					-
GL:						GL:					-
GL:						GL:					-
GL:						GL:					-

Ellen Pollema

Andrea Zureick

Project Manager (Print Name)

Task Manager (Print Name)

Additional Notes: Reimbursement anticipated by 6/30/2020. Expiration date is tied to reimbursement date and can be modified without amending the contract.

**AMENDMENT NO. 1 TO
ADVANCE EXPENDITURE AGREEMENT NO. 16-1001422**

FOR

**STATE ROUTE 62 BETWEEN ENCELIA AVENUE
AND LARREA AVENUE PROJECT**

(CITY OF TWENTYNINE PALMS)

This Amendment No. 1 to the Advance Expenditure Agreement (“AGREEMENT” or “AEA”) is made and entered into by and between the San Bernardino County Transportation Authority (“SBCTA”) and the City of Twentynine Palms (“CITY”). SBCTA AND CITY shall be collectively known as “Party” or “Parties”.

The Effective Date of this Amendment shall be the date upon which SBCTA executes this Amendment.

RECITALS

- A. The Parties entered into Advance Expenditure Agreement 16-1001422 on February 10, 2016 (“AGREEMENT”) to fund all phases of the State Route 62 Between Encelia Avenue and Larrea Avenue Project (“PROJECT”); and
- B. CITY has requested an increased allocation from \$100,000 to \$400,000 in Morongo Basin Subarea MLHP funds that are not immediately available;

NOW, THEREFORE, SBCTA and CITY agree to amend the AGREEMENT as follows:

- 1. All reference to the San Bernardino County Transportation Authority as AUTHORITY in the Agreement shall mean SBCTA; and
- 2. Section III, Paragraph 4, is deleted in its entirety and replaced with the following:
 - “4. CITY will use its own funds to implement the PROJECT in advance of the availability of \$400,000 of Measure I funds, with the understanding that SBCTA will reimburse CITY for SBCTA share of eligible PROJECT expenditures at a later date in accordance with the POLICY.”
- 3. Attachment A has been replaced in its entirety to reflect a change in the schedule.
- 4. Attachment B has been replaced in its entirety to reflect a change in the SBCTA funding.

5. Except as amended by this Amendment No. 1, all other terms and conditions of the AGREEMENT shall remain in full force and effect and are incorporated herein by this reference.
6. The Recitals set forth above are incorporated herein by reference.

IN WITNESS WHEREOF, the Parties have executed this Amendment No. 1 below.

----SIGNATURES ON NEXT PAGE----

Attachment: 16-1001422-01 (5904 : SR62/Encelia to Larrea Amendment No. 1 to Advance Expenditure Agreement)

**SAN BERNARDINO COUNTY
TRANSPORTATION AUTHORITY**

By: _____
Darcy McNaboe, President
Board of Directors

Date: _____

APPROVED AS TO FORM AND
PROCEDURE:

By: _____
Julianna K. Tillquist
General Counsel

Date: _____

CONCURRED:

By: _____
Jeffery Hill,
Procurement Manager

CITY OF TWENTYNINE PALMS

By: _____
Steven Bilderain,
Mayor

Date: _____

APPROVED AS TO FORM AND
PROCEDURE:

By: _____
CITY Attorney

Date: _____

ATTEST:

By: _____
City Clerk

Attachment: 16-1001422-01 (5904 : SR62/Encelia to Larrea Amendment No. 1 to Advance Expenditure Agreement)

Attachment A

STATE ROUTE 62 BETWEEN ENCELIA AVENUE AND LARREA AVENUE PROJECT

Description of Project and Milestones

Project Title			
State Route 62 between Encelia Avenue and Larrea Avenue (approximately 0.6 miles).			
Location, Project Limits, Description, Scope of Work, Legislative Description			
Install sidewalk infrastructure on the south side of the highway and across a culvert where no sidewalk exists. Pedestrian crossing signage and high-visibility crosswalk pavement markings will be installed at Encelia and Larrea Avenues.			
Component	Implementing Agency	Reimbursements	
PA&ED	City of Twentynine Palms		
PS&E	City of Twentynine Palms		
Right of Way	City of Twentynine Palms		
Construction	City of Twentynine Palms		
Legislative Districts			
Assembly:			Senate:
Congressional:			
Purpose and Need			
This is the first segment of the phased improvements to address the inconsistencies and risks in the existing conditions. Currently, SR 62, in the City of Twentynine Palms, does not meet its designated ultimate street standards due to the lack of standard and consistent shoulders, median, curb and gutter, sidewalk and Right of Way (ROW). In many places there is no shoulder, and where it does exist, the shoulder is less than six (6) feet (ft) wide.			
Project Benefits			
This HSIP project is the first critical step in addressing the most serious deficiencies where most pedestrians are traveling to the centralized commercial area.			
Project Milestone			Proposed
Project Study Report Approved			N/A
Begin Environmental (PA&ED) Phase			9/2012
Circulate Draft Environmental Document	Document Type		Negative Declaration
Draft Project Report			
End Environmental Phase (PA&ED Milestone)			11/2013
Begin Design (PS&E) Phase			12/2013
End Design Phase (Ready to List for Advertisement Milestone)			5/2015
Begin Right of Way Phase			N/A
End Right of Way Phase (Right of Way Certification Milestone)			N/A
Begin Construction Phase (Contract Award Milestone)			9/2019
End Construction Phase (Construction Contract Acceptance Milestone)			12/2019
Begin Closeout Phase			2/2020
End Closeout Phase (Closeout Report)			2/2020

ATTACHMENT B

STATE ROUTE 62 BETWEEN ENCELIA AVENUE AND LARREA AVENUE PROJECT

Summary of Estimated Costs

Phase	Total Cost	Federal Highway Safety Improvement Program (FHSIP) Funds*	SBCTA AEA for Future MLHP Funds**	City Funds
Engineering (PA/ED & PS&E)	\$ 378,000.00	\$ -	\$ -	\$ 378,000.00
ROW	\$ -	\$ -	\$ -	\$ -
Construction	\$ 1,083,900.00	\$ 606,510.00	\$ 400,000	\$ 77,390.00
TOTAL	\$ 1,461,900.00	\$ 606,510.00	\$ 400,000.00	\$ 455,390.00

*Match for federal funds is 11.47%.

**SBCTA'S Share can be from sources under control of SBCTA including but not limited to Measure I Major Local Highways Program (MLHP), State Transportation Improvement Program (STIP), Surface Transportation Program (STP), or other funds without necessitating an amendment of this agreement.

Minute Action

AGENDA ITEM: 33

Date: July 10, 2019

Subject:

City of Yucaipa Measure I Major Streets Program Arterial Sub-Program Advanced Funding Request

Recommendation:

That the Board, acting as the San Bernardino County Transportation Authority:

Approve an advance of up to five years of the City of Yucaipa's estimated equitable share of Measure I Major Street Project Program/Arterial Sub-program funds for various arterial widening projects in an estimated amount of \$6 million, to be taken from allocated but unused Arterial Sub-program Funds.

Background:

The City of Yucaipa (City) has requested to borrow up to five years of its equitable share of Measure I Major Street Projects Program/Arterial Sub-program funds.

As of July 1, 2019, the City will have an equitable share balance of Measure I arterial funds of \$1.9 million. They are requesting a five-year advance of funds in the approximate amount of \$6 million in order to assist with completion of five projects. The City has submitted to the San Bernardino County Transportation Authority (SBCTA) a revised Capital Projects Needs Analysis (CPNA) project list for FY2019/2020 thru FY2023/2024 for the following projects:

- 1) Widen 5th Street from Yucaipa Boulevard to County Line Road.
- 2) Widen Yucaipa Boulevard from Interstate 10 to 15th Street.
- 3) Widen Calimesa Boulevard from Oak Glen Road to County Line Road.
- 4) Widen Avenue E from 14th Street to Bryant Street.
- 5) Widen County Line Road from Interstate 10 to Calimesa Boulevard.

Measure I Policy 40005 Valley Major Streets (VMS)-36 states that borrowing may be authorized by the SBCTA Board from the unused portion of jurisdiction accounts to deliver projects in other Valley programs or to reimburse another jurisdiction for early delivery of projects in the Major Street Projects Program. Borrowing to fund projects in another jurisdiction shall be limited such that no jurisdiction gets more than five years ahead of its projected equitable share. Because this advance requires that other Valley jurisdictions forego access to their allocations, this requires both the approval of other Valley jurisdictions and the SBCTA Board.

The current unused portion of Arterial Sub-program funds is approximately \$70 million, including planned advances for the cities of Montclair, Ontario, and Upland. The anticipated revenue for the next five years, combined with the unused portion, is approximately \$176 million compared to a CPNA need of all other Valley jurisdictions projected at \$119 million. Details by jurisdiction are provided in Attachment 1. Given that arterial reimbursements from 2010 to present have totaled only \$31 million, staff recommends approval of the advance for the City of Yucaipa.

Entity: San Bernardino County Transportation Authority

Board of Directors Agenda Item

July 10, 2019

Page 2

Financial Impact:

The item is consistent with the adopted Fiscal Year 2019/2020 Budget.

Reviewed By:

This item was reviewed and recommended for approval (13-0-0) without a quorum of the Board present at the Board of Directors Metro Valley Study Session on June 13, 2019.

Responsible Staff:

Andrea Zureick, Director of Fund Administration

Approved
Board of Directors
Date: July 10, 2019

Witnessed By:

San Bernardino County Transportation Authority

**Measure I Valley Major Street/Arterial Sub-Program
Summary of Allocations, Balances & Future Need**

Jurisdiction	SHARES		ALLOCATIONS		BALANCES				CPNA	
	Equitable Share	Revised Equitable Share*	Allocated FY19/20	FY10/11 thru FY19/20	Reimbursements FY10/11 thru FY19/20	Allocations - Reimbursements	Term Loan Collateral @ 1/31/19	Amount Available for Reimbursement	Balance PLUS Anticipated Revenue FY20/21 thru FY24/25	Total "Needs" from CPNA FY19/20 thru FY23/24 (less loan collateral)
Chino	7.60%	7.591%	\$1,572,894.47	\$8,740,738.76	\$ 298,945.94	\$8,441,792.82		\$8,441,792.82	\$ 16,481,618.26	\$ 4,931,815.00
Chino Hills	2.20%	2.194%	\$454,608.15	\$2,526,304.95	\$ -	\$2,526,304.95		\$2,526,304.95	\$ 4,850,027.38	\$ 3,625,463.00
Colton	2.50%	2.534%	\$525,057.91	\$2,917,801.61	\$ 326,398.13	\$2,591,403.48		\$2,591,403.48	\$ 5,275,228.75	\$ 3,385,804.00
Fontana	19.50%	19.400%	\$4,019,780.37	\$22,338,339.06	\$ 3,036,705.42	\$19,301,633.64	\$ -	\$19,301,633.64	\$ 39,848,677.97	\$ 13,324,264.00
Grand Terrace	1.40%	1.389%	\$287,807.99	\$1,599,379.02	\$ 151,461.76	\$1,447,917.26		\$1,447,917.26	\$ 2,919,043.27	\$ 2,300,000.00
Highland	6.80%	6.777%	\$1,404,229.46	\$7,803,449.68	\$ 238,579.00	\$7,564,870.68	\$ 1,223,838.00	\$6,341,032.68	\$ 13,518,729.56	\$ -
Loma Linda	4.10%	4.074%	\$844,153.88	\$4,691,051.20	\$ 2,591,018.56	\$2,100,032.64		\$2,100,032.64	\$ 6,414,911.95	\$ 5,218,300.00
Montclair	0.60%	0.597%	\$123,701.49	\$687,422.08	\$ 6,308.40	\$681,113.68	\$ 3,897,667.00	-\$3,216,553.32	\$ (2,584,255.10)	\$ -
Ontario	12.30%	12.272%	\$2,542,821.89	\$14,130,726.64	\$ 1,029,538.32	\$13,101,188.32	\$ 6,383,764.00	\$6,717,424.32	\$ 19,715,018.55	\$ 20,009,565.00
Rancho Cucamonga	5.10%	5.044%	\$1,045,142.90	\$5,837,968.15	\$ 4,422,166.98	\$1,415,801.17		\$1,415,801.17	\$ 6,758,032.70	\$ 9,757,212.00
Redlands	4.90%	4.854%	\$1,005,773.91	\$5,589,190.61	\$ 2,112,512.00	\$3,476,678.61	\$ 603,974.00	\$2,872,704.61	\$ 8,013,702.20	\$ 2,138,026.00
Rialto	3.90%	3.831%	\$793,803.02	\$4,411,246.23	\$ 2,814,254.92	\$1,596,991.31		\$1,596,991.31	\$ 5,654,503.01	\$ 27,330,185.00
San Bernardino	7.90%	7.857%	\$1,628,011.05	\$9,047,027.32	\$ 1,305,790.09	\$7,741,237.23		\$7,741,237.23	\$ 16,062,790.18	\$ 15,710,025.00
Upland	2.30%	2.743%	\$568,363.79	\$3,158,456.92	\$ 1,807,919.47	\$1,350,537.45	\$ 2,029,872.00	-\$679,334.55	\$ 2,225,848.05	\$ 2,696,301.00
Yucaipa	6.00%	5.965%	\$1,235,978.86	\$6,868,463.53	\$ 4,960,130.03	\$1,908,333.50		\$1,908,333.50	\$ 8,226,020.07	\$ 14,447,975.00
County	12.90%	12.878%	\$2,668,388.23	\$14,828,511.88	\$ 5,983,366.00	\$8,845,145.88		\$8,845,145.88	\$ 22,484,570.46	\$ 8,625,434.00
Arterial Allocation	100.00%	100.000%	\$ 20,720,517.37	\$ 115,176,077.63	\$ 31,085,095.02	\$84,090,982.61	\$ 14,139,115.00	\$69,951,867.61	\$ 175,864,467.25	\$ 133,500,369.00

Minute Action

AGENDA ITEM: 34

Date: July 10, 2019

Subject:

Hearings to Consider Resolutions of Necessity for Property Interests for the Interstate 10 Corridor Contract 1 Project in the Cities of Montclair, Upland and Ontario

Recommendation:

That the Board of Directors, acting as the San Bernardino County Transportation Authority:

- A. Conduct public hearings to consider condemnation of interests in real property required for the Interstate 10 Corridor Contract I Project (hereinafter “Project”) in the Cities of Montclair, Upland and Ontario.
- B. Upon completion of a public hearing, that the Board of Directors adopt the Resolution of Necessity No. 19-132 authorizing and directing General Counsel, or her designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring interests in real property for the Project from: Diane M. Hannegan, an unmarried woman (Assessor’s Parcel Number [APN] 0108-381-23) (hereinafter “Hannegan Property”). The Resolution must be approved by at least a two-thirds majority; and
- C. Upon completion of a public hearing, that the Board of Directors adopt the Resolution of Necessity No. 19-133 authorizing and directing General Counsel, or her designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring an interest in real property for the Project from: Misty Lake Properties, L.P., a California limited partnership (APN 0108-381-30) (hereinafter “Misty Lake Property”). The Resolution must be approved by at least a two-thirds majority; and
- D. Upon completion of a public hearing, that the Board of Directors adopt the Resolution of Necessity No. 19-134 authorizing and directing General Counsel, or her designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring an interest in real property for the Project from: CubeSmart, L.P., a Delaware limited partnership (APN 0108-501-43) (hereinafter “CubeSmart Property”). The Resolution must be approved by at least a two-thirds majority; and
- E. Upon completion of a public hearing, that the Board of Directors adopt the Resolution of Necessity No. 19-136 authorizing and directing General Counsel, or her designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring interests in real property for the Project from: Charles and Helen De Berard, Trustees of the De Berard Family Trust, dated June 21, 1983 (APN 0110-172-09) (hereinafter “De Berard Trust Property”). The Resolution must be approved by at least a two-thirds majority; and
- F. Upon completion of a public hearing, that the Board of Directors adopt the Resolution of Necessity No. 19-137 authorizing and directing General Counsel, or her designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring interests in real property for the Project from: HP Lodging, LLC, a suspended/forfeited California limited liability company (APN 0110-172-10) (hereinafter “HP Lodging Property”). The Resolution must be approved by at least a two-thirds majority; and

Entity: San Bernardino County Transportation Authority

G. Upon completion of a public hearing, that the Board of Directors adopt the Resolution of Necessity No. 19-139 authorizing and directing General Counsel, or her designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring interests in real property for the Project from: DS Hotel Investments, Inc., a California corporation (APN 0110-191-33) (hereinafter “DS Hotel Property”). The Resolution must be approved by at least a two-thirds majority; and

H. Upon completion of a public hearing, that the Board of Directors adopt the Resolution of Necessity No. 19-140 authorizing and directing General Counsel, or her designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring interests in real property for the Project from: Maria Mercedes Tamayo and Anastacio Tamayo, wife and husband and Jonathan Tamayo, a single man and Fernando Tamayo, a single man, all as joint tenants (APN 0110-422-08) (hereinafter “Tamayo Property”). The Resolution must be approved by at least a two-thirds majority; and

I. Upon completion of a public hearing, that the Board of Directors adopt the Resolution of Necessity No. 19-143 authorizing and directing General Counsel, or her designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring interests in real property for the Project from: Margaret E. Purdy, Trustee, 1995 Margaret E. Purdy Family Trust, dated November 10, 1995 (APN 0110-422-13) (hereinafter “Purdy Trust Property”). The Resolution must be approved by at least a two-thirds majority; and

J. Upon completion of a public hearing, that the Board of Directors adopt the Resolution of Necessity No. 19-147 authorizing and directing General Counsel, or her designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring interests in real property for the Project from: Rexford Industrial Realty, LP, a Maryland limited partnership (APN 0210-191-16) (hereinafter “Rexford Industrial Property”). The Resolution must be approved by at least a two-thirds majority; and

K. Upon completion of a public hearing, that the Board of Directors adopt the Resolution of Necessity No. 19-148 authorizing and directing General Counsel, or her designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring interests in real property for the Project from: Southwest Regional Council of Carpenters (APN 0210-193-20) (hereinafter “Southwest Regional Property”). The Resolution must be approved by at least a two-thirds majority; and

L. Upon completion of a public hearing, that the Board of Directors adopt the Resolution of Necessity No. 19-149 authorizing and directing General Counsel, or her designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring interests in real property for the Project from: Laro Marquoia, LLC, a California limited liability company, who took title as Laro Marquoia, LLC, a Delaware limited liability company (APN 0210-212-28) (hereinafter “Laro Marquoia Property” [prev. Laro Properties]). The Resolution must be approved by at least a two-thirds majority; and

M. Upon completion of a public hearing, that the Board of Directors adopt the Resolution of Necessity No. 19-151 authorizing and directing General Counsel, or her designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring interests in real property for the Project from: Virginia R. Witt, a widow (APN 1008-261-10) (hereinafter “Witt Property”). The Resolution must be approved by at least a two-thirds majority; and

N. Upon completion of a public hearing, that the Board of Directors adopt the Resolution of Necessity No. 19-153 authorizing and directing General Counsel, or her designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring an interest in real property for the Project from: Larry A. Schroeder and Leticia M. Schroeder, husband and wife as joint tenants (APN 1047-262-10) (hereinafter “Schroeder Property” [prev. Cobbold Trust]). The Resolution must be approved by at least a two-thirds majority; and

O. Upon completion of a public hearing, that the Board of Directors adopt the Resolution of Necessity No. 19-154 authorizing and directing General Counsel, or her designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring an interest in real property for the Project from: Mary E. Epps, a widow (APN 1047-262-11) (hereinafter “Epps Property”). The Resolution must be approved by at least a two-thirds majority; and

P. Upon completion of a public hearing, that the Board of Directors adopt the Resolution of Necessity No. 19-155 authorizing and directing General Counsel, or her designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring an interest in real property for the Project from: Mukhti Investment Group, LLC (APN 1047-262-12) (hereinafter “Mukhti Investment Property”). The Resolution must be approved by at least a two-thirds majority; and

Q. Upon completion of a public hearing, that the Board of Directors adopt the Resolution of Necessity No. 19-158 authorizing and directing General Counsel, or her designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring interests in real property for the Project from: Charles W. Copeland, Successor Trustee of the Carole J. Copeland Living Trust, dated August 8, 2007 (APN 1047-281-37) (hereinafter “Copeland Trust Property”). The Resolution must be approved by at least a two-thirds majority; and

R. Upon completion of a public hearing, that the Board of Directors adopt the Resolution of Necessity No. 19-159 authorizing and directing General Counsel, or her designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring interests in real property for the Project from: Michael Bang, a single man (APN 1047-281-54) (hereinafter “Bang Property”). The Resolution must be approved by at least a two-thirds majority; and

S. Upon completion of a public hearing, that the Board of Directors adopt the Resolution of Necessity No. 19-160 authorizing and directing General Counsel, or her designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring interests in real property for the Project from: Nichole C. Hotaling, a single woman, and Albert Becerra, a single man, as joint tenants (APN 1047-294-15) (hereinafter “Hotaling-Becerra Property”). The Resolution must be approved by at least a two-thirds majority; and

T. Upon completion of a public hearing, that the Board of Directors adopt the Resolution of Necessity No. 19-161 authorizing and directing General Counsel, or her designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring interests in real property for the Project from: Guy Cognet a single man and Marlyn Velazquez Becerra, a single woman as joint tenants (APN 1047-294-16) (hereinafter “Cognet-Becerra Property”). The Resolution must be approved by at least a two-thirds majority; and

U. Upon completion of a public hearing, that the Board of Directors adopt the Resolution of Necessity No. 19-162 authorizing and directing General Counsel, or her designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring an interest in real property for the Project from each and every owner of those condominiums comprising the Euclid Garden Homeowner's Association (APN 1047-424-61) (hereinafter "Euclid Garden Property"). The Resolution must be approved by at least a two-thirds majority.

Background:

On June 12, 2017, the San Bernardino County Transportation Authority ("SBCTA") Board of Directors approved Cooperative Agreement No. 17-1001736 with the California Department of Transportation ("Caltrans") for the Right-of-Way ("ROW") and Design-Build ("DB") phase activities for the Project, defining roles, responsibilities, and funding associated with the ROW and DB phases, and specifying SBCTA as the lead agency for Project administration and funding. The Board also authorized staff to proceed with voluntary acquisition of property necessary for the Project from identified property owners, including relocation assistance, demolition of existing structures, property management, disposal of excess property, environmental testing and remediation; and authorized the Director of Project Delivery, or her designees, to implement the Project ROW Acquisition Incentive Payment Program to expedite acquisition of necessary property interests, consistent with the Federal Highway Administration, Caltrans guidelines and applicable SBCTA policies and procedures. The Board also authorized the Director of Project Delivery, or her designees, to add or delete parcels to the list of properties as the Director determines from time to time are necessary for the Project, provided they are environmentally cleared.

The Project is being implemented through a DB contract, which requires that necessary ROW is available to the DB contractor at prescribed milestones during the DB contract term. Meeting the milestone dates for delivery of ROW packages is crucial in avoiding costly delays. Throughout the environmental and preliminary engineering process, SBCTA and Caltrans have made extensive efforts to simultaneously plan the Project and to minimize the impacts to property owners and adjacent communities. These efforts include maintaining access to properties during construction, use of retaining walls to minimize ROW needs, installation of soundwalls to mitigate noise impacts, and undergrounding utilities. While most of the proposed improvements are anticipated to be constructed within existing Caltrans ROW, some ROW from a mix of both public and private land will be required to accommodate portions of the widening and construction work.

Resolutions of Necessity for the I-10 Corridor Contract 1 Project

In an effort to keep the Project schedule intact and comply with contractual obligations to the DB contractor, it is necessary to comply with the statutorily-prescribed process for eminent domain and conduct Hearings for a Resolution of Necessity for each property while negotiations continue. Therefore, the purpose of this agenda item is to present information regarding the public interest and necessity for the Project and the property interests that are needed. Although the adoption of Resolutions of Necessity is recommended for the subject properties in order to maintain the Project schedule and avoid delay costs, SBCTA's acquisition agents will continue to negotiate with the property owners in an effort to acquire the property interests through a voluntary purchase and avoid litigation in the eminent domain process.

The owners of the subject properties are:

- Diane M. Hannegan, an unmarried woman
- Misty Lake Properties, L.P., a California limited partnership
- CubeSmart, L.P., a Delaware limited partnership
- Charles and Helen De Berard, Trustees of the De Berard Family Trust, dated June 21, 1983
- HP Lodging, LLC, a suspended/forfeited California limited liability company
- DS Hotel Investments, Inc., a California corporation
- Maria Mercedes Tamayo and Anastacio Tamayo, wife and husband and Jonathan Tamayo, a single man and Fernando Tamayo, a single man, all as joint tenants
- Margaret E. Purdy, Trustee, 1995 Margaret E. Purdy Family Trust, dated November 10, 1995
- Rexford Industrial Realty, LP, a Maryland limited partnership
- Southwest Regional Council of Carpenters
- Laro Marquoia, LLC, a Delaware limited liability company
- Virginia R. Witt, a widow
- Larry A. Schroeder and Leticia M. Schroeder, husband and wife as joint tenants
- Mary E. Epps, a widow
- Mukhti Investment Group, LLC
- Charles W. Copeland, Successor Trustee of the Carole J. Copeland Living Trust, dated August 8, 2007
- Michael Bang, a single man
- Nichole C. Hotaling, a single woman, and Albert Becerra, a single man, as joint tenants
- Guy Cognet a single man and Marlyn Velazquez Becerra, a single woman as joint tenants
- Each and every owner of those condominiums comprising the Euclid Garden Homeowner's Association

Support for the Resolutions of Necessity

SBCTA is authorized to acquire property by eminent domain pursuant to the California Public Utilities Code Sections 130220.5 and 130809(b)(4). Eminent domain will allow SBCTA to obtain legal rights to the property interests needed for the Project if a negotiated sale cannot be reached. A Resolution of Necessity is the first step in the eminent domain process. Since the process takes several months, it is necessary to start this process now to ensure that the property interests are obtained to meet the scheduled start of construction in Summer 2019 and to avoid costly ROW delays.

In order to adopt the Resolutions of Necessity, SBCTA must make the four findings discussed below for each of the property interests. The issue of the amount of just compensation for these property interests is not addressed by these Resolutions of Necessity and is not to be considered at the hearings. The four necessary findings are:

1. The public interest and necessity require the Project.

The I-10 Corridor Contract 1 Project is located in the Cities of Montclair, Upland and Ontario. The Project limits which include transition areas extend from approximately 0.4 miles west of White Avenue in the City of Pomona, in Los Angeles County, to Interstate 15 (I-15), in San Bernardino County. The Project will add one Express Lane in each direction from the Los Angeles/San Bernardino County line to Haven Avenue to operate jointly with existing High Occupancy Vehicle (HOV) lanes; and add two Express Lanes in each direction from Haven Avenue to I-15. Additional work will be done to implement safety lighting and pavement rehabilitation improvements to further enhance safety and improved traffic operations along the I-10 corridor.

The purpose of the Project is to improve traffic operations on the I-10 Corridor in San Bernardino County to:

- Reduce congestion;
- Increase throughput;
- Enhance trip reliability; and
- Accommodate long-term congestion management of the corridor.

If no improvements are made to the freeway, the existing and future traffic congestion will likely become worse with a potential of increased traffic delays and related accidents.

2. The Project is planned and located in the manner that will be most compatible with the greatest public good and least private injury.

During the environmental phase of the Project, the proposed design was considered to minimize the properties required for the Project, reducing the need from 263 properties to 183, and eliminating seven potential full acquisitions. However, the Project still requires partial acquisitions, the relinquishment of abutter's rights (including access rights), utility easements, footing easements, anchor wall easements, temporary construction easements, and roadway easements. SBCTA's acquisition agents have had numerous communications with each of the property owners and design staff about Project impacts in order to design the Project in a manner that causes the least private injury while accomplishing the greatest public good. Some examples include constructing retaining walls to minimize the additional area needed for the widening of the freeway, installation of soundwalls to mitigate noise impacts, and maintaining access to properties during construction of the Project.

3. The property interests sought to be acquired are necessary for the Project.

While portions of the Project are being constructed within existing ROW, acquisition of the following property interests are needed from the properties listed below:

- Hannegan Property: A Partial Fee, Permanent Subsurface Easement (Footing), and a Temporary Construction Easement are needed from the Hannegan Property to provide the work area for and accommodate the widening improvements and retaining wall foundation along the Fourth Street eastbound (EB) off-ramp.
- Misty Lake Property: A Temporary Construction Easement is needed from the Misty Lake Property to provide the work area for the widening improvements along the Fourth Street EB off-ramp.
- CubeSmart Property: A Temporary Construction Easement is needed from the CubeSmart Property to provide the work area for the widening improvements along the Fourth Street westbound (WB) on-ramp.
- De Berard Trust Property: A Partial Fee and a Temporary Construction Easement are needed from the De Berard Trust Property to provide the work area for and accommodate the widening improvements along the Fourth Street WB off-ramp.
- HP Lodging Property: A Partial Fee, the relinquishment of access rights, and Temporary Construction Easement are needed from the HP Lodging Property to provide the work area for and accommodate the widening improvements along the Fourth Street WB off-ramp.
- DS Hotel Property: A Partial Fee and a Temporary Construction Easement are needed from the DS Hotel Property to provide/accommodate the work area and the widening improvements and utility relocation work near the Vineyard Avenue EB off-ramp.
- Tamayo Property: A Partial Fee, Permanent Utility Easement and a Temporary Construction Easement are needed from the Tamayo Property to provide the work area for and accommodate the widening improvements and utility relocation work along the Fourth Street EB on-ramp.
- Purdy Trust Property: A Partial Fee, the relinquishment of abutter's rights, including access rights, a Permanent Utility Easement and a Temporary Construction Easement are needed from the Purdy Trust Property to provide the work area and accommodate the widening improvements and utility relocation work along the Fourth Street EB on-ramp.
- Rexford Industrial Property: A Partial Fee, two Permanent Utility Easements and two Temporary Construction Easements are needed from the Rexford Industrial Property to provide the work area for and accommodate the widening improvements and to relocate an existing public sewer system to accommodate the Project.

- Southwest Regional Property: A Partial Fee, Permanent Subsurface Easement (Footings), and a Temporary Construction Easement are needed from the Southwest Regional Property to provide the work area for and accommodate the widening improvements and a retaining wall foundation along the Haven Avenue WB on-ramp.
- Laro Marquoia Property: A Partial Fee and a Temporary Construction Easement are needed from the Laro Marquoia Property to provide the work area for and accommodate the mainline widening improvements and an overhead sign structure.
- Witt Property: The relinquishment of abutter's rights, including access rights, and a Permanent Sub-Surface Easement (Anchor Wall) are needed from the Witt Property to accommodate the anchors for an anchored retaining wall to support mainline widening improvements.
- Schroeder Property: A Permanent Subsurface Easement (Anchor Wall) is needed from the Schroeder Property to accommodate the anchors for an anchored retaining wall to support mainline widening improvements.
- Epps Property: A Permanent Subsurface Easement (Anchor Wall) is needed from the Epps Property to accommodate the anchors for an anchored retaining wall to support mainline widening improvements.
- Mukhti Investment Property: A Permanent Subsurface Easement (Anchor Wall) is needed from the Mukhti Investment Property to accommodate the anchors for an anchored retaining wall to support mainline widening improvements.
- Copeland Trust Property: The relinquishment of abutter's rights, including access rights, and a Permanent Subsurface Easement (Anchor Wall) are needed from the Copeland Trust Property to accommodate the anchors for an anchored retaining wall to support mainline widening improvements.
- Bang Property: The relinquishment of abutter's rights, including access rights, and a Permanent Subsurface Easement (Anchor Wall) are needed from the Bang Property to accommodate the anchors for an anchored retaining wall to support mainline widening improvements.
- Hotaling-Becerra Property: The relinquishment of abutter's rights, including access rights, and a Permanent Subsurface Easement (Anchor Wall) are needed from the Hotaling-Becerra Property to accommodate the anchors for an anchored retaining wall to support mainline widening improvements.
- Cognet-Becerra Property: The relinquishment of abutter's rights, including access rights, and a Permanent Subsurface Easement (Anchor Wall) are needed from the Cognet-Becerra Property to accommodate the anchors for an anchored retaining wall to support mainline widening improvements.

- Euclid Garden Property: A Temporary Construction Easement is needed from the Euclid Garden Property to provide a work area to construct widening improvements along the WB I-10 west of the 4th Street Interchange.

4. Offers required by Section 7267.2 of the Government Code have been made to the owner or owners of record.

The acquisitions required from the properties listed below were appraised and offers for the full amount of the appraisals were made to the owner or owners of record in accordance with Section 7267.2 of the Government Code.

- The offer for the Hannegan Property was presented on 4/22/19.
- The offer for the Misty Lake Property was presented on 4/8/19.
- The offer for the CubeSmart Property was presented on 4/12/19.
- The offer for the De Berard Trust Property was presented on 4/4/19.
- The offer for the HP Lodging Property was presented on 4/18/19.
- The offer for the DS Hotel Property was presented on 4/18/19.
- The offer for the Tamayo Property was presented on 4/26/19.
- The offer for the Purdy Trust Property was presented on 5/9/19.
- The offer for the Rexford Industrial Property was presented on 5/10/19.
- The offer for the Southwest Regional Property was presented on 4/18/19.
- The offer for the Laro Marquoia Property was presented on 4/23/19.
- The offer for the Witt Property was presented on 4/11/19.
- The offer for the Schroeder Property was presented on 4/23/19.
- The offer for the Epps Property was presented on 4/23/19.
- The offer for the Mukhti Investment Property was presented on 4/23/19.
- The offer for the Copeland Trust Property was presented on 4/24/19.
- The offer for the Bang Property was presented on 4/12/19.
- The offer for the Hotaling-Becerra Property was presented on 4/8/19.
- The offer for the Cognet-Becerra Property was presented on 4/9/19.
- The offer for the Euclid Garden Property was presented on 5/10/19.

Upon completion of the Project, SBCTA will transfer property interests acquired for the Project to Caltrans or to the City for those real property interests that will be incorporated into the State Highway System or the City facility, respectively.

Board of Directors Agenda Item

July 10, 2019

Page 10

Financial Impact:

This item is consistent with the Fiscal Year 2019/2020 Budget under Task No. 0820 Freeway Projects, Sub-Task No. 0823 I-10 Corridor Phase I.

Reviewed By:

This item was reviewed and recommended (13-0-0; Abstained: Hagman (Recommendation K)) to proceed to Hearings of Resolutions of Necessity by the Board of Directors without a quorum of the Board present at the Board of Directors Metro Valley Study Session on June 13, 2019. SBCTA General Counsel has reviewed this item and the draft Resolutions of Necessity.

Responsible Staff:

Brenda Schimpf, Right-of-Way Advisor

Approved
Board of Directors
Date: July 10, 2019

Witnessed By:

Attachment A

PowerPoint Presentation

and

Letters Submitted for the Public Hearing

I-10 CORRIDOR CONTRACT 1 PROJECT

RESOLUTION OF NECESSITY FOR PROJECT RIGHT-OF-WAY

Presenter: Brenda Schimpf
SBCTA Right-of-Way Advisor



cta

San Bernardino County
Transportation Authority

Board of Directors

July 10, 2019

SBCTA IS REQUESTED TO MAKE THE FOLLOWING FINDINGS:

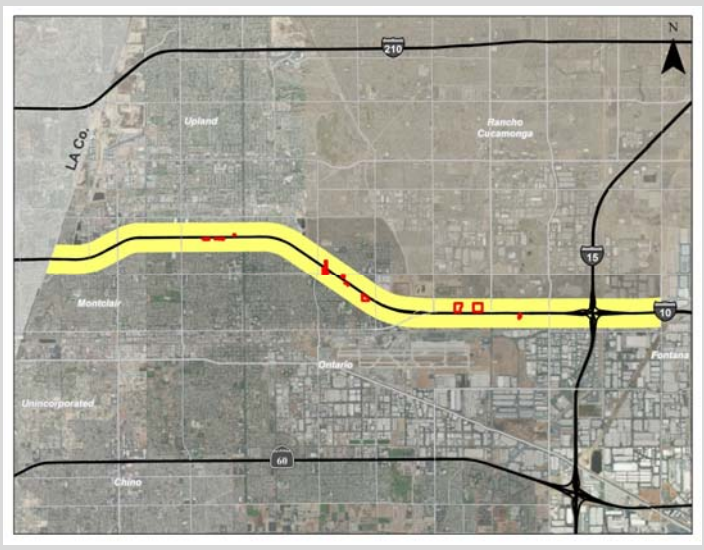
1. The public interest and necessity require the proposed project
2. The project is planned or located in a manner that will be most compatible with the greatest public good and the least private injury
3. The real property to be acquired is necessary for the project
4. The offer of just compensation has been made to the property owner



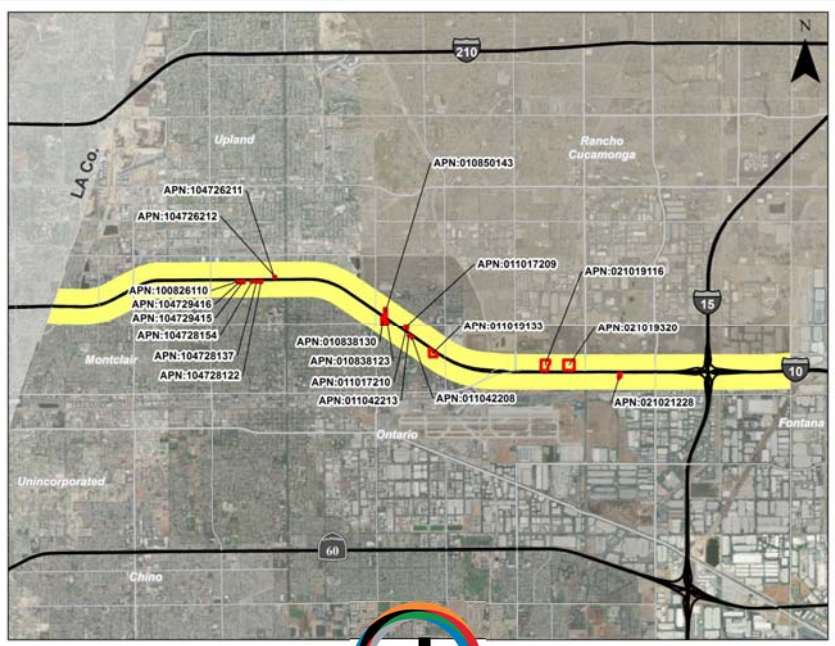
SBCTA Request

Attachment: RON Presentation and Public Letters (5858 : RONs I-10 Contract 1)

- Highway widening to provide two Express Lanes in each direction of I-10 from the LA/SBd County Line to I-10/I-15 interchange, including lane transitions
- Reconstruct 8 bridges and widen 12 bridges
- Reconstruct and/or modify interchange ramps, arterials, and retaining wall structures
- Sound walls as required by the Environmental Document

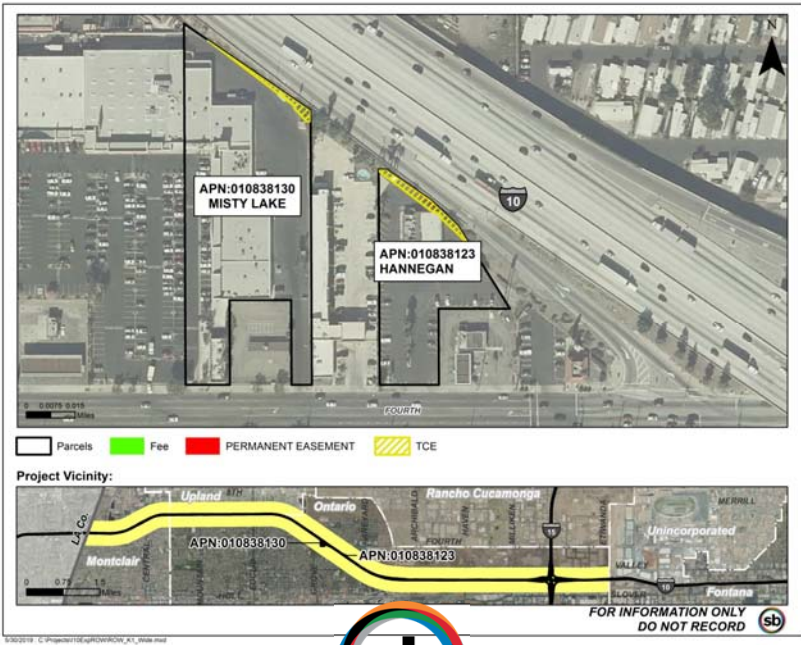


I-10 Contract Improvements



Parcel Locations

Attachment: RON Presentation and Public Letters (5858 : RONs I-10 Contract 1)



B - Hannegan and C- Misty Lake Property



APN 0108-381-23 and APN 0108-381-30



D - CubeSmart Property



APN 0108-501-43



E - De Berard Trust and
F - HP Lodging Property



APN 0110-172-09 and APN 0110-172-10



G - DS Hotel Property



APN 0110-191-33



H - Tamayo and I - Purdy Trust Property



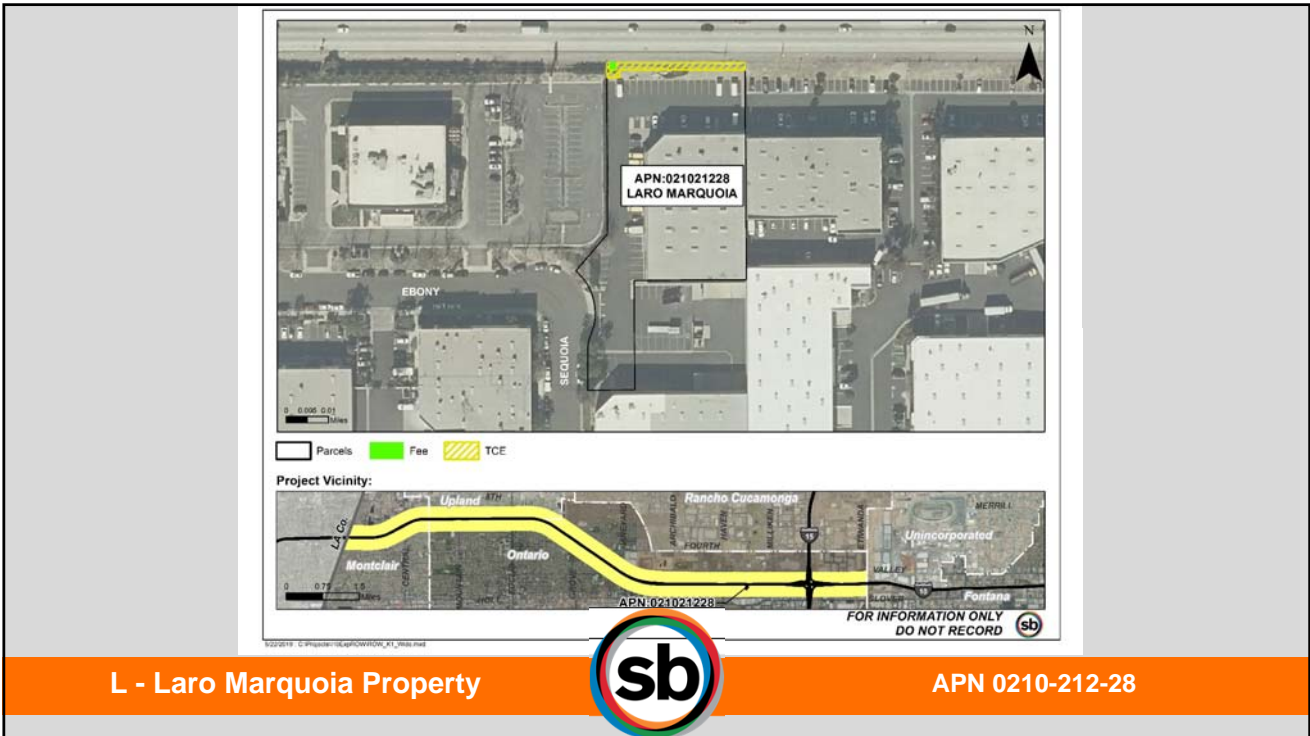
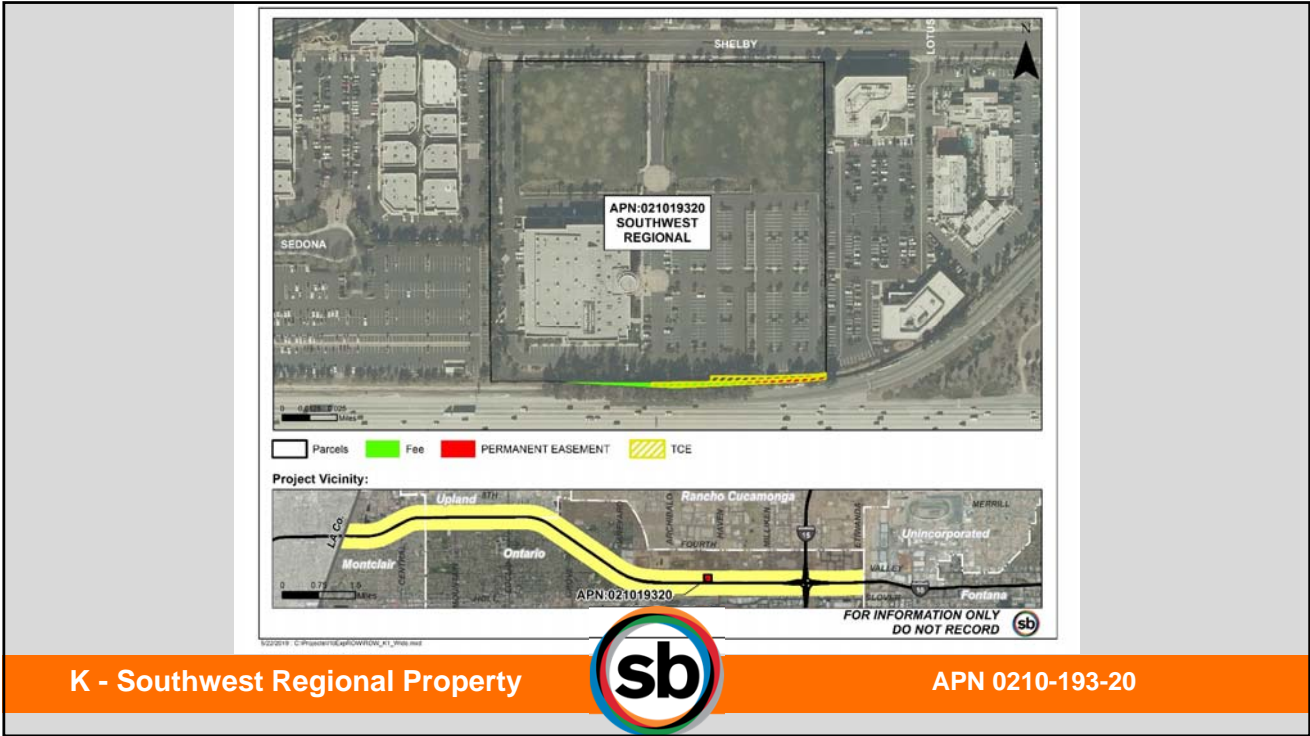
APN 0110-422-08 and APN 0110-422-13



J - Rexford Industrial Property



APN 0210-191-16



Attachment: RON Presentation and Public Letters (5858 : RONs I-10 Contract 1)



M - Witt Property



APN 1008-261-10



N - Schroeder, O - Epps and
P - Mukhti Investment Property



APN 1047-262-10, APN 1047-262-11 and
APN 1047-262-12



Q - Copeland Trust and
R - Bang Property



APN 1047-281-37 and APN 1047-281-54



S - Hotaling-Becerra and
T - Cognet-Becerra Property



APN 1047-294-15 and APN 1047-294-16

APN:104742461
EUCLID GARDEN

Parcels TCE

Project Vicinity:

Upland Ontario Rancho Cucamonga Montclair

APN:104742461

FOR INFORMATION ONLY
DO NOT RECORD

sb

U - Euclid Garden Property

APN 1047-424-61

				CONTACTS					
No.	Ownership	Date of First Contact	Mailings	In Person Meetings	Phone Contacts	E-Mails	Attorney Contacts	Unsuccessful Contacts *	Total
B.	Hannegan Property	4/19/2019	2	3	10	25	0	0	40
C.	Misty Lake Property	1/24/2019	1	1	4	3	1	3	13
D.	CubeSmart Property	4/11/2019	2	2	5	8	0	5	22
E.	De Berard Trust Property	3/25/2019	2	1	5	8	1	3	20
F.	HP Lodging Property	4/18/2019	4	2	10	8	0	3	27
G.	DS Hotel Investments	4/19/2019	2	3	12	6	0	0	23
H.	Tamayo Property	4/25/2019	2	2	4	0	0	1	9
I.	Purdy Trust Property	12/23/2018	2	1	4	2	0	4	13
* Property visit, phone call and/or email with no response									
									Communications as of June 3, 2019

sb

Communication Summary

Attachment: RON Presentation and Public Letters (5858 : RONs I-10 Contract 1)

				CONTACTS					
No.	Ownership	Date of First Contact	Mailings	In Person Meetings	Phone Contacts	E-Mails	Attorney Contacts	Unsuccessful Contacts *	Total
J.	Rexford Industrial Property	3/13/2019	2	1	6	9	9	0	27
K.	Southwest Regional Property	4/18/2019	0	2	1	4	3	0	10
L.	Laro Marquoia Property	4/22/2019	3	0	4	9	0	0	16
M.	Witt Property	4/10/2019	2	2	5	0	0	3	12
N.	Schroeder Property	5/15/2019	3	0	7	2	0	5	17
O.	Epps Property	4/26/2019	5	1	7	4	0	2	19
P.	Mukhti Investment Property	N/A	2	0	1	0	1	3	7
* Property visit, phone call and/or email with no response								Communications as of June 3, 2019	



Communication Summary

				CONTACTS					
No.	Ownership	Date of First Contact	Mailings	In Person Meetings	Phone Contacts	E-Mails	Attorney Contacts	Unsuccessful Contacts *	Total
Q.	Copeland Trust Property	5/1/2019	4	2	2	7	0	10	25
R.	Bang Property	3/13/2019	6	1	3	0	0	10	20
S.	Hotaling-Becerra Property	4/8/2019	3	2	7	5	0	4	21
T.	Cognet-Becerra Property	4/8/2019	3	2	4	7	0	8	24
U.	Euclid Garden Property	5/10/2019	3	0	5	3	9	4	24
* Property visit, phone call and/or email with no response								Communications as of June 3, 2019	



Communication Summary

Attachment: RON Presentation and Public Letters (5858 : RONs I-10 Contract 1)

Item	Ownership	Offer Date
B.	Hannegan Property	4/22/19
C.	Misty Lake Property	4/8/19
D.	CubeSmart Property	4/12/19
E.	De Berard Trust Property	4/4/19
F.	HP Lodging Property	4/18/19
G.	DS Hotel Investments	4/18/19
H.	Tamayo Property	4/26/19
I.	Purdy Trust Property	5/9/19



Offers of Just Compensation

Item	Ownership	Offer Date
J.	Rexford Industrial Property	5/10/19
K.	Southwest Regional Property	4/18/19
L.	Laro Marquoia Property	4/23/19
M.	Witt Property	4/11/19
N.	Schroeder Property	4/23/19
O.	Epps Property	4/23/19
P.	Mukhti Investment Property	4/23/19
Q.	Copeland Trust Property	4/24/19



Offers of Just Compensation

Attachment: RON Presentation and Public Letters (5858 : RONs I-10 Contract 1)

Item	Ownership	Offer Date
R.	Bang Property	4/12/19
S.	Hotaling-Becerra Property	4/8/19
T.	Cognet-Becerra Property	4/9/19
U.	Euclid Garden Property	5/10/19



Offers of Just Compensation

**SBCTA ADOPT A RESOLUTION OF NECESSITY
BASED ON THE FOLLOWING FINDINGS:**

1. The public interest and necessity require the proposed project
2. The project is planned or located in a manner that will be most compatible with the greatest public good and the least private injury
3. The real property to be acquired is necessary for the project
4. The offer of just compensation has been made to the property owner



Staff Recommendation

Attachment: RON Presentation and Public Letters (5858 : RONs I-10 Contract 1)

THANK YOU



**DeCARLO
SHANLEY**

A Professional Corporation

RECEIVED

JUN 21 2019

**San Bernardino County
Transportation Authority**

Alice C. Chen
E-mail: achen@deconsel.com

June 20, 2019

VIA FEDERAL EXPRESS

Clerk of the Board of Directors for the
San Bernardino County Transportation Authority
1170 W. 3rd Street, 2nd Floor
San Bernardino, CA 92410

Re: Request to Be Heard at July 10, 2019 Meeting to for Consideration of Resolution of Necessity for Acquisition by Eminent Domain by the San Bernardino County Transportation Authority ("SBCTA")

Dear Clerk of the Board of Directors for the SBCTA:

My firm serves as counsel for the Southwest Regional Council of Carpenters ("SWRCC"), which owns the property at 3250 Shelby Street, Ontario, CA; APN 0210-193-20 ("Property"). SWRCC has received the enclosed Notice of Hearing Regarding Adoption of a Resolution of Necessity to Acquire Interests in Real Property by Eminent Domain directly affecting SWRCC's Property.

This serves as SWRCC's written request that it desires to appear at and/or submit written testimony before the SBCTA's Board of Directors at the regular meeting scheduled for July 10, 2019 at 10:00 a.m., at Santa Fe Depot – SBCTA Lobby, 1st Floor, 1170 W. 3rd Street, San Bernardino, CA 92410. Please contact me to confirm that you have received this Request to Be Heard at the July 10th meeting on behalf of the SWRCC.

Very truly yours,

DeCARLO & SHANLEY
A Professional Corporation



Alice C. Chen

Cc (via email):

Randy J. Sowell VIA EMAIL rsowell@swcarpenters.org
Southwest Regional Council of Carpenters

DeCARLO & SHANLEY
A PROFESSIONAL CORPORATION
533 SOUTH FREMONT AVE., 9TH FLOOR • LOS ANGELES, CA 90071-1706 • PHONE: (213) 488-4100 • Fax: (213) 488-4180
Los Angeles, CA • Washington, D.C.

Attachment: RON Presentation and Public Letters (5858 : RONs I-10 Contract 1)

Clerk of the Board of Directors for the SBCTA
June 20, 2019
Page 2

Carmen Visser VIA EMAIL cvisser@swcarpenters.org
Southwest Regional Council of Carpenters

Dave Bechtol VIA EMAIL DBechtol@swcarpenters.org
Southwest Regional Council of Carpenters

LAW OFFICE OF SCOTT J. DEXTER

STEWART PLAZA
400 NORTH MOUNTAIN AVENUE, SUITE 210
UPLAND, CALIFORNIA 91786

TELEPHONE (909) 931-5920
FACSIMILE (909) 931-5940

Via USPS Delivery
June 20, 2019

Clerk of the Board of Directors
San Bernardino County Transportation Authority
1170 W. 3rd Street, 2nd Floor
San Bernardino, California 92410

Your reference: Project: I-10 Corridor Contract 1 Project
 Property Address: 254 Azure Court, Upland, California
 APN: 1047-262-10
 Noticed Parties: Larry A. Schroeder
 Leticia M. Schroeder

Dear Clerk of the Board of Directors:

The undersigned represents Larry A. Schroeder and Leticia M. Schroeder (collectively "Schroeder") concerning the matter set forth herein.

Schroeder acknowledges receipt of that certain San Bernardino County Transportation Authority Notice of Hearing Regarding Adoption of A Resolution Of Necessity To Acquire An Interest In Real Property By Eminent Domain dated June 7, 2019 (the "Notice of Hearing").

Pursuant to California Code of Civil Procedure section 1245.235(c), Schroeder respectfully requests to appear and be heard on the matters referred to in California Code of Civil Procedure section 1240.030 and objects to the adoption of a resolution of necessity as referenced in the Notice of Hearing. Enclosed please find Schroeder's Request to Appear and Be Heard dated June 19, 2019, at the regular meeting of the Board of Directors of San Bernardino County Transportation Authority on July 10, 2019, or as soon thereafter as the matter may be heard (the "Request to Appear"). Schroeder reserves its right to amend its objections and the basis for such objections as facts and circumstances develop.

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JUN 21 2019

San Bernardino County
Transportation Authority

Packet Pg. 308

Attachment: RON Presentation and Public Letters (5858 : RONs I-10 Contract 1)

Clerk of the Board of Directors
June 20, 2019
Page 2

Also enclosed with the original of this letter are one copy of this letter and one copy of the Request to Appear. Please conform these copies and return same in the enclosed, self-addressed envelope.

Thank you for your courtesy in this regard.

Very Truly Yours,

LAW OFFICE OF SCOTT J. DEXTER

A handwritten signature in black ink, appearing to read 'S. J. Dexter', written over the printed name.

Scott J. Dexter

Enclosures

cc: Larry A. Schroeder and Leticia M. Schroeder, with enclosures

Attachment: RON Presentation and Public Letters (5858 : RONs I-10 Contract 1)

June ¹⁹~~20~~, 2019


REQUEST TO APPEAR AND BE HEARD

Clerk of the Board of Directors
San Bernardino County Transportation Authority
1170 W. 3rd Street, 2nd Floor
San Bernardino, California 92410

Your reference: Project: I-10 Corridor Contract 1 Project
 Property Address: 254 Azure Court, Upland, California
 APN: 1047-262-10
 Noticed Parties: Larry A. Schroeder
 Leticia M. Schroeder

Dear Clerk of the Board:

The undersigned, Larry A. Schroeder and Leticia M. Schroeder, hereby request to appear and be heard and/or submit written testimony before the Board of Directors of the San Bernardino County Transportation Authority at its regular meeting scheduled for July 10, 2019, at 10:00 a.m., or as soon thereafter as the matter may be heard, on whether a Resolution of Necessity should be adopted, as required by California Code of Civil Procedure section 1245.220, concerning the above referenced matter, to which the undersigned objects. The undersigned reserve their right to amend their objections and the basis for such objections as facts and circumstances develop.

 6/19/19

Larry A. Schroeder

 6/19/19

Leticia M. Schroeder

Attachment: RON Presentation and Public Letters (5858 : RONs I-10 Contract 1)

Minute Action

AGENDA ITEM: 35

Date: July 10, 2019

Subject:

State Route 210 Pepper Ave - Award EEP Contract No. 19-1002073

Recommendation:

That the Board, acting in its capacity as the San Bernardino County Transportation Authority:

A. Award Contract No. 19-1002073 to the lowest responsive, responsible bidder for the State Route 210 (SR 210) Pepper Avenue Establish Existing Planting (EEP) Project, in an amount not-to-exceed \$300,000.00.

B. Approve a contingency amount for Contract No. 19-1002073 on the SR 210 Pepper Avenue EEP Project totaling 10% of the contract amount.

Background:

This agenda item provides for award of a new contract based on the competitive low bid process.

In July 2011, the San Bernardino County Transportation Authority (SBCTA) Board of Directors (Board) approved Cooperative Agreement No. C10160 with the California Department of Transportation (Caltrans) for landscaping of the State Route 210 (SR 210) corridor, whereby SBCTA is the sponsor, funding partner, and implementing agency for construction capital and support. Upon completion of landscape construction and the one (1) year plant establishment period, SBCTA shall provide four (4) years to Establish Existing Planting (EEP). At the conclusion of the EEP period, Caltrans will assume maintenance responsibilities of the landscaping.

Construction of the SR 210 Pepper Avenue Interchange began in March 2017, the work was completed in August 2018, and on August 10, 2018, the one-year Plant Establishment (PE) period began.

In December 2018, the Board approved the release of the Invitations for Bids (IFB) No. 19-1002073 for the construction of the SR 210 Pepper Avenue Interchange EEP Project (Project).

The IFB was released on April 24, 2019, sent to seventy-two (72) vendors, and downloaded by twenty-two (22) vendors. The IFB was also posted on SBCTA's website. The solicitation was issued in accordance with SBCTA's policies and procedures for construction projects. The engineer's construction cost estimate including bid items, supplemental items, agency furnished items, and contingency was \$300,000.00.

On May 23, 2019, a Pre-Bid meeting was held and was attended by one individual representing one firm. Addendum No. 1 was issued on May 28, 2019, to provide questions and answers received during the pre-bid meeting, the pre-bid sign in sheet and PowerPoint presentation. Addendum No. 2 was issued on May 29, 2019, to provide additional clarifications to the questions and answers received during the pre-bid meeting. Addendum No. 3 was issued on

Entity: San Bernardino County Transportation Authority

Board of Directors Agenda Item

July 10, 2019

Page 2

June 10, 2019, to provide Questions and Answers (Q&A) received during the Q&A period and to make a minor clarification to the IFB.

The bid opening for this IFB is scheduled for June 27, 2019. After SBCTA has identified the lowest responsive, responsible bidder, this agenda item will be revised to include the contractor name, as well as the final bid amount.

Recommendation A: Staff is recommending that the Board award Contract No. 19-1002073 for the SR 210 Pepper Avenue EEP Project to the lowest responsive, responsible bidder in an amount not-to-exceed \$300,000.00.

Recommendation B: Staff is also recommending approval of a contingency for Contract No. 19-1002073 for the SR 210 Pepper Avenue EEP Project totaling 10% of the contract amount.

Financial Impact:

This item is consistent with the adopted Fiscal Year 2019/2020 Budget under Task No. 830 Interchange Projects, Sub-Task No. 0883 SR 210 Pepper Avenue Interchange.

Reviewed By:

This item has not received prior policy committee or technical advisory committee review. SBCTA General Counsel and Procurement Manager have reviewed this item and a draft of the IFB.

Responsible Staff:

Henry Stultz, Construction Manager

Approved
Board of Directors
Date: July 10, 2019

Witnessed By:

Minute Action

AGENDA ITEM: 36

Date: July 10, 2019

Subject:

Zero Emissions Multiple Unit Determination of Propulsion Technology

Recommendation:

That the Board acting as the San Bernardino County Transportation Authority:

- A. Receive a presentation on the Zero Emission Multiple Unit Concept Feasibility Study.
- B. Adopt the hydrogen fuel cell-battery hybrid option as the preferred propulsion technology for the Diesel Multiple Unit to Zero or near-zero Emission Multiple Unit Project as supported and demonstrated by the research completed in Phase I.
- C. Direct staff to further develop the hydrogen fuel cell-battery hybrid alternative propulsion technology for implementation as part of the future Arrow Service.

Background:

The San Bernardino County Transportation Authority (SBCTA) is expanding the public transit network in the San Bernardino Valley with implementation of the Redlands Passenger Rail Project (RPRP), which facilitates the introduction of the Arrow service using 2-car consist diesel multiple unit (DMU) rail vehicles. In conjunction with public transit expansion and providing options for our traveling public, SBCTA seeks to reduce greenhouse gas emissions (GHG) and improve air quality. The DMUs purchased for the Arrow service are powered via a diesel engine “generator” providing power to electric motors at the wheels. SBCTA recognized an opportunity to convert the power generator to an alternative propulsion technology in an effort to produce a zero or low emission multiple unit (ZEMU) that could run on existing heavy rail infrastructure, thus reducing air quality impacts while furthering the use of our existing rail infrastructure.

As part of this effort, SBCTA was successful in securing a \$30 million Transit and Intercity Rail Capital Program (TIRCP) grant to conduct the research and development (R&D) efforts necessary to purchase a zero or low emission vehicle, convert the DMU to a ZEMU vehicle, construct the necessary infrastructure to support the alternative propulsion technology and test the vehicle on the Arrow service corridor. In addition, the State wants one of the first three DMUs converted in the future, with the goal to operate the entire Arrow corridor as a zero or low emission revenue operation. In August 2018, the California Transportation Commission allocated \$17 million to begin the R&D on the ZEMU vehicle. Mott MacDonald, in collaboration with staff and other stakeholders, started the study in October 2018 and on May 2, 2019, staff provided an update to the SBCTA Board of Directors on the first phase of the project, which included progress of the R&D efforts of the alternative propulsion technology, as well as providing an overview of the guiding principles and next steps in the process. After presenting the project update to the Transit Committee in April, staff traveled to Sacramento on April 30, 2019 to present to the California State Transportation Agency (CalSTA), the project progress and next steps to be taken. Since the presentation to the SBCTA Board of Directors and CalSTA, staff finalized the evaluation of the various technologies which is summarized below.

Entity: San Bernardino County Transportation Authority

Review of Technologies for Low/Zero Emissions Vehicles

In April 2019, Mott MacDonald completed the review of technologies for low/zero emission vehicles, which are applicable for rail and could be feasible for the Arrow service. The study delved into further detail, the technologies presented in the TIRCP grant application and narrowed down the alternatives to a core group of viable solutions that were suitable to the corridor and met SBCTA's objectives of reducing air quality impacts. To evaluate the alternative technologies qualitatively, a set of evaluation criteria was vetted amongst the stakeholders. The technologies were evaluated based on costs, infrastructure, environmental considerations, operations, regulatory compliance, implementations schedule and risk. The four technology alternatives examined were electrification, on-board energy storage systems (OESS) of supercapacitor and battery technologies, hydrogen fuel cells and alternative fuels, compressed natural gas (CNG), liquefied natural gas (LNG) and biodiesel. These technologies were examined in terms of their general benefits and challenges and their likely reduction in GHGs. Based on the review of the alternative technologies as well as a review of the corridor itself, the study resulted in the identification of the most compatible and thus viable technologies to be carried forward for further analysis and assessment using the criteria described above. Narrowing down these technologies to what is acceptable in the existing corridor to the community, to operators and to the physical environment is needed to analyze the foreseeable impacts, constraints and benefits of the viable technologies in the next phase of the Project.

Electrification, for both overhead catenary system (OCS) and third rail are considered energy efficient and widely deployed methods to provide power to a train. However, these systems are associated with significant capital costs in implementation and additional maintenance expenses. With OCS, there are also added impacts on aesthetics along the entire rail corridor and overhead catenary wires are incompatible with freight trains, which also use the Arrow service corridor. Third rail systems need to be grade separated and are also not compatible with freight. Therefore, these technologies have not been carried forward for further consideration.

OESS technologies which include battery, supercapacitor, hydrogen fuel cell, biofuel and natural gas, do not need a continuous wayside connection to a power source. For biofuel there is minimal conversion effort to the procured DMUs as the fuel is put into the same diesel, but GHG emissions are not reduced to zero or sufficiently lowered compared to conventional diesel and therefore would not comply with the TIRCP grant. Natural gas systems would require a significant change to the vehicle aside from the engines; where minor modifications would be needed, and additional refueling infrastructure while the combustion of natural gas will lead to air quality impacting and GHG emission reductions. There would be lower emissions compared to diesel, but emissions would not be reduced to zero. As the TIRCP grant aims to identify technologies to convert to a low or zero emissions vehicle, these two technologies, biofuels and natural gas, do not sufficiently reduce emissions and are not considered further in the process.

- Biofuels are hydrocarbons of various carbon and hydrogen composition and typically used in internal combustion engines, similar to gasoline or diesel. Biofuels can be combined with conventional diesel and typical substitution ratios are 10%, 20%, 50%, 80% or 100%. The combustion of biofuels results in emissions that impact air quality as carbon is present in the chemical composition and combustion. Biofuels could be implemented in the rail vehicle for the Arrow service but would most likely not result in the desired reduction of emissions required by the TIRCP grant.

- Natural gas (NG) results in the lowest emissions of any fossil fuel combustion. This option may not be suitable for the TIRCP grant received by SBCTA as it does not lead to zero emissions while other examined options can achieve zero emissions. Future ambitions to achieve zero emissions or regulation requiring zero emission; similar to the requirements for buses in California from 2040 onwards, leave this option with a relatively high risk of obsolescence, potentially not recovering the capital investment and in addition requiring a further change in the future.

Battery, supercapacitor and hydrogen fuel cell technologies all have different advantages and disadvantages, so their applicability to the Arrow service corridor and the Redlands-Los Angeles route were examined in more detail.

Hybrid systems evaluated in the study included hydrogen fuel cell and battery, diesel and battery, biofuel and battery, and natural gas and battery. These options allow energy from regenerative braking to be captured and stored, which allows better management of the peak power requirements on a typical passenger rail trip, while decreasing energy consumption and therefore GHG emissions compared to non-hybrids. While the diesel and battery, biofuel and battery and natural gas and battery systems can reduce GHG emissions, they do not reduce emissions to zero and therefore are not considered further. Hydrogen fuel cell and battery does not emit GHGs but require additional supporting infrastructure and therefore are examined in further detail in the assessment report for feasibility.

The results of the initial evaluation are summarized in the attached Preliminary Screening of Compatible Technologies Matrix.

Selection of Feasible Alternative Technologies

Of the technologies reviewed in the early part of phase I, four technology options were carried forward including battery, supercapacitor, hydrogen fuel cell (HFC) and hybrid HFC plus battery. However, upon further review and prior to the start of the concept studies, the number of technology options was further refined resulting in batteries and a hybrid HFCs being carried forward.

Supercapacitors were eliminated early on, following the high-level screening. The characteristics of supercapacitors were considered in more detail against the requirements of the Arrow service operations. The key characteristic of a supercapacitor is that it can charge and discharge quickly but in terms of power and energy densities, it does not hold as much power/energy as batteries or hydrogen fuel cells. Additionally, for the distance between the stations that are furthest apart, Tippecanoe Avenue and New York Street Stations at nearly four miles, the volume and weight of supercapacitors required for this distance is anticipated to exceed the available space in the Stadler FLIRT vehicle, otherwise additional charging would be required in-route to complete this distance. Due to these limitations, supercapacitors have not been considered further for the Arrow service.

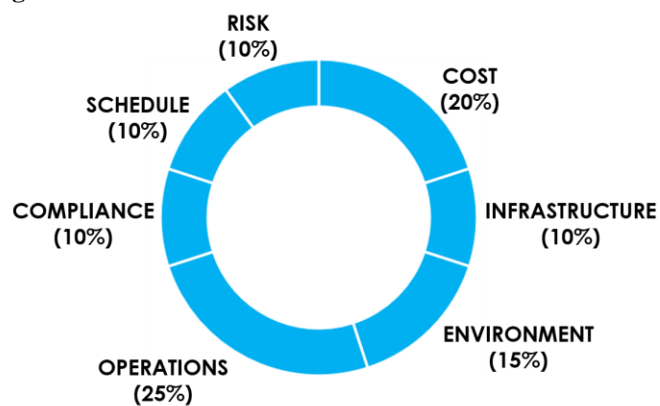
The HFC technology was also dropped early in the study as HFC alone would not be able to capture energy from regenerative braking. Considering the profile of the Arrow service; which has a noticeable gradient between New York Street and Tippecanoe Avenue Stations, there is opportunity to benefit from regenerative braking. By capturing the energy from regenerative braking in an on-board battery, it is possible to reduce the size of the hydrogen tank required and

become more energy efficient. This leads to the selection of the hydrogen-battery hybrid as one of the preferred technology options. It is anticipated that there will be significant energy and emission saving potential by a hybrid as detailed in the attached report. Further consideration will be given to the trade-off between the size of the hydrogen fuel tanks and battery, to determine the optimal size of both elements.

Evaluation

The same criteria that were established in the *Review of Technologies for Zero or Low Emission Rail Vehicles* were used for further evaluation of the battery and hybrid hydrogen fuel cell technologies. However, the secondary evaluation included weighted scoring of the options. Figure 1 below, shows the weighting for each of the criteria.

Figure 1: Relative weighting of criteria



The criteria have been weighted to identify the ones most relevant to the implementation of a new propulsion technology. The cost and operations criteria are weighted higher than the other criteria as the technologies being examined have not been used in passenger rail application in the United States before. These two criteria are essential for evaluating whether the technologies and their supporting infrastructure can provide a reliable and financially sustainable zero emissions Arrow service. Another layer of criteria, or sub-criteria, are also weighted according to their relative importance. With all the sub-criteria evaluated, a score is produced which ranks the technologies on a scale of 1 to 5 with 1 as low and 5 as high. Examples of sub-criteria under Cost are capital, operations and maintenance costs. Examples of infrastructure are utility/fuel availability, additional right-of-way and charging/fuel infrastructure.

Although a 2-car consist ZEMU vehicle is considered for the RPRP corridor, a 4-car vehicle was examined for its possible applicability, should service be extended to Los Angeles Union Station (LAUS). To provide a more thorough assessment of the feasibility of operating a larger 4-car vehicle using the preferred ZEMU technology, operational modeling has been completed for both the 2-car ZEMU as well as a 4-car ZEMU to determine the increase in power demand. The modeling was completed to determine applications of a 4-car vehicle to other corridors considering ZEMU vehicle applications state or nationwide.

Recommended Technology Options

Battery and hybrid HFC are the two technology options that are recommended to move forward. The ZEMU Concept Feasibility Study (Study) examined these two technologies in detail to determine which is the most suitable for the Arrow service between San Bernardino and Redlands, as well as possible future expansion to Los Angeles Union Station. The proposed final draft of the Study is available on the SBCTA website at <http://gosbcta.com/sbcta/plans-projects/projects-diesel-multiple-unit-pilot.html>. The Study has been circulated to the Southern California Regional Rail Authority, Omnitrans, Caltrans and the South Coast Air Quality Management District for input as well.

Battery

Both the Wayside Energy Storage Systems (WESS) and Traction Power Substations (TPSS) provide good options to implement ZEMU service on the 9-mile Arrow service corridor. WESS allow energy to be drawn from the grid during off-peak periods and quickly transferred to charge the vehicle. TPSS draws from the grid and transfers energy directly to the vehicle after it is converted to the appropriate voltage, current type and frequency. Battery technologies have not yet been used as the primary propulsion technology on regional trains in the United States, but batteries are widely used in the passenger rail industry for vehicle auxiliary functions. This may allow for more design options and streamlining the regulatory process.

Between the WESS and TPSS there is overall a tradeoff between upfront capital cost and long-term operational cost. The WESS has a higher upfront cost but lower operating cost, while TPSS is the opposite. It is the recommendation of this analysis that if batteries are selected as the preferred propulsion technology that WESS be utilized such that the higher capital cost will be offset by long-term operational cost savings. The WESS also provides flexibility when power is drawn from the California power grid, easing the demand during peak hours allowing for power to be drawn when only 100% renewable power is generated, thus helping to manage the socio-economic impact on the local area.

It was found the primary constraint with current battery technology is that it does not perform well outside of the 9-mile Arrow service corridor. While it is still feasible to use batteries to extend the corridor, additional charging points will be required; likely for each station, and dwell times may need to increase (90 seconds) at each charge point to allow for sufficient charging time for the batteries. Should the dwell times need to be maintained, the charging infrastructure size, scale and the demand on the local grid would be significant in terms of cost and likely not within a reasonable cost-benefit range. Additionally, a longer run would likely limit the performance and lifespan of the batteries which could have an impact on operating costs. Therefore, if there is a desire to expand beyond the RPRP corridor in the (30 year) lifespan of the vehicle, consideration should be given to the impact to operations and high capital costs for such an expansion.

A key consideration for the assessment of batteries is the general acceptance of batteries onboard rail vehicles. It is likely that the approval and regulatory process for a battery powered ZEMU will be less onerous than that of a hydrogen powered ZEMU and could result in a shorter implementation schedule for both the pilot project as well as a ZEMU passenger service. In addition, given battery technology for rail applications have been more widely applied than

hydrogen, it is possible that the reliability of a battery ZEMU could be better than that of a hydrogen ZEMU during the initial testing phases.

In conclusion, battery propulsion with a WESS is the preferred option if there is not a strong desire to expand outside the 9-mile Arrow corridor. If there is a desire to expand beyond the existing corridor during the lifespan of the vehicle, it is not recommended to move forward with battery propulsion technology.

Hydrogen Hybrid

While hydrogen technologies are not new to the transportation industry, it is new to passenger rail. There is one example of a regional train similar to what would be required for the Arrow service in revenue operation today; the Alstom Coradia iLint in Germany. There are others in projects under development in North America and Europe. In addition there are light rail and streetcar trains in operation in the Middle East, China and Aruba. The Study found that a hydrogen-hybrid would be a viable option for the initial 9-mile Arrow service, while having the capability to expand to LAUS; if desired, with less significant additional investment. The tradeoff with the hydrogen hybrid propulsion option is that it carries additional upfront capital cost and has uncertainties and risks around the technology. While the upfront vehicle costs compared to a battery ZEMU are not significant relative to the overall cost of the project, the initial operating costs will likely be more expensive than batteries, depending on the method by which SBCTA obtains its hydrogen. A commercially attractive option that would have lower operating cost than diesel is on-site steam methane reformation (SMR). It offers substantial reductions in emissions but does not allow for zero-emission well-to-wheel operation due to the utilization of low-cost natural gas. On-site electrolysis has similar operational cost to diesel while offering significant emission reductions with the possibility of a 100% zero-emission option well-to-wheel. SMR is better regarding cost, while electrolysis has the potential to be much better from an environmental perspective.

Hydrogen fuel is currently not readily available near the Arrow service. While there are plans to develop hydrogen production facilities by private companies, unless a new hydrogen production plant is included in the project, there is no certainty that the fuel will be available at a reasonable price. As with all alternative fuels, there is a risk that the price to purchase hydrogen will remain expensive, ultimately resulting in significant operating cost to SBCTA for the life of Arrow Service operations. Based on the evaluation completed in this report; should a hydrogen ZEMU vehicle be procured, it is likely recommended to operate the pilot project with a temporary hydrogen fueling station; with the intent to eventually construct a hydrogen production facility once the vehicle is approved to go into full passenger service operations. (This temporary option to obtain approval is not a possibility with a battery train as the charging infrastructure has to be constructed for operation). Should a production facility not be able to be constructed, SBCTA should consider partnerships with 3rd party agencies that are producing or supplying hydrogen in the area in order to mitigate the risk of elevating hydrogen prices.

Another important risk to consider in the evaluation of this technology is the limited number of hydrogen railway vehicles in operation. This would likely be the first one in North America. It is likely the approval process for a hydrogen hybrid ZEMU will be more onerous as both the hydrogen propulsion system and the use of batteries onboard a passenger vehicle will need to be assessed. With that in mind, the Federal Railroad Administration (FRA) has been engaged on the

advancement of this technology and has indicated that the approval process may be similar to that of natural gas.

The final consideration for SBCTA will be the reliability of the technology. Given there is limited data available on the operation of a hydrogen rail vehicle, the analyses completed in this report has had to rely on the assessment of the few vehicles as mentioned above, with the primary focus on the Alstom train as it most closely matches the requirements of the Arrow service. The ZEMU project has entered into a partnership with Stadler to procure the ZEMU vehicle; therefore some uncertainty exists surrounding the timeline for the development of a hydrogen hybrid ZEMU, ability to convert the existing fleet to match this design, and the reliability of this technology when placed into testing and operations.

The primary advantage of a hydrogen-hybrid solution is that the service can be expanded easily. The operation does not rely on frequent wayside infrastructure to recharge and is the most viable option for service expansion to LA Union Station. The primary required change would be additional hydrogen production to refuel more trains.

In conclusion, if there is a desire to extend the Arrow service beyond the 9-mile corridor, it is acceptable to move forward knowing additional capital funding is needed (\$2 million to \$4 million), and the additional risks as described above are acceptable; then the recommendation is to move forward with the hydrogen hybrid propulsion option.

As it is anticipated that the ZEMU vehicle will be a Stadler FLIRT vehicle; once the propulsion technology has been selected, further engagement with Stadler will be required to ensure that the propulsion system can interface with existing systems on the Stadler vehicle appropriately. Since the propulsion system needs to fit within an existing rail vehicle design, understanding of the available space and identification of the systems which will be impacted by the changes will be the first step in the design process.

Next Steps

After addressing comments on the proposed final draft of the Study and receiving direction from the SBCTA Board of Directors on the preferred technology option, staff will develop a performance based specification for the chosen technology to begin technology specific sole source negotiations with Stadler for design of the ZEMU, continue to work towards a formal working group with the Federal Railroad Administration to support the development of the regulations to test the vehicle, and move forward with design of the supporting infrastructure. The project team will develop specifications for Stadler so that the selected propulsion technology can be procured. As the original equipment manufacturer, it is anticipated that Stadler will procure the propulsion system to be designed and installed. The likely aspects that the specifications will cover include:

- Expected performance of the propulsion system in terms of power output and range
- Capacity of backup power source(s)
- Maintenance regime

Following on from the selection of the propulsion technology, design of the system will take place. Tasks for the next phase are anticipated to be design-based with frequent interfacing between SBCTA, Stadler and FRA. Some of the anticipated tasks include:

San Bernardino County Transportation Authority

Board of Directors Agenda Item

July 10, 2019

Page 8

- Liaison with FRA throughout design process and reviews
- Review of rail vehicle design criteria to identify where standards/codes may need to be established
- Design of propulsion system and interfaces with Stadler vehicle
- Design of supporting infrastructure

It is anticipated the full development of the vehicle will take approximately three years and that approximately one year will be needed for coordination with the FRA and approval to test the vehicle in non-revenue service.

Financial Impact:

This item is consistent with the Fiscal Year 2019/2020 adopted budget.

Reviewed By:

This item was reviewed and unanimously recommended for approval by the Transit Committee on June 13, 2019, with a recommendation that a full presentation be made to the Board of Directors.

Responsible Staff:

Carrie Schindler, Director of Transit and Rail Programs

Approved
Board of Directors
Date: July 10, 2019

Witnessed By:

Preliminary Screening of Compatible Technologies Matrix

Category	Baseline – Arrow DMU	Wayside Power Supply		On-Board Energy Storage Systems (OESS)					Hybrid Systems			
Rail Technology	Diesel	Overhead Contact System (OCS)	Ground Level Power Supply – Third Rail	Battery	Supercapacitor	Hydrogen Fuel Cell	Biofuel	Natural Gas	Hydrogen Fuel Cell + Battery	Diesel + Battery	Biofuel + Battery	Natural Gas + Battery
Relative Capital Costs	Good Existing technology with known range of costs	Poor Design and installation of catenary systems and substations	Poor Design and installation of 3 rd rail system and substations. Requires grade separations at many road crossings	Moderate Estimated to add 8-15% of the average selling price of a diesel vehicle. Design and installation of charging infrastructure, possibly at several locations along the route, likely requiring substation(s)	Moderate Estimated to add 8-15% of the average selling price of a diesel vehicle. Design and installation of charging infrastructure, possibly at several locations along the route, likely requiring substation(s)	Moderate/Poor Estimated to add 25-30% to selling price of comparable diesel vehicle. Single refueling station needed, with refueling on a daily basis or less often possible	Good The same equipment can be used for refueling up to high blends of biofuel substitution	Good/Moderate Combustion engine similar to diesel and natural gas/diesel blends possible. Additional cost for natural gas refueling infrastructure	Moderate/Poor Estimated to add 20-25% to selling price of comparable diesel vehicle. Single refueling station needed, with refueling on a daily basis or less possible	Good Only major cost would be the addition of batteries to vehicles	Good/Moderate The same equipment can be used for refueling up to high blends of biofuel substitution. Additional cost of batteries.	Moderate Combustion engine similar to diesel and natural gas/diesel blends possible. Additional cost for refueling infrastructure and batteries, and if diesel/natural gas capable additional on-board equipment.
Relative Life Cycle Cost	Moderate/Poor Existing technology with largely known costs, however operating costs influenced by relatively low energy efficiency, i.e. high fuel consumption, and diesel price volatility. Risk of not meeting future emission regulations.	Good/Moderate Limited maintenance cost over its useful life and low energy cost at current rates but high capital cost spread over relatively infrequent service	Good/Moderate Limited maintenance cost over its useful life and low energy cost at current rates but high capital cost spread over relatively infrequent service	Moderate Expected reduction in energy costs. High cost to replace batteries after reasonable life span.	Good/Moderate Expected reduction in energy costs. High cost to replace supercapacitors, but life span roughly 1.5 to 2 x battery life.	Moderate Limited maintenance cost over its useful life span, but fuel costs are high at low consumption rates. On-site production has potential for cost similar to diesel. High cost of refueling / production station.	Moderate/Poor Similar to conventional diesel.	Good/Moderate Will have further increased energy consumption than diesel but currently low energy cost for natural gas.	Moderate Similar life cycle costs as a hydrogen FCS but with battery replacement added. However, FCS and battery systems will be smaller than if either single technology were to be used.	Moderate Limited maintenance cost over its useful life but batteries will need to be replaced throughout vehicle life, but smaller capacity battery than a battery-only OESS	Moderate Similar to conventional diesel + battery.	Moderate Will have slightly increased energy consumption compared to diesel hybrid but currently low energy cost for natural gas. Plus battery replacement costs.
GHG Emissions	Poor While Tier 4 compliant, still results in diesel combustion emissions.	Good Zero local emissions	Good Zero local emissions	Good Zero local emissions	Good Zero local emissions	Good Zero local emissions	Moderate/Poor Combustion in engine results in emissions. Reduction of some local emission; overall GHG dependent on production method of biofuel	Moderate Combustion in engine results in emissions. Significant reduction in local emissions and GHG but not zero local emissions.	Good Zero local emissions	Poor Still results in typical diesel combustion emissions. Batteries provide some reduction of emissions.	Moderate Combustion in engine results in emissions. Reduction of local emission; overall GHG dependent on production method of biofuel. Batteries further reduce emissions.	Good/Moderate Combustion in engine results in emissions. Significant reduction in local emissions and GHG but not zero local emissions. Batteries further reduce emissions.
Aesthetics	Good No changes over existing corridor	Poor Visual impacts due to overhead wires along entire corridor	Moderate Likely requires grade separation but no overhead wires	Good No changes over existing corridor	Good No changes over existing corridor	Good No changes over existing corridor	Good No changes over existing corridor	Good No changes over existing corridor	Good No changes over existing corridor	Good No changes over existing corridor	Good No changes over existing corridor	Good No changes over existing corridor
Range	Good Full length of corridor, daily refueling or better	Good Full length of corridor	Good Full length of corridor	Moderate Longer range needs larger batteries and more charging points	Poor Require regular charging but can quick charge	Good Full length of corridor, daily refueling or better	Good Full length of corridor, daily refueling or better	Good Full length of corridor, daily refueling or better	Good Full length of corridor, daily refueling or better	Good Full length of corridor, daily refueling or better	Good Full length of corridor, daily refueling or better	Good Full length of corridor, daily refueling or better
Scalability	Good Due to range and infrastructure can be easily expanded	Poor Unlikely to be able to operate in mixed corridors with freight	Poor Unable to operate in mixed corridors.	Moderate Will require new charging infrastructure along expanded route	Moderate Will require new charging infrastructure along expanded	Good Due to range and lack of new infrastructure can be easily expanded	Good Due to range and lack of new infrastructure can be easily expanded	Good Due to range and lack of new infrastructure can be easily expanded	Good Due to range and lack of new infrastructure can be easily expanded	Good Due to range and lack of new infrastructure can be easily expanded	Good Due to range and lack of new infrastructure can be easily expanded	Good Due to range and lack of new infrastructure can be easily expanded
Life Span	Good 30 year life of diesel engine, with engine overhaul typically 8-10 years	Good >30 years	Good >30 years	Poor Will have to replace batteries 8-10 years, similar time scale to diesel overhaul.	Moderate Will have to replace super capacitors after 10-15 years.	Moderate Requires midlife overhaul(s), similar time scale to diesel overhaul.	Good Similar to conventional diesel, 30 year engine life, overhaul typically 8-10 years	Good Similar to conventional diesel, 30 year engine life, overhaul typically 8-10 years	Moderate Requires midlife overhaul(s), similar time scale to diesel overhaul. Battery replacement 8-10 years.	Moderate 30 year life of diesel engine, battery replacement and engine overhaul both typically 8-10 years	Moderate 30 year life of diesel engine, battery replacement and engine overhaul both typically 8-10 years	Moderate 30 year life of diesel engine, battery replacement and engine overhaul both typically 8-10 years.
Regulatory Compliance	Good FRA compliant vehicle	Moderate	Moderate	Moderate No current FRA specific standards	Moderate No current FRA specific standards	Moderate No current FRA specific standards	Good No major changes compared to diesel.	Moderate FRA specific standards exist for natural gas, which require co-ordination especially if vehicle operated over other railroads tracks.	Moderate No current FRA specific standards	Moderate/Good No current FRA specific standards for batteries but like existing rail freight hybrid vehicles	Moderate/Good No major changes compared to diesel but no FRA specific standards for battery.	Moderate FRA specific standards exist for natural gas, which require co-ordination especially if vehicle operated over other railroads tracks. No FRA standard for battery.
Result	Baseline	Incompatible	Incompatible	Compatible	Compatible	Compatible	Incompatible	Incompatible	Compatible	Incompatible	Incompatible	Incompatible

Attachment: Table 16 - Preliminary Screening of Compatible Technologies (5857 : ZEMU Determination of Propulsion Technology)

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Carrie Schindler, PE
Director of Transit & Rail

San Bernardino County
Transportation Authority

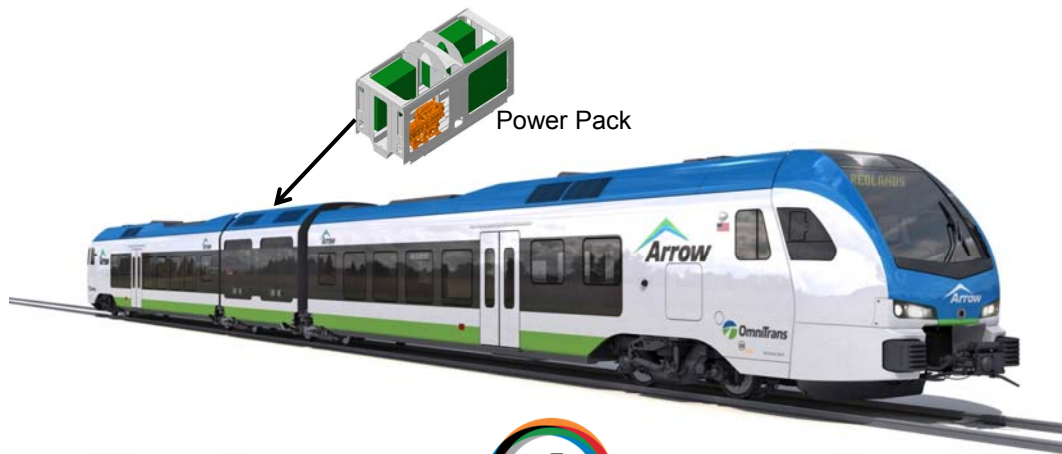
Redlands Passenger Rail / Arrow



Background

Attachment: ZEMU June 2019 TC Update PDF attachment (5857 : ZEMU Determination of Propulsion Technology)

Diesel Multiple Unit



Power Pack



Funding Agency
California State
Transportation Agency



Development Partner
U.S. Department of Energy



Regulatory Agency
Federal Railroad Administration



Railroad of Record
Southern California Regional
Rail Authority



Regulatory Agency
South Coast Air Quality
Management District



Arrow Service Operator
Omnitrans



Key Project Stakeholders

Attachment: ZEMU June 2019 TC Update PDF attachment (5857 : ZEMU Determination of Propulsion Technology)

Phase 1 Approach



Research Technologies



Perform Concept Feasibility Studies



Development of Evaluation Criteria



Identify Most Compatible Technology



Assess Rail Vehicles & Charging Systems



ZEMU Phase 1

Selection of Preferred Technology



Cost (20%)



Capital, Operations & Maintenance

Infrastructure (10%)



Right-of-Way, Charging & Fueling, Utilities

Environmental (15%)



Land use, GHGs, Aesthetics, Noise, Socio-Economic

Operations (25%)



Range, Scalability, Reliability, Operations, Life Span

Regulatory Compliance (10%)



FRA , NFPA, CPUC

Implementation Schedule (10%)



Timeline for Planning, Design, Construction phases

Risk Analysis (10%)




Identify and document risks for further analysis



Evaluation Criteria & Weighting

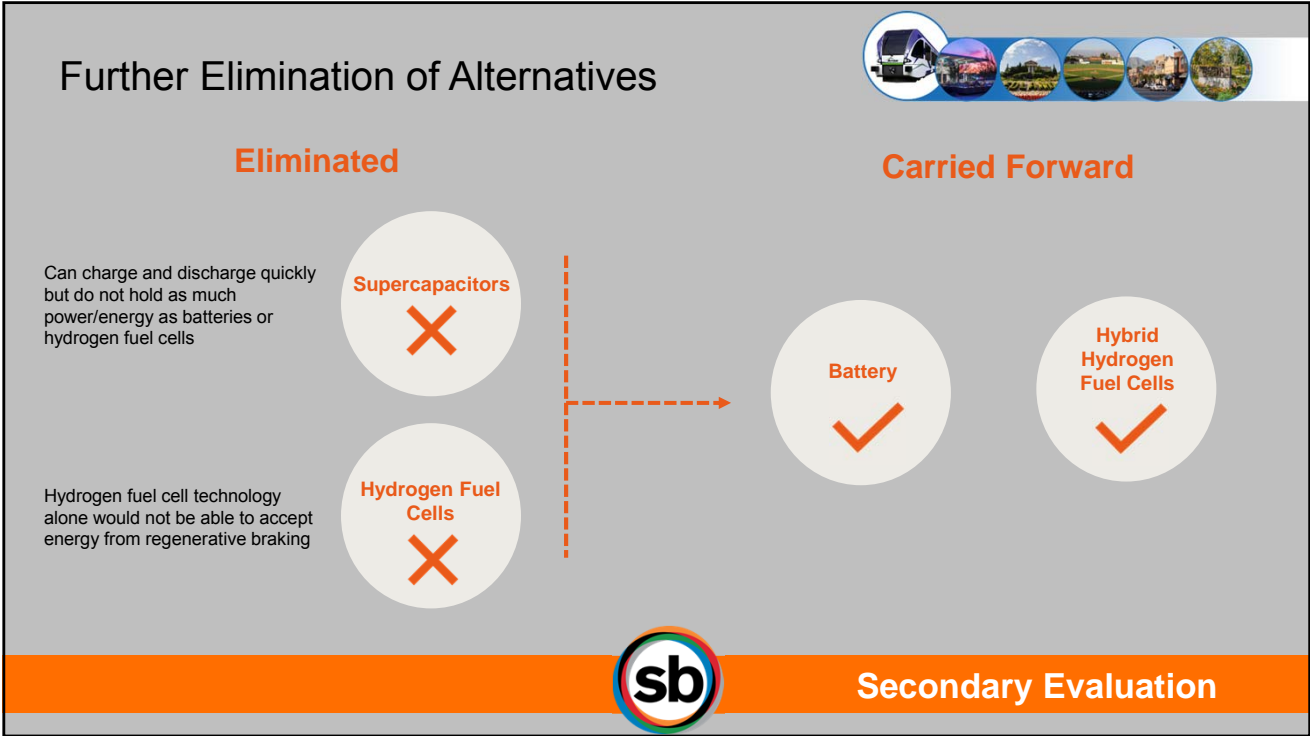
Attachment: ZEMU June 2019 TC Update PDF attachment (5857 : ZEMU Determination of Propulsion Technology)

High Level Pre-Screening



Category	Baseline – Arrow DMU	Wayside Power Supply		On-Board Energy Storage System					Hybrid System			
Rail Technology	Diesel	Overhead Contact System (OCS)	Ground Level Power Supply – Third Rail	Battery	Supercapacitor	Hydrogen Fuel Cell	Biofuel	Natural Gas	Hydrogen Fuel Cell + Battery	Diesel + Battery	Biofuel + Battery	Natural Gas + Battery
Relative Capital Costs	Good	Poor	Poor	Moderate	Moderate	Moderate/Poor	Good	Good/Moderate	Moderate/Poor	Good	Good/Moderate	Moderate
Relation Life Cycle Cost	Moderate/Poor	Good/Moderate	Good/Moderate	Moderate	Good/Moderate	Moderate	Moderate/Poor	Good/Moderate	Moderate	Moderate	Moderate	Moderate
GHG Emissions	Poor	Good	Good	Good	Good	Good	Moderate/Poor	Moderate	Good	Poor	Moderate	Good/Moderate
Aesthetics	Good	Poor	Moderate	Good	Good	Good	Good	Good	Good	Good	Good	Good
Range	Good	Good	Good	Moderate	Poor	Good	Good	Good	Good	Good	Good	Good
Scalability	Good	Poor	Poor	Moderate	Moderate	Good	Good	Good	Good	Good	Good	Good
Life Span	Good	Good	Good	Poor	Moderate	Moderate	Good	Good	Moderate	Moderate	Moderate	Moderate
Regulatory Compliance	Good	Moderate	Poor	Moderate	Moderate	Moderate	Good	Moderate	Moderate	Moderate/Good	Moderate/Good	Moderate
Result	Baseline	Incompatible	Incompatible	Compatible	Compatible	Compatible	Incompatible	Incompatible	Compatible	Incompatible	Incompatible	Incompatible

Initial Evaluation



Attachment: ZEMU June 2019 TC Update PDF attachment (5857 : ZEMU Determination of Propulsion Technology)

Battery

- Batteries are individual cells combined into a pack to achieve required power output and energy storage requirement
- Several battery packs are typically configured to operate together for sufficient traction power and power for auxiliary systems
- Packs are integrated into the train's power systems
- Lithium-ion cells most common battery technology in rail applications



CAF Battery-powered Midland Metro; Birmingham, UK



Battery

Energy Required Between Stations

RPRP/Arrow

		Energy Between Terminals	
Journey	Section Length (Miles)	No Regen. Braking (kWh)	With Regen. Braking (kWh)
SBTC to Univ. of Redlands	8.9	157.6	140.9
Univ. of Redlands to SBTC	8.9	78.4	32.1
Total	17.8 Miles	236 kWh	173 kWh

RPRP/Arrow & Los Angeles

		Energy Between Terminals	
Journey	Section Length (Miles)	No Regen. Braking (kWh)	With Regen. Braking (kWh)
LAUS to Univ. of Redlands	66.5	969.4	813.2
Univ. of Redlands to LAUS	66.5	758.9	528.7
Total	133 Miles	1,728 kWh	1,342 kWh



Battery – Operational Performance

Charging Methods



Stations:

- Conductive overhead charging preferred due to reliability and wide use in rail operations



Source: Metro Report, 2019

Maintenance Facility:

- Lower voltage charging can take place in the evening inside our outside of the maintenance building



Source: ABB, 2019



LTO Battery – Infrastructure Requirements

Provider Dependency

- Battery technology currently used in rail industry as an auxiliary power source
- Many suppliers producing batteries and some have researched battery technology as propulsion
- A significant amount of customized design work will be required for battery packs and vehicle

Technology Obsolescence

- Rapid advance of technology can present obsolescence risk
- Procuring battery ZEMU with forward interoperability in mind to reduce risk

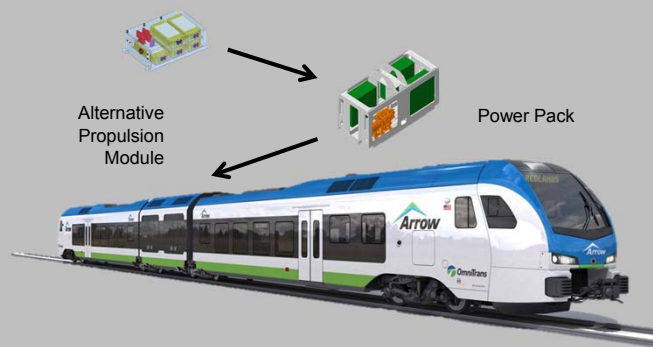


Battery – Market Availability

Attachment: ZEMU June 2019 TC Update PDF attachment (5857 : ZEMU Determination of Propulsion Technology)

Feasibility of Application for Arrow Service

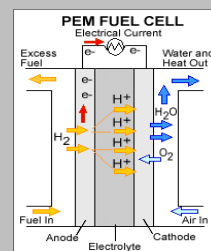
Battery ZEMU is feasible for Arrow Service



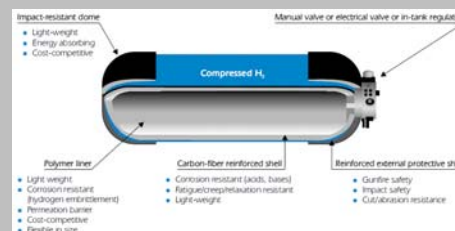
Battery - Feasibility

Hybrid Hydrogen Fuel Cells (HFC)

- Polymer electrolyte membrane (PEM) is most popular HFC technology for vehicles
- Cells are combined into a stack known as a fuel cell system to provide sufficient power
- On-board battery can reduce size of hydrogen tank(s) and be more energy efficient
 - Regenerative braking energy can be captured in battery



Source: Department of Energy, 2011



Source: International Energy Agency, 2006



Hybrid Hydrogen Fuel Cells

2-Car Vehicle Characteristics

Powertrain Configuration	HFC Hybrid
Mass (tonnes)	132
Max. Power at Wheels (kW)	700
Powerplant Power (kW)	300
Average Duty Cycle Powerplant Efficiency (%)	49
Battery Power (kW)	828
Battery Capacity (kWh)	138
Battery Charging Efficiency (%)	86

Mass & Volume of Powertrain Types for 16 hour Service Day

Powertrain Type	HFC Hybrid
Fuel Cell System	
Power (kW)	300
Mass (kg)	825
Volume (m³)	1.5
Hydrogen Tanks	
Pressure (bar)	350
Hydrogen stored (kg)	220
Mass of tanks and hydrogen (kg)	3,150
Volume (m³)	16.5
Battery System	
Mass (kg)	4,000
Volume (m³)	4
Total	
Mass (kg)	7,975
Volume (m³)	22

- Runtime performance will be equivalent to the DMU
- Required hydrogen storage and powertrain components could be installed on 2-car vehicle with potentially only daily refueling

Hybrid HFC – Operational Performance

Hydrogen Production Methods

Three methods were analyzed:

On-site electrolysis

Source: SunLine; Mott MacDonald, 2018

On-site steam methane reformation (SMR)

Source: Hygear, 2016

SMR H2 Liquid Delivery

Source: Linde, 2017

Hybrid HFC – Infrastructure Requirements

Majority of commercially available equipment has been designed for non-rail applications, but can be adapted for rail use



Provider Dependency

- There are train manufacturers committed to producing hydrogen vehicles

STADLER

SIEMENS ALSTOM

- Two major manufacturers of hydrogen tanks and deployment expected to grow



Technology Obsolescence

- Significant research and development for hydrogen fuel
- Changes towards more inexpensive materials and reduction in storage size requirements
- Incorporating future development would likely be easy



Hybrid HFC – Market Availability

Feasibility of Application for Arrow Service



A hydrogen solution is feasible for Arrow Service



- 2-car hydrogen hybrid with ~220 kg of on-board hydrogen storage is recommended
- Electrolysis offers highest emission reduction (although is costly)
- On-site SMR low operating cost and significant emission reductions
- Delivery SMR is most flexible
- Similar location as battery in vehicle's power pack



Hybrid HFC – Feasibility

Both battery and hydrogen are viable options, but important tradeoffs need to be considered



	BATTERY		HYDROGEN FUEL CELL HYBRID		
	TRACTION POWER SUBSTATION (TPSS)	WAYSIDE ENERGY STORAGE SYSTEM (WESS)	HYDROGEN DELIVERY	ON-SITE STEAM METHANE REFORMING	ON-SITE ELECTROLYSIS
CAPITAL COST (TO PURCHASE ONE NEW ZEMU VEHICLE)	\$29 M	\$31 M	\$33 M	\$33.8 M	\$34.6 M
ANNUAL O&M COST (TO OPERATE FULL ZEMU ARROW SERVICE 2 VEHICLES)	\$769 K	\$690 K	\$1.2 M	\$540 K	\$856 K
EMISSIONS REDUCTION (PERCENTAGE IN COMPARISON TO DMU BENCHMARK*)	60% ↓	57% ↓	.45% ↓	21% ↓	-24% ↓
	75% ↓	100% ↓	25% ↓	37% ↓	25% ↓
	98% ↓	100% ↓	96% ↓	96% ↓	95% ↓
	97% ↓	100% ↓	93% ↓	95% ↓	89% ↓
	93% ↓	100% ↓	90% ↓	95% ↓	79% ↓
	90% ↓	100% ↓	82% ↓	79% ↓	71% ↓
	CA GRID MIX	IF 100% RENEWABLE		CA GRID MIX	IF 100% RENEWABLE

*EMISSIONS LEGEND:
 ■ Energy ■ GHGs ■ NOx ■ PM2.5 ■ PM10 ■ CO



Technology Comparison

Additional Factors and Risks to Consider for Battery vs. Hybrid HFC



Battery

- Have yet to be used as primary propulsion technology on regional trains in the US
- Primary constraint is that it does not perform well on longer corridors; therefore limiting future expansion
 - Charging points needed at every station when expanded to LAUS
 - Could impact dwell times at stations
 - Longer run limits battery lifespan
- Approval and regulatory process may be shorter than for a hydrogen hybrid

Hybrid HFC

- Relatively new propulsion technology for passenger rail, so there is an increased risk to SBCTA
- Has the capability to expand to LAUS
- Carries additional upfront capital costs
- Fuel not readily available near Arrow corridor
 - A hydrogen production facility is likely a long term requirement to reduce operating costs
- Few applications in rail poses potential for difficulty in regulatory process

	LITHIUM ION BATTERY	HYDROGEN FC HYBRID
	LITHIUM TITANATE (LTO)	PROTON EXCHANGE MEMBRANE (PEM)/LO
COST	●	●
INFRASTRUCTURE	●	●
ENVIRONMENT	●	●
OPERATIONS	●	●
COMPLIANCE	●	●
SCHEDULE	●	●
RISK	●	●
WEIGHTED SCORE	3.66	3.67

SCORING = 1 2 3 4 5 6



Technology Comparison

Attachment: ZEMU June 2019 TC Update PDF attachment (5857 : ZEMU Determination of Propulsion Technology)



Considerations for Hybrid Hydrogen Fuel Cell (HFC)

- The operation does not rely on frequent wayside infrastructure to recharge
- The service can be expanded easily
 - Most viable option for service expansion to LA Union Station
 - The primary infrastructure change would be additional hydrogen production to refuel more trains



Recommendation



Recommendation

1. Adopt the hydrogen fuel cell-battery hybrid option as the preferred propulsion technology for the Diesel Multiple Unit to Zero or near-zero Emission Multiple Unit Project as supported and demonstrated by the research completed in Phase I.
2. Direct staff to further develop the hydrogen fuel cell-battery hybrid alternative propulsion technology for implementation as part of the future Arrow Service.



Recommendation

Attachment: ZEMU June 2019 TC Update PDF attachment (5857 : ZEMU Determination of Propulsion Technology)

Next Steps: Phase 2 Engineering



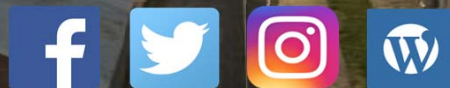
- SBCTA evaluation and selection of preferred technology alternative by SBCTA Board
- Engagement of FRA, Stadler and third parties agencies
- Engineering of ZEMU vehicle
- Engineering of infrastructure
- FRA concurrence
- Operational testing



Next Steps

Plan. Build. Move.

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Minute Action

AGENDA ITEM: 37

Date: July 10, 2019

Subject:

Signature Delegation Policy No. 34509

Recommendation:

That the Board, acting as the San Bernardino County Transportation Authority:

Approve revisions to San Bernardino County Transportation Authority Policy No. 34509 to allow additional delegation of signatory and approval authority for various documents, excluding those pertaining to environmental approvals, associated with project delivery and administration of ongoing programs.

Background:

The Executive Director has signatory and approval authority as designated by the San Bernardino County Transportation Authority (SBCTA) Board of Directors (Board), however, in the interest of streamlining the agency's process, Policy No. 34509, Right-of-Way (ROW) Signatory and Approval Authority, was approved by the SBCTA Board in June 2013, to delegate signatory and approval authority for various documents associated with ROW acquisitions on various transportation projects. Adoption of this policy has helped expedite the processing of ROW documents, and in turn, the overall delivery schedule of projects. Subsequent to the adoption of this policy, other ROW documents not explicitly spelled out in the policy have been identified which would benefit from delegation of approval authority. In addition, delegated authority to approve and sign various other documents in the design and construction phase would benefit the project delivery schedule or assist with administration of ongoing programs.

The proposed revised policy under consideration is attached and includes a title revision. It covers documents required within the various phases of project delivery, except environmental, a separate policy addressing environmental approvals is under development, and will be presented in a separate agenda item. In this policy, certain documents for which delegation is requested still require approval as to form by SBCTA General Counsel prior to approval by the designee. Approval of these various documents by the assigned staff members in lieu of the Board or Executive Director would expedite processing of the same and aid in the overall execution of tasks. Staff is requesting signature authority for encroachment permits, environmental resource agency applications and permits, the identification of the assignment of consultant staff to utility owners, and submittal or concurrence of environmental or technical studies. Specific documents and the authorized staff members are included within the attached Policy No. 34509. Staff requests the Board approve the revisions to Policy No. 34509.

Financial Impact:

This item has no impact on the Fiscal Year 2019/2020 Budget.

Reviewed By:

This item was reviewed and unanimously recommended for approval by the General Policy Committee on June 12, 2019. SBCTA General Counsel has reviewed this item and the proposed policy.

Entity: San Bernardino County Transportation Authority

Board of Directors Agenda Item
July 10, 2019
Page 2

Responsible Staff:

Paula Beauchamp, Director of Project Delivery and Toll Operations

Approved
Board of Directors
Date: July 10, 2019

Witnessed By:

San Bernardino County Transportation Authority

San Bernardino Associated Governments County Transportation Authority	Policy	34509
Adopted by the Board of Directors	June 5, 2013	Revised
		7/10/196/5/43
<u>Right-of-Way Project Development and Program Management</u> Signatory and Approval Authority	Revision No.	01

Important Notice: A hardcopy of this document may not be the document currently in effect. The current version is always the version on the SANBAG/SBCTA Intranet.

Table of Contents

| Purpose | References | [Definitions](#) | Policy | Revision History |

I. PURPOSE

~~This~~The intent of this policy ~~delegates~~is to define delegation of signatory and approval authority for ~~various~~certain documents associated with right-of-way ~~acquisitions for, design, and construction phases of~~ SBCTA transportation projects, ~~and management of SBCTA programs.~~

II. REFERENCES

Res. 13041

Policy 11000 Contracting and Procurement Policy

Policy 31602 Rail Property Policy

Policy 34507, ~~Valley Measure I~~ Major Projects: Program, Administrative Settlement Policy: Right-of-Way Acquisition for Measure I Major Projects

Policy 50100 Environmental Policy and Approval Authority

III. DEFINITIONS

A. "Permit" means authorization from a Federal, State, or local jurisdiction, to access certain areas, or to perform construction work, repair, maintenance, and/or mitigation.

B. "Assumption of Liability" means an agreement to indemnify, defend and hold harmless the other party; such assumption may be general and broad in scope.

IV. POLICY

~~SANBAG, acting as the San Bernardino County Transportation Commission, acquires right-of-way for projects within the Measure I Program, Commuter Rail/Transit projects and projects funded with non-Measure I funds.~~

~~It is the policy of SANBAG to comply with federal statutes and regulations (Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, and implemented by 49 CFR Part 24), and State statutes and regulations (California Government Code Sections 7260-7277, as implemented by the California Relocation Assistance and Real Property Acquisition Guidelines, Title 25, California Code of Regulations, Chapter 6, Article 1, Sections 6000 et seq, and the California Code of Civil Procedure Sections 1230.010—1230.070).~~

~~In doing so~~Through the life cycle of a project, SBCTA prepares various documents to initiate, study and design the project, and determine the right-of-way needs for the project. This policy will authorize certain designated persons to sign documents as specified below. This policy also authorizes certain designated persons to sign documents associated with management of SBCTA programs.

It is the policy of SBCTA to comply with all Federal, State, and local statutes and regulations. In doing so, certain documents are required. This policy defines the signature and approval authority for these documents

in the Table below. Exercise of approval authority is subject to Policy 34507 that established a standard procedure for use of an administrative process to acquire right-of-way. Table 1 below.

Policy 34509 and the administrative settlements process of Policy 34507 apply to all projects in the Measure I Program, Commuter Rail and Transit projects, and projects funded by non-Measure I funds.

In all circumstances, the Executive Director is authorized to sign any listed documents. General Counsel or designee must review any assumption of liability provision, except for those contained in Right-of-Way certifications and data sheets and manifests pertaining to hazardous materials.

TABLE 1

Documents ¹	Signature and Approval Authority ²
Certificates of Acceptance <u>For documents pertaining to property purchased by SBCTA</u> (Deeds, Easements, other recorded property transfer documents <u>Temporary Construction Easements</u>)	Department Director <u>or designee</u>
<u>Agreements / Documents related to SBCTA access to other property</u> <u>Rights of Entry, Permits to Enter, Encroachment Permits, etc</u>	<u>Department Director or designee</u>
<u>Agreements / Documents related to Property Acquisitions</u> (Purchase & Sale Agreements, Possession & Use Agreements, Settlement Agreements, <u>Temporary Easements, Stipulated Judgments</u> , Leases, Rental Agreements, Right-of-Way Contracts, Licenses, Rights of Entry, Permits to Enter, etc.)	Executive Director or designee within the Executive Management Team, <u>in accordance with SBCTA Policies 11000 and/or 34507, as applicable.</u>
Utility Agreements up to \$2,000,000, including assumption of liability <u>so long as the cost is included in the current Board approved project</u>	Department Director <u>or designee</u>
SANBAG <u>SBCTA</u> Conveyances to Others <ul style="list-style-type: none"> Deeds Other conveyance documents <u>Deeds of Easements (Including Permanent Easements and Temporary Construction Easements)</u> <u>Fee conveyances with prior Board authorization</u> 	Executive Director or Designee <u>designee</u> within the Executive Management Team
Right-of-Way Certifications ³ <u>*Data Sheets and Certifications</u> ² *	Executive <u>Department</u> Director or designee within the Executive Management Team
Escrow Instructions *	Project Delivery Manager, <u>Chief</u> , or Department Director or Designee <u>Project Manager</u>
Notices to Utility Owners to Relocate *	Project Manager
Documents ¹ <u>(cont'd.) Utility Agent Assignment Agreements and Non-Disclosure Agreements</u>	<u>Signature and Approval Authority</u> ² <u>Department Director or designee</u>
<u>Appraisals</u> <u>Determination of Real Property Interests</u> <u>(Just Compensation, Goodwill and Relocation Assistance)</u> *	Department Director, upon recommendation by a qualified appraiser
Setting Commission Hearing Dates for Resolutions of Necessity <u>*Permits*</u> <u>Applications for and acceptance of Permits from, including but not limited to, US Army Corps., US Fish and Wild Life Service, State Water Resources Control Board, Regional Water Quality Control Board, Department of Toxic Substances Control, County, etc.</u>	Department Director, working with Legal counsel and Clerk of the Board <u>or designee</u>
<u>Mitigation Measures and Agreements for permits up to \$2,000,000, including assumption of liability so long as the cost is included in the current Board approved project.</u>	

<u>Manifests* pertaining to hazardous materials</u>	<u>Construction Inspector</u>
<u>Plans, Specifications, and Estimate</u> , including supporting documents and studies*	<u>Department Director or designee</u>
<u>Planning Documents</u> , including but not limited to, Project Initiation Documents, Feasibility Studies, Project Reports, etc.*	<u>Department Director or designee</u>
<u>Quality Assurance Manual*</u>	<u>Department Director or designee</u>
<u>Relief of Maintenance and Contract Acceptance*</u>	<u>Department Director or designee</u>
<u>Change Order*</u>	<u>Department Director or designee, up to the authorized contingency amount, in accordance with the SBCTA Policy No. 11000</u>
<u>Close Out Documents*</u>	<u>Project Manager or Chief or Delivery Manager</u>

¹ All listed documents must be approved as to form by ~~SANBAG's~~SBCTA's General Counsel or designee, except those documents with an asterisk *.

² ~~Signatures of parties on real property documents that are to be recorded with the county recorder's office, must be notarized.~~

³ -Resolution No. 13041 delegated authority to the Executive Director or designee to certify certain ~~rights-~~Rights-of-way-Way.

IV. REVISION HISTORY

Revision No.	Revisions	Adopted
0	Adopted by the Board of Directors, June 5, 2013, Agenda Item 12.	06/05/13
<u>1</u>	<u>Revision adds design and construction phase related delegations.</u>	<u>7/10/19</u>

Minute Action

AGENDA ITEM: 38

Date: July 10, 2019

Subject:

State and Federal Legislative Update

Recommendation:

Receive and file the July 2019 State and Federal Legislative Update.

Background:

STATE UPDATE

The last day for Senate and Assembly policy committees to hear and report to fiscal committees is July 10th.

The State Legislature will adjourn for summer recess on July 12th and reconvenes on August 12th.

FY (Fiscal Year) 2019-2020 State Budget

On June 13th, the State Legislature passed, and sent to Governor Newsom for signature, the Fiscal Year 2019-2020 State Budget legislation.

The \$214.8 billion budget contains \$147.8 billion in general fund spending, approximately \$800 million more than the Governor proposed in his May budget revise.

The San Bernardino County Transportation Authority (SBCTA) Legislative Ad Hoc Committee recommended the following positions:

Senate Bill (SB) 531 (Glazer) - OPPOSE

SB 531 prohibits a local agency or jurisdiction from entering into any agreement that results, directly or indirectly, in the payment, transfer, diversion, or rebate of Bradley-Burns local tax revenues to a retailer in exchange for that retailer locating or continuing to maintain a place of business that serves as the “place of sale” within the local jurisdiction offering the incentive if it generates sales tax revenue from the sale of tangible property delivered to and received by the purchaser in another jurisdiction.

The adopted 2019-2020 State Legislative Platform states, SBCTA will support efforts to “Prevent changes to the Bradley-Burns uniform local tax law or distribution of online sales tax revenue that would adversely affect San Bernardino County jurisdictions or Measure I.” Opposition to SB 531 is firmly in line with the stated position.

SB 210 (Leyva) - SUPPORT

SB 210 would require California Air Resource Board (CARB), by an unspecified date, to adopt and implement a regulation for a Heavy-Duty Vehicle Inspection and Maintenance Program (HDVIMP) for non-gasoline, heavy-duty, on-road motor vehicles with a gross vehicle weight rating of more than 14,000 pounds.

Light duty vehicles have been required to undergo regular smog checks for decades, with the withholding of the vehicle registration as the mechanism for ensuring compliance. Heavy-duty vehicles are not required to have similar, regular inspections. The result is that heavy-duty vehicles produce more NOx and almost five times the particulate matter than all other on-road vehicles, despite light duty vehicles outnumbering heavy duty vehicles by almost 100

Entity: San Bernardino Council of Governments, San Bernardino County Transportation Authority

times. There are several programs to reduce emissions from heavy duty vehicles, such as the Heavy-Duty Vehicle Inspection Program and the Periodic Smoke Inspection Program, but these programs are infrequently performed and not comprehensive.

Senator Leyva states, “SB 210 is a critical next step to reduce pollution from the many big diesel trucks that travel on the roads and highways across California. Applying similar responsibilities to truck operators to maintain their emission controls, just like we already require for everyone else, is common sense.”

Per the adopted State Legislative Platform, SBCTA supports efforts “To reduce freight-related impacts to San Bernardino County, including a particular focus on impacts to disadvantaged communities.” This bill is firmly in line with this goal.

SB 404 (Change) – SUPPORT

Chino Hills State Park (CHSP) is a refuge to many species of California native plants, and is a link between natural habitat areas essential to the survival of many animal species.

There are four parcels that are the subject of this bill that have been priority acquisitions for this park’s supporters since it was initially created in the late 1970s. The parcels would add an additional 1,878 acres to the park. All four parcels have willing sellers, one of which is willing to donate the parcel to the State. The other three reportedly have identified several funding sources. However, two of the sources have expiration dates in late 2019.

SB 404 would require California Department of Parks and Recreation (DPR) to do the following:

- Provide all necessary assistance for the State’s acquisition and acceptance of four parcels from willing sellers that are adjacent to Chino Hills State Park. DPR would be required to accept and manage each parcel as it is acquired as a part of the CHSP.
- Manage the parcels with funds held for that purpose or obtained through a settlement agreement.
- Expedite development of a management plan for the parcels, as specified.

Supporters indicate that the parcels are already eligible for acquisition grants from federal and state funding sources and are working to obtain sufficient grants to complete this package of acquisitions within fast-approaching deadlines. This bill is not seeking an appropriation for this purpose. Additionally, management funds for these lands are reportedly available to DPR from a settlement agreement from litigation several years ago.

Senator Chang notes that the acquisition of these four parcels is time sensitive. If not incorporated into CHSP, the owners of the four parcels could sell or develop the property into other uses. Should the parcels once more become available for incorporation into CHSP at some point in the future, the associated cost would likely be higher.

The SBCTA 2019-2020 State Legislative Platform states SBCTA supports efforts to “Collaborate with public and private sector stakeholders on policy and funding matters that enhance economic development and quality of life in the Inland Empire.” This bill is firmly in line with this goal.

SB 277 - SUPPORT

The Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006, otherwise known as Proposition (Prop) 1B, authorized \$1 billion to be deposited in the State-Local Partnership Program (SLPP) Account for allocation by California Transportation Commission (CTC) over a five-year period to eligible transportation projects that were nominated by transportation agencies within self-help jurisdictions. These funds were

distributed on a formula basis with 95% of funds distributed on a population basis and 5% distributed through competitive grants by the CTC. Being a bond program, no further allocations were made by CTC beyond the five-year programming period.

The Road Repair and Accountability Act of 2017 (SB 1) included an annual \$200 million continuous appropriation to Local Partnership Program (LPP). Similarly to the Proposition 1B program, the SB 1 LPP provides funding to transportation agencies that have approved a local sales tax measure or fees dedicated to transportation projects. In June of 2017, the CTC established guidelines that LPP funds would be distributed 50% by formula and 50% through competitive grants.

Although not specifically prescribed in SB 1, the LPP program was envisioned to distribute funds in the same manner as the SLPP in Prop 1B.

SB 277 seeks to provide clarification and increased transparency relative to the process for distribution of transportation funds through the LPP. LPP was designed to provide additional assistance to regions that have passed local sales tax measures or additional fees with those funds dedicated to transportation and transit projects. SB 277 will place in statute that LPP funds be awarded through a formula basis to self-help jurisdictions similar to the SLPP in Proposition 1B.

The authors of SB 1, Senator Jim Beall and Assemblyman Jim Frazier, have stated that their legislative intent was for the LPP in SB 1 be implemented much like the SLPP in Prop 1B. The guidelines established by the CTC for the 2018-2019 funding cycle, with a larger 50% share through competitive grants, was not in line with that legislative intent.

According to Senator Beall and Assemblyman Frazier, “The local partnership program is meant to encourage voters that if they agree to tax themselves, the state will provide additional incentive to ensure that local priorities are met. By redirecting these funds back into a state competitive program, there is no guarantee for any voter that the funds would return to their district.”

Ensuring that future LPP funds will be distributed on a formula basis will provide a reliable, on-going funding stream that can be used to plan for future needs.

Per the SBCTA 2019-2020 State Legislative Platform, the agency supports efforts that “Recognize/reward the investment in the state’s transportation system made by self-help counties and incentivize counties without a voter approved tax measure for transportation to become “self-help” counties.” This bill is firmly in line with this goal.

Legislative Tracking

Attachment A contains a list of legislative bills that the San Bernardino County Transportation Authority / San Bernardino Council of Governments (SBCOG) have taken a position on.

Attachment B reflects bills of interest to SBCTA and SBCOG.

FEDERAL UPDATE

The House of Representatives will adjourn for summer recess on July 29th and the Senate on August 5th, and Congress will reconvene on September 9th.

FY 2020 Budget

The Fiscal Year 2020 budget process continues to move forward.

On June 4th, the House Appropriations Committee approved the FY 2020 spending bill for Transportation. The bill proposes to increase transportation funding by \$1.1 billion above what

is designated in the Fixing America's Surface Transportation (FAST) Act transportation funding program for 2020.

The House has passed their first two "mini-bus" packages of Appropriations bills, while the Senate is beginning the mark-up process for their spending bills.

Staff will continue to monitor FY 2020 budget process and update Board members as they progress.

The Safer Affordable Fuel-Efficient (SAFE) – Rule

Last August, the U.S. Environmental Protection Agency (EPA) and the National Highway Traffic Safety Administration (NHTSA) proposed the SAFE Vehicles Rule for Model Years 2021-2026 Passenger Cars and Light Trucks to amend existing Corporate Average Fuel Economy (CAFE) standards and establish new standards for model years 2021 through 2026. If finalized, by changing the fundamental assumptions of vehicle fuel-efficiency, the SAFE Vehicles Rule would invalidate California's air quality emissions model (EMFAC), which is used to meet the Federal Highway Administration's transportation planning requirements. Without a valid air quality conformity model, state and regional transportation planning agencies in non-attainment areas would be unable to obtain federal approval or make modifications to specified transportation projects in the pipeline (see attached map and list of projects). While the California Air Resources Board would endeavor to update the EMFAC model, the process would take up to one year and would need another one to two years to obtain EPA approval before transportation projects could resume.

Financial Impact:

This item has no impact on the Fiscal Year 2019/2020 budget.

Reviewed By:

This item has not received prior policy committee or technical advisory committee review.

Responsible Staff:

Otis Greer, Director of Legislative and Public Affairs

Approved
Board of Directors
Date: July 10, 2019

Witnessed By:

SAN BERNARDINO COUNTY
TRANSPORTATION AUTHORITY (SBCTA) / COUNCIL OF GOVERNMENTS (SBCOG)
LEGISLATIVE BILL POSITIONS - July 2019

Legislation / Author	Description	Bill Status	Position	Date Position Adopted
AB 252 (Daly)	Indefinitely extends Caltrans responsibilities for environmental review and clearance of transportation projects under National Environmental Policy Act (NEPA) that would otherwise be the responsibility of the federal government.	Passed out of Senate Transportation Committee and referred to Senate Appropriations Committee. (6/11/19)	Support	3/4/2019
AB 1402 (Petrie-Norris)	Would revise the percentages of funding distribution for the State Active Transportation Program to 75% to MPO's based on population, 15% to rural counties and for 10% statewide competitive grants.	Failed policy committee deadline - two-year bill. (4/26/19)	Support	4/1/2019
SB 152 (Beall)	Would revise the percentages of funding distribution for the State Active Transportation Program to 75% to MPO's based on population, 15% to rural counties and for 10% statewide competitive grants.	Failed policy committee deadline - two-year bill. (5/17/19)	Support	4/1/2019
AB 1457 (Reyes)	Would create the Omnitrans Transit District as a statutory entity.	Passed out of Assembly and referred to Senate Transportation Committee. (6/6/19)	Support	4/5/2019
SB 732 (Allen)	Would give the Board of the South Coast Air Quality Management District (SCAQMD) the authority to place a measure on the ballot to levy up to a 1 cent sales tax to fund SCAQMD programs.	Failed policy committee deadline - two-year bill. (4/30/19)	Oppose	4/5/2019

Attachment: Bill position matrix 7-19 (5905 : State and Federal Legislative Update)

SAN BERNARDINO COUNTY
TRANSPORTATION AUTHORITY (SBCTA) / COUNCIL OF GOVERNMENTS (SBCOG)
LEGISLATIVE BILL POSITIONS - July 2019

Legislation / Author	Description	Bill Status	Position	Date Position Adopted
AB 1568 (MCCarty)	Would link a city or county's eligibility for state grant funding to the jurisdiction's general plan housing element compliance.	Failed policy committee deadline - two-year bill. (5/17/19)	Oppose	4/10/2019
SB 531 (Glazer)	Prohibits a local agency from entering into any agreement that results, directly or indirectly, in the diversion of Bradley-Burns local tax revenues to a retailer in exchange for that retailer locating or continuing to maintain a place of business within the local jurisdiction.	Passed out of Assembly Local Government Committee and referred to Assembly revenue & Taxation Committee. (6/19/19)	Oppose	5/15/2019
SB 210 (Leyva)	Would require California Air Resources Board to adopt and implement a regulation for a Heavy-Duty Vehicle Inspection and Maintenance Program (HDVIMP) for non-gasoline, heavy-duty, on-road motor vehicles with a gross vehicle weight rating of more than 14,000 pounds.	Passed out of Senate and referred to Assembly committees on Transportation and Natural Resources. (6/10/19)	Support	5/15/2019
SB 404 (Chang)	Would require California Department of Parks and Recreation to assist in acquiring four land parcels to add 1,878 acres to the Chino Hills State Park.	Failed policy committee deadline - two-year bill. (5/17/19)	Support	5/15/2019
SB 277 (Beall)	Would clarify the legislative intent of the Local Partnership Program within SB 1 and require that program funds be distributed by formula based on population or other factors.	Passed out of Assembly and referred to Senate Transportation Committee. (6/4/19)	Support	6/7/2019

Attachment: Bill position matrix 7-19 (5905 : State and Federal Legislative Update)

Status Report

Thursday, June 20, 2019

AB 11 [Chiu D \(Dist. 17\) Community Redevelopment Law of 2019.](#)

Location: ASSEMBLY 2 YEAR

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Current law dissolved redevelopment agencies as of February 1, 2012, and designates successor agencies to act as successor entities to the dissolved redevelopment agencies. This bill, the Community Redevelopment Law of 2019, would authorize a city or county, or two or more cities acting jointly, to propose the formation of an affordable housing and infrastructure agency by adoption of a resolution of intention that meets specified requirements, including that the resolution of intention include a passthrough provision and an override passthrough provision, as defined.

Position: Watch

AB 21 [Obernalte R \(Dist. 33\) Driver's licenses: veteran designation.](#)

Location: ASSEMBLY APPR. SUSPENSE FILE

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Current law allows an in-person applicant for a driver's license or identification card to request the word "VETERAN" be printed on the face of the driver's license or identification card, subject to certain requirements, including, among others, verification of veteran status, as specified, and payment of a \$5 fee, which the department is authorized to increase by regulation, in an amount not to exceed \$15, as specified. Commencing July 1, 2019, existing law prohibits a fee from being charged for that request if certain criteria are met. This bill would make the payment of a fee by any veteran inoperative no later than July 1, 2020, and repeal the law on January 1, 2021, thereby indefinitely requiring the department to make a veteran designation on a verified applicant's license, without charge. The bill also would make technical and conforming changes.

Position: Watch

AB 36 [Bloom D \(Dist. 50\) Residential tenancies: rent control.](#)

Location: ASSEMBLY RLS.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

The Costa-Hawkins Rental Housing Act prescribes statewide limits on the application of local rent control with regard to certain properties. This bill would modify those provisions to authorize an owner of residential real property to establish the initial and all subsequent rental rates for a dwelling or unit that has been issued its first certificate of occupancy within 20 years of the date upon which the owner seeks to establish the initial or subsequent rental rate, or for a dwelling or unit that is alienable separate from the title to any other dwelling unit or is a subdivided interest in a subdivision and the owner is a natural person who owns 10 or fewer residential units within the same jurisdiction as the dwelling or unit for which the owner seeks to establish the initial or subsequent rental rate, subject to certain exceptions.

AB 40 [Ting D \(Dist. 19\) Zero-emission vehicles: comprehensive strategy.](#)

Location: ASSEMBLY 2 YEAR

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Would, no later than January 1, 2021, require the State Air Resources Board to develop a comprehensive strategy to ensure that the sales of new motor vehicles and new light-duty trucks in the state have transitioned fully to zero-emission vehicles, as defined, by 2040, as specified.

Position: Watch**AB 64 Fong R (Dist. 34) State project audits.****Location:** ASSEMBLY 2 YEAR

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Would require the California State Auditor to examine and audit a state contract involving the expenditure of public funds in excess of \$500,000,000 entered into by a state agency, board, commission, or department within one year of the date of final payment under a contract. The bill would make other nonsubstantive changes.

AB 68 Ting D (Dist. 19) Land use: accessory dwelling units.**Location:** SENATE E.Q.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

The Planning and Zoning Law authorizes a local agency to provide, by ordinance, for the creation of accessory dwelling units in single-family and multifamily residential zones and sets forth required ordinance standards, including among others, lot coverage. This bill would delete the provision authorizing the imposition of standards on lot coverage and would prohibit an ordinance from imposing requirements on minimum lot size.

AB 69 Ting D (Dist. 19) Land use: accessory dwelling units.**Location:** SENATE APPR.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Current law requires the Department of Housing and Community Development to propose building standards to the California Building Standards Commission, and to adopt, amend, or repeal rules and regulations governing, among other things, apartment houses and dwellings, as specified. This bill would require the department to propose small home building standards governing accessory dwelling units smaller than 800 square feet, junior accessory dwelling units, and detached dwelling units smaller than 800 square feet, as specified, and to submit the small home building standards to the California Building Standards Commission for adoption on or before January 1, 2021.

AB 139 Quirk-Silva D (Dist. 65) Emergency and Transitional Housing Act of 2019.**Location:** SENATE HOUSING

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Current law requires the housing element to contain specified information and analysis, including an assessment of housing needs and an inventory of resources and constraints relevant to the meeting of those needs, including the identification of a zone or zones where emergency shelters are allowed as a permitted use without a conditional use or other discretionary permit. Current law authorizes a local government to impose only those development and management standards that apply to residential or commercial development within the same zone, however, a local government may impose specified objective standards, including standards for off-street parking based on demonstrated need, as specified. This bill would instead authorize a local government to apply a written objective standard that provides sufficient parking to accommodate the staff working in the emergency shelter.

AB 145 Frazier D (Dist. 11) High-Speed Rail Authority: Senate confirmation.

Location: ASSEMBLY 2 YEAR

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Current law creates the High-Speed Rail Authority with specified powers and duties relative to development and implementation of a high-speed train system. The authority is composed of 11 members, including 5 voting member appointed by the Governor, 4 voting members appointed by the Legislature, and 2 nonvoting legislative members. This bill would provide that the members of the authority appointed by the Governor are subject to appointment with the advice and consent of the Senate.

Position: Watch**AB 146** [Quirk-Silva](#) D (Dist. 65) **State highways: property leases: County of Orange.****Location:** ASSEMBLY 2 YEAR

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Would authorize the Department of Transportation to lease airspace under a freeway, or real property acquired for highway purposes, in the County of Orange, that is not excess property, to a city located in the County of Orange, the County of Orange, a political subdivision of the state whose jurisdiction is located in the County of Orange, or another state agency for purposes of an emergency shelter or feeding program, subject to certain conditions. The bi would specifically authorize the Orange County Housing Finance Trust to enter into these leases.

AB 147 [Burke](#) D (Dist. 62) **Use taxes: collection: retailer engaged in business in this state: marketplace facilitators.****Location:** ASSEMBLY CHAPTERED

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Would specify that, on and after April 1, 2019, a retailer engaged in business in this state includes any retailer that, in the preceding calendar year or the current calendar year, has total combined sales of tangible personal property for delivery in this state by the retailer and all persons related to the retailer that exceed \$500,000. The bill would allow the California Department of Tax and Fee Administration to grant relief to certain retailers engaged in business in this state for specified interest or penalties imposed on use tax liabilities due and payable for tax reporting periods beginning April 1, 2019 and ending December 31, 2022.

Position: Watch**AB 148** [Quirk-Silva](#) D (Dist. 65) **Regional transportation plans: sustainable communities strategies.****Location:** ASSEMBLY 2 YEAR

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Current law requires certain transportation planning agencies to prepare and adopt a regional transportation plan directed at achieving a coordinated and balanced regional transportation system. Current law requires the regional transportation plan to include, if the transportation planning agency is also a metropolitan planning organization, a sustainable communities strategy. This bill would require each sustainable communities strategy to identify areas within the region sufficient to house an 8-year projection of the emergency shelter needs for the region, as specified

Position: Watch**AB 149** [Cooper](#) D (Dist. 9) **Controlled substances: prescriptions.****Location:** ASSEMBLY CHAPTERED

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Current law classifies certain controlled substances into designated schedules. Current law requires prescription forms for controlled substance prescriptions to be obtained from security printers approved by the department, as specified. Current law requires those prescription forms to be printed with specified features, including a uniquely serialized number. This bill would delay the requirement for those prescription forms to include a uniquely serialized number until a date determined by the Department of Justice that is no later than January 1, 2020. The bill would require, among other things, the serialized number to be utilizable as a barcode that may be scanned by dispensers.

Position: Watch

AB 168 Aguiar-Curry D (Dist. 4) Housing: streamlined approvals.

Location: SENATE HOUSING

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Current law, until January 1, 2026, authorizes a development proponent to submit an application for a multifamily housing development that is subject to a streamlined, ministerial approval process, as provided, and not subject to a conditional use permit, if the development satisfies specified objective planning standards. Under current law the objective planning standards include, among others, a requirement that the development not be located on specified sites. This bill would require the objective planning standards include a requirement that the development not be located on a site that is a tribal cultural resource.

AB 172 Voepel R (Dist. 71) Speed limits: rural areas.

Location: ASSEMBLY 2 YEAR

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Would authorize a person to drive a motortruck or truck tractor having 3 or more axles, or a motortruck or truck tractor drawing any other vehicle, in rural areas at a speed of up to 65 miles per hour. The bill would also make conforming changes.

AB 180 Gipson D (Dist. 64) Institutional and community corrections: Smart Justice Student Program.

Location: ASSEMBLY 2 YEAR

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Would establish, until January 1, 2025, the Smart Justice Student Program that would require the Board of State and Community Corrections to solicit proposals for postsecondary education programs among the University of California, the California State University, and the California Community Colleges to receive funding, with the intent of directly serving individuals who are or have been incarcerated, or are currently on parole, probation, or other form of supervised release.

AB 185 Grayson D (Dist. 14) California Transportation Commission: transportation policies: joint meetings.

Location: SENATE APPR.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Current law creates the California Transportation Commission, with various powers and duties relative to the programming of transportation capital projects and allocation of funds to those projects pursuant to the state transportation improvement program and various other transportation funding programs. Existing law requires the commission and the State Air Resources Board to hold at least 2 joint meetings per calendar year to coordinate their implementation of transportation policies. This bill would instead require the commission, the state board, and representative from the Department of Housing and Community Development to hold those joint meetings.

AB 191 Patterson R (Dist. 23) Building standards: exemptions: rebuilding after disasters.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Current law, the State Housing Law, establishes statewide construction and occupancy standards for buildings used for human habitation, including energy conservation and fire prevention requirements relating to energy efficiency and the installation of interior sprinklers. This bill would, until January 1, 2030, exempt homes that meet specified requirements and are being rebuilt after wildfires or specified emergency events that occurred on or after January 1, 2017, from meeting certain current building standards.

AB 195 Patterson R (Dist. 23) Department of Housing and Community Development: grant-based programs: reporting.

Location: SENATE RLS.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Current law requires the Department of Housing and Community Development, on or before December 31 of each year, to submit an annual report containing specified information to the Governor and both houses of the Legislature on the operations and accomplishments during the previous fiscal year of the housing programs administered by the department. This bill would require the department to include in those annual reports specified information relating to grant-based programs administered by the department, including the amount of the original awards to recipients, the portions not yet disbursed to recipients, and an estimate of how many individuals could benefit from the remaining balance.

AB 213 Reyes D (Dist. 47) Local government finance: property tax revenue allocations: vehicle license fee adjustments.

Location: SENATE GOV. & F.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Would, for the 2019–20 fiscal year, require the vehicle license fee adjustment amount to be the sum of the vehicle license fee adjustment amount in the 2018–19 fiscal year, the product of that sum and the percentage change in gross taxable assessed valuation within the jurisdiction of that entity between the 2018–19 fiscal year to the 2018–19 fiscal year, and the product of the amount of specified motor vehicle license fee revenues that the Controller allocated to the applicable city in July 2010 and 1.17.

AB 226 Mathis R (Dist. 26) Registration renewal fees: exemptions.

Location: ASSEMBLY 2 YEAR

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Current law requires the Department of Motor Vehicles to notify the registered owner of each vehicle, except as specified, of the date that the registration renewal fees for the vehicle are due. Current law generally exempts vehicles that are owned by certain persons, including disabled veterans, former American prisoners of war, and recipients of the Congressional Medal of Honor, from fees imposed under the Vehicle Code, except as specified. This bill would also exempt those vehicles from any other fees that are assessed as part of the registration renewal fee, as stated in the registration renewal notice mailed by the department.

Position: Watch

AB 246 Mathis R (Dist. 26) State highways: property leases.

Location: ASSEMBLY 2 YEAR

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Would you authorize the Department of Transportation to offer a lease on a right of first refusal basis of any a under a freeway, or real property acquired for highway purposes, located in a disadvantaged community, that is not excess property to the city or county in which the disadvantaged community is located for purposes of an emergency shelter or feeding program, or for park, recreational, or open-space purposes for a rental amount of \$1 per month, subject to certain conditions.

AB 252 Dally D (Dist. 69) Department of Transportation: environmental review process: federal program.

Location: SENATE APPR.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Current federal law requires the United States Secretary of Transportation to carry out a surface transportation project delivery program, under which the participating states may assume certain responsibilities for environmental review and clearance of transportation projects that would otherwise be the responsibility of the federal government. Current law, until January 1, 2020, provides that the State of California consents to the jurisdiction of the federal courts with regard to the compliance, discharge, or enforcement of the responsibilities it assumed as a participant in the program. This bill would extend the operation of these provisions indefinitely.

Position: Support

AB 254 Quirk-Silva D (Dist. 65) Warewashing machines: water reuse.

Location: SENATE HEALTH

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Would authorize water from a warewashing machine to be reused on the same warewashing machine, for pre-rinse purposes only, if an attendant is onsite to control the reuse of the water for pre-rinse purposes and a written disclosure notice is posted, as specified. By imposing conditions on the reuse of water from a warewashing machine, the violation of which would be a crime, this bill would impose a state-mandated local program.

AB 285 Friedman D (Dist. 43) California Transportation Plan.

Location: SENATE APPR.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Would require the Department of Transportation to address in the California Transportation Plan how the state will achieve maximum feasible emissions reductions in order to attain a statewide reduction of greenhouse gas emissions of 40% below 1990 levels by the end of 2030 and attain all state ambient air quality standards and national ambient air quality standards in all areas of the state as described in California's state implementation plans required by the federal Clean Air Act.

AB 287 Voepel R (Dist. 71) Public employees' retirement: annual audits.

Location: ASSEMBLY 2 YEAR

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Current law requires each state and local public pension or retirement system, on and after the 90th day following the completion of the annual audit of the system, to provide a concise annual report on the investments and earnings of the system, as specified, to any member who makes a request and pays a fee, if required, for the costs incurred in preparation and dissemination of that report. This bill would also require each state and local pension or retirement system to post a concise annual audit of the information described above on that system's internet website no later than the 90th day following the audit's completion.

Position: Watch

AB 296 Cooley D (Dist. 8) Climate change: Climate Innovation Grant Program: voluntary tax contributions.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Would establish the Climate Innovation Grant Program, to be administered by the Strategic Growth Council. The program would award grants for the development and research of new innovations and technologies that either reduce emissions of greenhouse gases or address impacts caused by climate change. The bill would establish the Climate Innovation Fund, a special fund, in the State Treasury and would continuously appropriate the moneys in the fund to the council for purposes of the program. The bill would repeal the program on January 1, 2031.

AB 335 Garcia, Eduardo D (Dist. 56) Imperial County Transportation Commission.

Location: ASSEMBLY ENROLLMENT

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Current law requires the Imperial County Transportation Commission to prepare a short-range transportation plan and a specified short-range transit plan, and to administer certain transportation moneys. Current law authorizes the commission to use up to 3% of those transportation moneys for purposes of carrying out its planning and programming responsibilities. This bill would expressly limit the use of those transportation moneys to only its transportation planning and programming responsibilities. The bill would authorize the commission, in cooperation with local agencies, as defined, that elect to participate, to assist those agencies in the coordination, administration, and implementation of programs and policies.

Position: Watch

AB 352 Garcia, Eduardo D (Dist. 56) California Global Warming Solutions Act of 2006: Greenhouse Gas Reduction Fund: grant programs and Transformative Climate Communities Program.

Location: SENATE E.Q.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Would, beginning July 1, 2020, would require state agencies administering competitive grant programs that allocate moneys from the Greenhouse Gas Reduction Fund to give specified communities preferential points during grant application scoring for programs intended to improve air quality, to include a specified application timeline.

AB 355 Daly D (Dist. 69) Public Employee Relations Board: Orange County Transportation Authority.

Location: SENATE JUD.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Would require employers and employees of the Orange County Transportation Authority to adjudicate complaints of specified labor violations before PERB as an unfair practice and would authorize specified parties aggrieved by PERB's decision or order to petition for relief from that decision or order, as provided. By requiring the authority to adjudicate claims before PERB, this bill would impose a state-mandated local program.

AB 371 Frazier D (Dist. 11) Transportation: freight: statewide economic growth, prosperity, and resiliency assessment.

Location: ASSEMBLY 2 YEAR

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Would require GO-Biz, in consultation with the State Air Resources Board, the California Transportation Commission, and the Transportation Agency, to prepare a statewide economic growth, prosperity, and resiliency assessment of the California freight sector on or before December 31, 2021, and to update the assessment at least once every 5 years. The bill would require the assessment to identify specified information, and would require the

office, in developing the assessment, to consult with the Legislature and representatives from a cross section of public and private sector freight stakeholders.

AB 380 Frazier D (Dist. 11) Office of the Transportation Inspector General.

Location: ASSEMBLY 2 YEAR

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Would eliminate the Independent Office of Audits and Investigations and would instead create the Independent Office of the Transportation Inspector General in state government, as an independent office that would not be a subdivision of any other government entity, to ensure that specified state agencies and all external entities that receive state and federal transportation funds are operating efficiently, effectively, and in compliance with federal and state laws.

Position: Watch

AB 422 Frazier D (Dist. 11) High-speed rail: performance measurement dashboards.

Location: SENATE TRANS.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Current law requires the High-Speed Rail Authority to establish an independent peer review group for purposes of reviewing the planning, engineering, financing, and other elements of the authority's plans and issuing an analysis of the appropriateness and accuracy of the authority's assumptions and an analysis of the viability of the authority's funding plan, including the funding plan for each corridor. This bill would require the authority, in consultation with the peer review group, to develop and update quarterly a set of summary performance measurement dashboards that show ongoing performance of the project and post on its internet website full sets of the summary performance measurement dashboards.

AB 437 Wood D (Dist. 2) Move-In Loan Program.

Location: SENATE HOUSING

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Would establish the Move-In Loan Program for the purpose of providing grants to eligible nonprofit organizations to be used to provide no-interest loans to eligible applicants to afford the security deposit and first month's rent for a rental dwelling. The bill, upon appropriation by the Legislature, would require the Department of Housing and Community Development to administer the program and to determine the standards for the program, as specified, and would require the department to control selection of, eligible nonprofit organization applicants to receive a grant to administer a loan program, as specified.

AB 456 Chiu D (Dist. 17) Public contracts: claim resolution.

Location: SENATE APPR.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Current law prescribes various requirements regarding the formation, content, and enforcement of state and local public contracts. Current law establishes, until January 1, 2020, for contracts entered into on or after January 1, 2017, a claim resolution process applicable to any claim by a contractor in connection with a public works project against a public entity, as defined. Current law defines a claim for these purposes as a separate demand by the contractor for one or more of the following: a time extension for relief from damages or penalties for delay, payment of money or damages arising from work done pursuant to the contract for a public work, or payment of an amount disputed by the public entity, as specified. This bill would remove the January 1, 2020, repeal date on these provisions, thereby making this claim resolution process operative indefinitely.

Location: SENATE GOV. & F.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Current law requires each local agency, as defined, to provide specified information to the public before approving an economic development subsidy within its jurisdiction, and to, among other things, hold hearings and report on those subsidies, as provided. Current law defines “economic development subsidy” for these purposes to mean any expenditure of public funds or loss of revenue to a local agency in the amount of \$100,000 or more, for the purpose of stimulating economic development within the jurisdiction of a local agency, as provided. This bill, on and after January 1, 2020, would similarly require each local agency to provide specified information to the public before approving an economic development subsidy for a warehouse distribution center, as defined, and to, among things, hold hearings and report on those subsidies, as provided.

AB 553 Melendez R (Dist. 67) High-speed rail bonds: housing.

Location: ASSEMBLY TRANS.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Would provide that no further bonds shall be sold for high-speed rail purposes pursuant to the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century, except as specifically provided with respect to an existing appropriation for high-speed rail purposes for early improvement projects in the Phase I blended system.

AB 578 Mullin D (Dist. 22) Teachers: The California STEM Teaching Pathway Act of 2019.

Location: ASSEMBLY 2 YEAR

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Would establish the California STEM Teaching Pathway for purposes of recruiting, preparing, supporting, and retaining qualified science, technology, engineering, and mathematics (STEM) professionals, including military veterans, as mathematics, science, engineering, and computer science teachers in California. The bill would authorize various activities as part of the California STEM Teaching Pathway.

Position: Watch

AB 600 Chu D (Dist. 25) Local government: organization: disadvantaged unincorporated communities.

Location: SENATE GOV. & F.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Under current law, an application to annex a contiguous disadvantaged community is not required if, among other things, a local agency formation commission finds that a majority of the registered voters within the disadvantaged unincorporated community are opposed to the annexation, as specified. This bill would additionally provide that an application to annex a contiguous disadvantaged community is not required if the commission finds that a majority of the registered voters within the affected disadvantaged unincorporated community would prefer to address the service deficiencies through an extraterritorial service extension.

AB 626 Quirk-Silva D (Dist. 65) Conflicts of interest.

Location: ASSEMBLY 2 YEAR

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Current law prohibits members of the Legislature, and state, county, district, judicial district, and city officers or employees, from being financially interested in a contract, as specified, made by them in their official capacity or by

any body or board of which they are members, subject to specified exceptions. Current prohibits an officer or employee from being deemed to have an interest in a contract if the person's interest is one of certain types. This bill would prohibit an officer or employee from being deemed interested in a contract, as described above, if the interest is that of an engineer, geologist, architect, landscape architect, land surveyor, or planner, performing specified services on a project, including preliminary design and preconstruction services, when proposing to perform services on a subsequent portion or phase of the project, if the work product for prior phases is publicly available.

AB 659 Mullin D (Dist. 22) Transportation: emerging transportation technologies: California Smart City Challenge Grant Program.

Location: ASSEMBLY 2 YEAR

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Would establish the California Smart City Challenge Grant Program to enable municipalities to compete for grant funding for emerging transportation technologies to serve their transportation system needs, and would specify certain program goals. The bill would require the commission to form the California Smart City Challenge Workgroup on or before July 1, 2020, to guide the commission on program matters, as specified. The bill would require the commission, in consultation with the workgroup, to develop guidelines on or before March 1, 2021, for the program, which would not be subject to the Administrative Procedure Act, and would authorize the commission to revise them as necessary.

AB 725 Wicks D (Dist. 15) General plans: housing element: above moderate-income housing: suburban and metropolitan jurisdictions.

Location: ASSEMBLY 2 YEAR

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

The Planning and Zoning Law requires that the housing element include, among other things, an inventory of land suitable for residential development, to be used to identify sites that can be developed for housing within the planning period and that are sufficient to provide for the jurisdiction's share of the regional housing need determined pursuant to specified law. This bill would prohibit more than 20% of a suburban or metropolitan jurisdiction's share of the regional housing need for above moderate-income housing from being allocated to sites with zoning restricted to single-family development.

AB 742 Cervantes D (Dist. 60) Place-Based Economic Strategies Act.

Location: ASSEMBLY 2 YEAR

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Would enact the Place-Based Economic Strategies Act, which would create the Office of Place-Based Economic Strategies, headed by the deputy director of the Office of Place-Based Economic Strategies, for the purposes of supporting place-based and other geographically targeted economic development programs, including, but not limited to, federal California Promise and California Opportunity Zones. The bill would require the office to serve as a liaison between community and economic stakeholders and the state agencies that oversee programs and offer services that are intended to finance and support business and economic development needs, as specified.

AB 752 Gabriel D (Dist. 45) Public transit: transit stations: lactation rooms.

Location: SENATE TRANS.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Would require a multimodal transit station that meets certain criteria, including that it has an enclosed waiting room of no less than 4,000 square feet, or a transit station that is proposed to serve California's high-speed rail system, that commences operations or a renovation on or after January 1, 2021, to include a lactation room. To the extent the

bill imposes additional duties on a local agency, the bill would impose a state-mandated local program.

Position: Watch

AB 753 Garcia, Eduardo D (Dist. 56) Alternative and Renewable Fuel and Vehicle Technology Program: fuels: fueling infrastructure.

Location: SENATE TRANS.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Would require the State Energy Resources Conservation and Development Commission to make available of the moneys available for allocation as part of the Alternative and Renewable Fuel and Vehicle Technology Program specified percentages for projects to produce alternative and renewable low-carbon fuels in the state and to research, develop, produce, and deploy innovative and emerging fuels, as defined.

AB 784 Mullin D (Dist. 22) Sales and use taxes: exemption: California Hybrid and Zero-Emission Truck and Bus Voucher Incentive Project: transit bus vehicles.

Location: SENATE APPR.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Current state sales and use tax laws impose a tax on retailers measured by the gross receipts from the sale of tangible personal property sold at retail in this state, or on the storage, use, or other consumption in this state of tangible personal property purchased from a retailer for storage, use, or other consumption in this state. The Sales and Use Tax Law provides various exemptions from those taxes. This bill would, until January 1, 2024, provide an exemption from those taxes with respect to the sale of, and the storage and use of, or other consumption in this state of, specified zero-emission technology medium- and heavy-duty transit bus vehicles.

Position: Watch

AB 816 Quirk-Silva D (Dist. 65) California Flexible Housing Subsidy Pool Program.

Location: ASSEMBLY APPR. SUSPENSE FILE

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Would establish the California Flexible Housing Subsidy Pool Program within the Department of Housing and Community Development for the purpose of making grants available to applicants, defined to include a city, county, city and county, or continuum of care, for eligible activities including, among other things, rental assistance, operating subsidies in new and existing affordable or supportive housing units, and specified outreach services. The bill would continuously appropriate \$450,000,000 from the General Fund every fiscal year to the department for purposes of the program, and set forth how these funds must be allocated.

AB 821 O'Donnell D (Dist. 70) Transportation: Trade Corridor Enhancement Account: project nomination: California Port Efficiency Program.

Location: ASSEMBLY 2 YEAR

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Current law creates the Trade Corridor Enhancement Account to receive revenues attributable to 50% of a \$0.20 per gallon increase in the diesel fuel excise tax imposed by the Road Repair and Accountability Act of 2017 for corridor-based freight projects nominated by local agencies and the state. Current law makes these funds and certain federal funds apportioned to the state available upon appropriation for allocation by the California Transportation Commission for trade infrastructure improvement projects that meet specified requirements. This bill would require the commission to allocate not less than 10% of the funds that are required to be allocated to project nominated by the department to projects nominated pursuant to the California Port Efficiency Program, which this bill would create

Location: SENATE N.R. & W.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Current law requires the Natural Resources Agency to update every 3 years the state's climate adaptation strategy, known as the Safeguarding California Plan, to identify vulnerabilities to climate change by sectors and priority actions needed to reduce the risks in those sectors. This bill would require the Secretary of the Natural Resources Agency, on or before July 1, 2021, to review the plan and develop a strategic resiliency framework, as specified. The bill would require updates to the plan to include a review of the progress made implementing past plans and an evaluation of each lead agency's lead adaptation efforts, as well as a detailed description of the framework developed by the secretary.

AB 847 Grayson D (Dist. 14) Housing: transportation-related impact fees grant program.

Location: ASSEMBLY 2 YEAR

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Would require the Department of Housing and Community Development , upon appropriation by the Legislature, to establish a competitive grant program to award grants to cities and counties to offset up to 100% of any transportation-related impact fees exacted upon a qualifying housing development project, as defined, by the local jurisdiction.

AB 931 Boerner Horvath D (Dist. 76) Local boards and commissions: representation: appointments.

Location: SENATE JUD.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Current law establishes the policy of the Legislature to ensure equal access to specific information about the many local regulating and advisory boards, commissions, and committees and to ensure equal opportunity to be informed of vacancies on those boards. Current law requires each legislative body of a local agency to prepare an appointments list of all regular and ongoing boards, commissions, and committees that are appointed by the legislative body of the local agency. This bill, on and after January 1, 2030, would require the composition of a local board and commission of a city with a population of 50,000 or greater with appointed members to have a specified minimum number of women board members or commissioners based on the total number of board members or commissioners on that board, thereby imposing a state-mandated local program.

AB 970 Salas D (Dist. 32) California Department of Aging: grants: transportation.

Location: SENATE E.Q.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Would require the California Department of Aging to administer a grant program to receive applications from eligible applicants, including, but not limited to, area agencies on aging and public transit operators, to fund transportation to and from nonemergency medical services for older individuals and persons with a disability, for the purpose of reducing greenhouse gas emissions. The bill would require that transportation be made available using the purchase lease, operation, or maintenance of zero-emission or near-zero-emission vehicles with a capacity for 7, 12, or 15 passengers.

AB 992 Mullin D (Dist. 22) Open meetings: local agencies: social media.

Location: ASSEMBLY 2 YEAR

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

The Ralph M. Brown Act generally requires that the meetings of legislative bodies of local agencies be conducted openly. That act defines “meeting” for purposes of the act and prohibits a majority of the members of a legislative body, outside a meeting authorized by the act, from using a series of communications of any kind to discuss, deliberate, or take action on any item of business that is within the subject matter jurisdiction of the legislative body. This bill would provide that the prohibition described above does not apply to the participation, as defined, in an internet-based social media platform, as defined, by a majority of the members of a legislative body, provided that a majority of the members do not discuss among themselves, as defined, business of a specific nature that is within the subject matter jurisdiction of the legislative body of the local agency.

AB 1013 Obernolte R (Dist. 33) State agencies: grant applications.

Location: SENATE THIRD READING

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Current law authorizes various state agencies to award grant money for various purposes. This bill would prohibit a state agency from selecting as an evaluator of a grant application a person who, within the five-year period preceding receipt of that application, was a representative, member, or staff member of an organization or person, as those terms are defined, that is applying to receive grant funding from that state agency.

Position: Watch

AB 1025 Grayson D (Dist. 14) Transportation: California Transportation Commission: San Ramon Branch Corridor: reimbursement.

Location: SENATE TRANS.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Current law creates the California Transportation Commission, with various powers and duties relative to the programming of transportation capital projects and the allocation of funds to those projects, pursuant to the state transportation improvement program and various other transportation funding programs. Through certain commission resolutions, the commission allocated moneys appropriated to it in the 1980s from the Transportation Planning and Development Account to the County of Contra Costa for the acquisition of a specified right-of-way, and for associated projects, relating to the San Ramon Branch Corridor. Those resolutions require the county to reimburse the state if the county fails to meet specified conditions. This bill would relinquish the rights of the state to reimbursement pursuant to those resolutions.

AB 1056 Garcia, Eduardo D (Dist. 56) Speed laws: residence districts.

Location: ASSEMBLY 2 YEAR

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Would authorize the County of Imperial to implement a demonstration project to expand the definition of a residence district for purposes of existing speed laws to include any portion of a highway and the property contiguous to that highway, with at least 13 separate dwelling houses or business structures located upon both sides of the property contiguous to the highway, collectively, within a distance of 1/4 mile.

AB 1089 Stone, Mark D (Dist. 29) Santa Cruz Metropolitan Transit District.

Location: SENATE APPR.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Would require the Santa Cruz Metropolitan Transit District’s purchase of supplies, equipment, and materials exceeding \$50,000 to be by contract let to either the lowest responsible bidder or to the responsible bidder that

submits a proposal that provides the best value to the district. The bill would require the district to obtain a minimum of 3 quotations, as specified, for a procurement exceeding \$5,000 and, in the case of the purchase of supplies, equipment, or materials, not exceeding \$50,000 or, in the case of the construction of facilities and works, not exceeding \$10,000.

AB 1112 Friedman D (Dist. 43) Shared mobility devices: local regulation.

Location: SENATE TRANS.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House					2nd House							

Current law generally regulates the operation of bicycles, electric bicycles, motorized scooters, and electrically motorized boards. Current law allows local authorities to regulate the registration, parking, and operation of bicycle and motorized scooters in a manner that does not conflict with state law. This bill would define a “shared mobility device” as a bicycle, electric bicycle, motorized scooter, electrically motorized board, or other similar personal transportation device, that is made available to the public for shared use and transportation, as provided.

AB 1142 Friedman D (Dist. 43) Regional transportation plans: transportation network companies.

Location: SENATE E. U., & C.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House					2nd House							

Current law requires a regional transportation plan to include a policy element, an action element, a financial element, and, if the transportation planning agency is also a metropolitan planning organization, a sustainable communities strategy. Under current law, the policy element describes the transportation issues in the region, identifies and quantifies regional needs, and describes the desired short-range and long-range transportation goals, as well as pragmatic objective and policy statements. Current law authorizes the policy element of transportation planning agencies with populations that exceed 200,000 persons to quantify a set of specified indicators. This bill would authorize the inclusion of an additional indicator regarding measures of policies to increase use of existing transit.

AB 1177 Frazier D (Dist. 11) Planning and zoning: housing development: streamlined approval.

Location: ASSEMBLY 2 YEAR

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House					2nd House							

Current law, until January 1, 2026, authorizes a development proponent to submit an application for a multifamily housing development, which satisfies specified objective planning standards, that is subject to a streamlined, ministerial approval process, as provided, and not subject to a conditional use permit. Under current law, those objective planning standards include that the development proponent must certify both (1) that the development is either a public work, for purposes of specified law, or that all construction workers employed in the execution of the development will be paid at least the general prevailing rate of per diem wages for the type of work and geographic area and (2) that if the development meets certain conditions, a skilled and trained workforce, as defined, will be used to complete the development if the application is approved, as provided. Existing law exempts from any requirement to pay prevailing wages or use a skilled and trained workforce a project that includes 10 or fewer units and is not a public work. This bill would delete the requirement that a skilled and trained workforce be employed on any project subject to these provisions.

AB 1198 Stone, Mark D (Dist. 29) Public employees' retirement: pension reform: excepted employees: transit workers.

Location: ASSEMBLY 2 YEAR

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House					2nd House							

Would except transit workers hired before January 1, 2016, from PEPR by removing the federal district court

contingency language from the provision excepting certain transit workers from PEPRA, as specified.

Position: Watch

AB 1237 Aguiar-Curry D (Dist. 4) Greenhouse Gas Reduction Fund: guidelines.

Location: SENATE APPR.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House					2nd House							

Would require an agency that receives an appropriation from the Greenhouse Gas Reduction Fund to post on its internet website the agency's guidelines, as specified, for how moneys from the fund are allocated.

AB 1239 Cunningham R (Dist. 35) Planning and zoning: housing element.

Location: ASSEMBLY 2 YEAR

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House					2nd House							

The Planning and Zoning Law law requires that the housing element, among other things, sets forth a schedule of actions during the planning period that the local government is undertaking or intends to undertake to implement the policies and achieve the goals of the housing element, as provided. Current law authorizes the Department of Housing and Community Development to allow a city or county to substitute the provision of units for up to 25% of the community's obligation to identify adequate sites for any income category in its housing element pursuant to a schedule of actions. This bill would additionally authorize the department to allow a city or county to substitute the provision of units for up to 25% of the community's obligation to identify adequate sites for any income category under the above-described schedule of actions if the governing body of the city or county has adopted both (1) an ordinance that implements requirements under state law, as well as any applicable requirements of the city or county relating to accessory dwelling units and meets certain requirements and (2) an ordinance establishing a permitting process and appropriate standards to regulate short-term rentals of single-family dwellings in order to accomplish specified objectives. The bill would also make various nonsubstantive changes.

AB 1244 Fong R (Dist. 34) Environmental quality: judicial review: housing projects.

Location: ASSEMBLY 2 YEAR

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House					2nd House							

Would, in an action or proceeding seeking judicial review under the California Environmental Quality Act, prohibit a court from staying or enjoining a housing project for which an environmental impact report has been certified, unless the court makes specified findings.

AB 1277 Obernolte R (Dist. 33) Transportation projects: oversight committees.

Location: ASSEMBLY 2 YEAR

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House					2nd House							

Would require a public agency administering a megaproject, which the bill would define as a transportation project with total estimated development and construction costs exceeding \$1,000,000,000, to take specified actions to manage the risks associated with the megaproject, including establishing a comprehensive risk management plan and regularly reassessing its reserves for potential claims and unknown risks. The bill would require a public agency administering a megaproject to establish a project oversight committee composed of specified individuals to review the megaproject and perform other specified duties.

Position: Pending

AB 1279 Bloom D (Dist. 50) Planning and zoning: housing development: high-resource areas.

Location: SENATE HOUSING

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	38.b
1st House					2nd House							

Would require the department to designate areas in this state as high-resource areas, as provided, by January 1, 2021, and every 5 years thereafter. The bill would authorize a city or county to appeal the designation of an area within its jurisdiction as a high-resource area during that 5-year period. In any area designated as a high-resource area, the bill would require that a housing development project be a use by right, upon the request of a developer, in any high-resource area designated pursuant be a use by right in certain parts of the high-resource area if those projects meet specified requirements, including specified affordability requirements. For certain development projects where the initial sales price or initial rent exceeds the affordable housing cost or affordable rent to households with incomes equal to or less than 100% of the area median income, the bill would require the applicant agree to pay a fee equal to 10% of the difference between the actual initial sales price or initial rent and the sales price or rent that would be affordable, as provided. The bill would require the city or county to deposit the fee into separate fund reserved for the construction or preservation of housing with an affordable housing cost or affordable rent to households with a household income less than 50% of the area median income. This bill contains other related provisions and other existing laws.

AB 1351 Lackey R (Dist. 36) Transit operators: paratransit and dial-a-ride services: assessment.

Location: SENATE TRANS.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House					2nd House							

Would require the Transportation Agency, in consultation with public transit operators, to conduct an assessment of the procedures public transit operators use to provide dial-a-ride and paratransit services to individuals with disabilities who are visiting their service territories and are certified to use another in-state public transit operator's similar dial-a-ride and paratransit services. The bill would require the agency to publish the assessment on its internet website on or before October 1, 2020.

Position: Watch

AB 1402 Petrie-Norris D (Dist. 74) Active Transportation Program.

Location: ASSEMBLY 2 YEAR

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House					2nd House							

Would require the Department of Transportation, instead of the California Transportation Commission, to award funds to projects in the statewide and small urban and rural region distribution categories and to adopt a program of projects for those distribution categories. The bill would require that 75% of available funds be awarded to MPO's in urban areas with populations greater than 200,000, in proportion to their relative share of the population, 15% to small urban and rural regions with populations of 200,000 or less, competitively awarded by the department to projects in those regions, and 10% to projects competitively awarded by the department, in consultation with the commission, on a statewide basis.

Position: Support

AB 1411 Reyes D (Dist. 47) Integrated action plan for sustainable freight.

Location: ASSEMBLY 2 YEAR

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House					2nd House							

Would establish as a state goal the deployment of 100,000 zero-emission medium- and heavy-duty vehicles and of road vehicles and equipment, and the corresponding infrastructure to support them, by 2030.

AB 1413 Gloria D (Dist. 78) Transportation: local transportation authorities: transactions and use taxes.

Location: SENATE TRANS.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered	38.b
1st House					2nd House								

Would authorize a local transportation authority to impose a tax applicable to only a portion of its county if 2/3 of the voters voting on the measure within the portion of the county to which the tax would apply vote to approve the tax, as specified, and other requirements are met, including that the revenues derived from the tax be spent within, for the benefit of, the portion of the county to which the tax would apply.

AB 1424 Berman D (Dist. 24) Electric Vehicle Charging Stations Open Access Act.

Location: SENATE TRANS.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House					2nd House							

Would require an electric vehicle charging station to provide to the general public a minimum of 2 out of a list of 4 specified options for payment, in addition to a toll-free telephone number for processing a credit card payment. The bill would prohibit a state agency from requiring a credit card payment, as defined, to be through a physical credit card or magstripe reader on electric vehicle service equipment.

AB 1430 Garcia, Eduardo D (Dist. 56) State government: public investment opportunities: cost-effective definition.

Location: ASSEMBLY 2 YEAR

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House					2nd House							

Current law authorizes the Public Utilities Commission, the State Air Resources Board, the California Transportation Commission, and the Labor and Workforce Development Agency to invest public moneys on various project and programs. Current law requires some of those investments to be cost effective. This bill would require these agencies, by January 1, 2021, to provide a joint assessment of options for redefining the term “cost-effective” to the Legislature for the purposes of prioritizing public investment opportunities.

AB 1457 Reyes D (Dist. 47) Omnitrans Transit District.

Location: SENATE TRANS.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House					2nd House							

Would create the Omnitrans Transit District in the County of San Bernardino. The bill would provide that the jurisdiction of the district would initially include the Cities of Chino, Chino Hills, Colton, Fontana, Grand Terrace, Highland, Loma Linda, Montclair, Ontario, Rancho Cucamonga, Redlands, Rialto, San Bernardino, Upland, and Yucaipa, and specified portions of the unincorporated areas of the County of San Bernardino. The bill would authorize other cities in the County of San Bernardino to subsequently join the district.

Position: Support

AB 1475 Bauer-Kahan D (Dist. 16) Construction Manager/General Contractor method: transportation projects.

Location: SENATE TRANS.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House					2nd House							

Current law authorizes the Department of Transportation to engage in a Construction Manager/General Contractor project delivery method (CM/GC method), as specified, for projects for the construction of a highway, bridge, or tunnel that has construction costs greater than \$10,000,000. Current law defines “construction manager” for that purpose to mean a partnership, corporation, or other legal entity that is able to provide appropriately licensed contracting and engineering services as needed pursuant to a CM/GC method contract. This bill would revise that definition to mean such an entity that is a licensed contractor pursuant to the Contractors’ State License Law and

able to provide contracting and appropriately licensed engineering services as needed pursuant to a CM/G method contract.

38.b

AB 1484 Grayson D (Dist. 14) Mitigation Fee Act: housing developments.

Location: SENATE GOV. & F.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House					2nd House							

The Mitigation Fee Act requires a local agency that establishes, increases, or imposes a fee as a condition of approval of a development project to, among other things, determine a reasonable relationship between the fee's use and the type of development project on which the fee is imposed. This bill would require each city, county, or city and county to post on its internet website the type and amount of each fee imposed on a housing development project, as defined.

AB 1487 Chiu D (Dist. 17) San Francisco Bay area: housing development: financing.

Location: SENATE GOV. & F.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House					2nd House							

Current law provides for the establishment of various special districts that may support and finance housing development, including affordable housing special beneficiary districts that are authorized to promote affordable housing development with certain property tax revenues that a city or county would otherwise be entitled to receive. This bill, the San Francisco Bay Area Regional Housing Finance Act, would establish the Housing Alliance for the Bay Area (hereafter the entity) and would state that the entity's purpose is to increase affordable housing in the San Francisco Bay area, as defined, by providing for enhanced funding and technical assistance at a regional level for tenant protection, affordable housing preservation, and new affordable housing production.

AB 1515 Friedman D (Dist. 43) Planning and zoning: community plans: review under the California Environmental Quality Act.

Location: SENATE JUD.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House					2nd House							

The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of, an environmental impact report on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. This bill, notwithstanding a specified requirement for a court to enter an order under CEQA, would prohibit a court in an action or proceeding to attack, review, set aside, void, or annul the acts or decisions of the local agency, including a charter city, in adopting an update to a community plan on the grounds of noncompliance with CEQA from, on the basis of that noncompliance, invalidating, reviewing, voiding, or setting aside the approval of a development project that meets certain requirements.

AB 1543 Holden D (Dist. 41) Transportation funds: transit operators: fare revenues.

Location: ASSEMBLY 2 YEAR

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House					2nd House							

Would require a fare paid pursuant to a reduced fare transit program to be counted as a full adult fare for purposes of calculating any required ratios of fare revenues to operating costs specified in the Transportation Development Act, except for purposes of providing information in a specified annual report to the Controller or providing information to the entity conducting a fiscal or performance audit pursuant to specified provisions.

Position: Watch

AB 1560 Friedman D (Dist. 43) California Environmental Quality Act: transportation: major transit stop.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

CEQA requires the Office of Planning and Research to prepare and propose guidelines for the implementation of CEQA by public agencies and the Secretary of the Natural Resources Agency to certify and adopt the guidelines. CEQA requires the office to propose revisions to the guidelines establishing criteria for determining the significance of transportation impacts of projects within transit priority areas to meet certain objectives. CEQA defines “transit priority area” as an area within 1/2 mile of a major transit stop. This bill would revise the definition of “major transit stop” to include a bus rapid transit station, as defined.

AB 1568 **McCarty D (Dist. 7) Housing law compliance: prohibition on applying for state grants.**

Location: ASSEMBLY 2 YEAR

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

The Housing Element Law, prescribes requirements for the preparation of the housing element, including a requirement that a planning agency submit a draft of the element or draft amendment to the element to the Department of Housing and Community Development prior to the adoption of the element or amendment to the element. Current law requires the department to review the draft and report its written findings, as specified. Current law also requires the department, in its written findings, to determine whether the draft substantially complies with the Housing Element Law. This bill would authorize the city or county to submit evidence that the city or county is no longer in violation of state law to the department and to request the department to issue a finding that the city or county is no longer in violation of state law.

Position: Oppose

AB 1628 **Rivas, Robert D (Dist. 30) Environmental justice.**

Location: SENATE JUD.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Current law requires the Secretary for Environmental Protection, on or before January 1, 2002, to convene a Working Group on Environmental Justice composed of various representatives, as specified, to assist the California Environmental Protection Agency in developing by July 1, 2002, an agencywide environmental justice strategy. Current law requires the Office of Planning and Research to be the coordinating agency in state government for environmental justice programs. Current law requires the Director of State Planning and Research to consult with specified entities, including the Secretary for Environmental Protection. Current law defines “environmental justice” for these purposes. This bill would require the director to additionally consult with the Attorney General and the Bureau of Environmental Justice in the Environment Section of the Department of Justice.

AB 1633 **Grayson D (Dist. 14) Regional transportation plans: traffic signal optimization plans.**

Location: SENATE TRANS.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Would authorize each city located within the jurisdiction of MTC to develop and implement a traffic signal optimization plan intended to reduce greenhouse gases and particulate emissions and to reduce travel times, the number of stops, and fuel use. The bill would also require the Department of Transportation to coordinate with each city that develops a traffic signal optimization plan pursuant to these provisions to ensure that any traffic signals owned or operated by the department are adjusted and maintained in accordance with the plan.

AB 1717 **Friedman D (Dist. 43) Transit-Oriented Affordable Housing Funding Program Act.**

Location: ASSEMBLY 2 YEAR

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	38.b
1st House					2nd House							

Would establish the Transit-Oriented Affordable Housing Funding Program, to be administered by the California Housing Finance Agency (CalHFA). The bill would authorize the city council of a city, or the board of supervisors of a city and county, to participate in the program by enactment of an ordinance establishing a transit-oriented affordable housing district, as provided.

AB 1730 Gonzalez D (Dist. 80) Regional transportation plans: San Diego Association of Governments: housing.

Location: SENATE APPR.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House					2nd House							

Current law requires each transportation planning agency to adopt and submit to the California Transportation Commission and the Department of Transportation an updated regional transportation plan every four or five years, as specified. This bill would require the updated regional transportation plan, sustainable communities strategy, and environmental impact report adopted by SANDAG on October 9, 2015, to remain in effect for all purposes until SANDAG adopts its next update to its regional transportation plan, which the bill would require it to adopt and submit on or before December 31, 2021.

ACA 1 Aguiar-Curry D (Dist. 4) Local government financing: affordable housing and public infrastructure voter approval.

Location: ASSEMBLY THIRD READING

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House					2nd House							

The California Constitution prohibits the ad valorem tax rate on real property from exceeding 1% of the full cash value of the property, subject to certain exceptions. This measure would create an additional exception to the 1% limit that would authorize a city, county, city and county, or special district to levy an ad valorem tax to service bonded indebtedness incurred to fund the construction, reconstruction, rehabilitation, or replacement of public infrastructure, affordable housing, or permanent supportive housing, or the acquisition or lease of real property for those purposes, if the proposition proposing that tax is approved by 55% of the voters of the city, county, or city and county, as applicable, and the proposition includes specified accountability requirements.

Position: Watch

ACA 2 Nazarian D (Dist. 46) State tax agency.

Location: ASSEMBLY REV. & TAX

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House					2nd House							

Would authorize the Legislature to vest all powers, duties, and responsibilities in a single state tax agency or separately in multiple state tax agencies. The measure would deem the California Department of Tax and Fee Administration and the office of Tax Appeals to be state tax agencies for purposes of these provisions and vest in those entities specified powers, duties and responsibilities currently vested in the State Board of Equalization.

Position: Watch

ACA 13 Obernolte R (Dist. 33) Local sales taxes: online sales.

Location: ASSEMBLY PRINT

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House					2nd House							

Would provide that, on and after January 1, 2021, for the purpose of distributing the revenues derived under a sale tax imposed pursuant to the Bradley-Burns Uniform Local Sales and Use Tax Law, the retail sale of tangible

personal property by a qualified retailer, as defined, that is transacted online is instead consummated at the delivery of that tangible personal property to the purchaser's address or to any other delivery address designated by the purchaser.

Position: Watch

SB 1 Atkins D (Dist. 39) California Environmental, Public Health, and Workers Defense Act of 2019.

Location: ASSEMBLY NAT. RES.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Current state law regulates the discharge of air pollutants into the atmosphere. The Porter-Cologne Water Quality Control Act regulates the discharge of pollutants into the waters of the state. The California Safe Drinking Water Act establishes standards for drinking water and regulates drinking water systems. The California Endangered Species Act requires the Fish and Game Commission to establish a list of endangered species and a list of threatened species, and generally prohibits the taking of those species. This bill would require specified agencies to take prescribed actions regarding certain federal requirements and standards pertaining to air, water, and protected species, as specified.

SB 4 McGuire D (Dist. 2) Housing.

Location: SENATE 2 YEAR

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Would authorize a development proponent of a neighborhood multifamily project or eligible transit-oriented development (TOD) project located on an eligible parcel to submit an application for a streamlined, ministerial approval process that is not subject to a conditional use permit. The bill would define a "neighborhood multifamily project" to mean a project to construct a multifamily unit of up to 2 residential dwelling units in a nonurban community, as defined, or up to 4 residential dwelling units in an urban community, as defined, that meets local height, setback, and lot coverage zoning requirements as they existed on July 1, 2019.

SB 5 Beall D (Dist. 15) Affordable Housing and Community Development Investment Program.

Location: ASSEMBLY H. & C.D.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Would establish in state government the Affordable Housing and Community Development Investment Program, which would be administered by the Affordable Housing and Community Development Investment Committee. The bill would authorize a city, county, city and county, joint powers agency, enhanced infrastructure financing district, affordable housing authority, community revitalization and investment authority, transit village development district, or a combination of those entities, to apply to the Affordable Housing and Community Development Investment Committee to participate in the program and would authorize the committee to approve or deny plans for projects meeting specific criteria.

SB 6 Beall D (Dist. 15) Residential development: available land.

Location: ASSEMBLY A. & A.R.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Would require the Department of Housing and Community Development to furnish the Department of General Services with a list of local lands suitable and available for residential development as identified by a local government as part of the housing element of its general plan. The bill would require the Department of General Services to create a database of that information and information regarding state lands determined or declared excess and to make this database available and searchable by the public by means of a link on its internet website.

Location: ASSEMBLY TRANS.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Would require, for surplus nonresidential properties for State Route 710 in the County of Los Angeles, that purchases of those properties by tenants in good standing be offered at fair market value as determined relative to the current use of the property if the tenant is a nonprofit organization or a city.

SB 15 **Portantino D (Dist. 25) Property tax revenue allocations: Local-State Sustainable Investment Program.**

Location: SENATE 2 YEAR

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Would establish the Local-State Sustainable Investment Program, which would be administered by the Department of Finance. The bill would authorize a city, a county, or a specified joint powers agency that meets specified eligibility criteria to apply to the Department of Finance for funding for projects that further certain purposes, including increasing the availability of affordable housing. The bill would require that funding under the program be provided by an allocation of ad valorem property tax revenues, as provided, and would limit the amount of funding approved under the program to \$200,000,000 per fiscal year and \$1,000,000,000 total.

SB 25 **Caballero D (Dist. 12) California Environmental Quality Act: projects funded by qualified opportunity zone funds or other public funds.**

Location: ASSEMBLY L. & E.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

CEQA establishes a procedure by which a person may seek judicial review of the decision of the lead agency made pursuant to CEQA. This bill would, until January 1, 2025, establish specified procedures for the administrative and judicial review of the environmental review and approvals granted for projects that are funded, in whole or in part, by specified public funds or public agencies and that meet certain requirements.

Position: Watch

SB 43 **Allen D (Dist. 26) Carbon taxes.**

Location: ASSEMBLY NAT. RES.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Would require the State Air Resources Board, no later than January 1, 2022, to submit a report to the Legislature on the findings from a study, as specified, to determine the feasibility and practicality of assessing the carbon intensity of all retail products subject to the tax imposed pursuant to the Sales and Use Tax Law, so that the total carbon equivalent emissions associated with such retail products can be quantified.

SB 50 **Wiener D (Dist. 11) Planning and zoning: housing development: streamlined approval: incentives**

Location: SENATE 2 YEAR

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Would authorize a development proponent of a neighborhood multifamily project located on an eligible parcel to submit an application for a streamlined, ministerial approval process that is not subject to a conditional use permit. The bill would define a "neighborhood multifamily project" to mean a project to construct a multifamily structure on vacant land, or to convert an existing structure that does not require substantial exterior alteration into a multifamily structure, consisting of up to 4 residential dwelling units and that meets local height, setback, and lot coverage zoning

requirements as they existed on July 1, 2019.

Position: Watch

SB 59 Allen D (Dist. 26) Autonomous vehicle technology: Statewide policy.

Location: ASSEMBLY TRANS.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House					2nd House							

Would establish certain guiding principles relating to autonomous vehicles in order to ensure that these vehicles support the state's efforts to, among other things, reduce greenhouse gas emissions and encourage efficient land use. The bill would require the Office of Planning and Research to convene an autonomous vehicle interagency working group of specified state agencies, including, among others, the Transportation Agency, the Department of Transportation, the State Air Resources Board, and the Department of Motor Vehicles, to guide policy development for autonomous vehicle technology consistent with the statewide principles as specified.

Position: Watch

SB 127 Wiener D (Dist. 11) Transportation funding: active transportation: complete streets.

Location: ASSEMBLY TRANS.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House					2nd House							

Would establish an Active Transportation Asset Branch within the Transportation Asset Management Office of the department and require the Transportation Asset Management Plan program manager to develop and meaningfully integrate performance measures into the asset management plan as specified, and to establish interim goals, objectives, and actions to meet the department's transportation mode shift goals, as specified. The bill would require the California Transportation Commission to give high priority to increasing safety for pedestrians and bicyclists and to the implementation of bicycle and pedestrian facilities.

Position: Watch

SB 128 Beall D (Dist. 15) Public contracts: Best Value Construction Contracting for Counties Pilot Program.

Location: ASSEMBLY L. GOV.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House					2nd House							

Current law establishes a pilot program to allow the Counties of Alameda, Los Angeles, Riverside, San Bernardino, San Diego, San Mateo, Solano, and Yuba to select a bidder on the basis of best value, as defined, for construction projects in excess of \$1,000,000. Current law also authorizes these counties to use a best value construction contracting method to award individual annual contracts, not to exceed \$3,000,000, for repair, remodeling, or other repetitive work to be done according to unit prices, as specified. Current law establishes procedures and criteria for the selection of a best value contractor and requires that bidders verify specified information under oath. Current law repeals the pilot program provisions on January 1, 2020. This bill would authorize the County of Santa Clara to utilize this pilot program and would extend the operation of those provisions until January 1, 2025.

Position: Watch

SB 137 Dodd D (Dist. 3) Federal transportation funds: state exchange programs.

Location: ASSEMBLY TRANS.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House					2nd House							

Current law requires that all money in the State Highway Account in the State Transportation Fund derived from federal sources or from appropriations to other state agencies, or deposited in the account by local agencies or by others, to be continuously appropriated to, and available for expenditure by, the Department of Transportation for the purposes for which the money was made available, including, among other purposes, transportation

improvements. This bill would authorize the Department of Transportation to allow the above-described federal transportation funds that are allocated as local assistance to be exchanged for State Highway Account funds appropriated to the department.

Position: Watch

SB 147 Beall D (Dist. 15) High-Speed Rail Authority.

Location: ASSEMBLY TRANS.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

The California High-Speed Rail Act creates the High-Speed Rail Authority to develop and implement a high-speed train system in the state, with specified powers and duties. Current law authorizes the authority, among other things, to keep the public informed of its activities. This bill would revise that provision to instead authorize the authority to keep the public informed through activities, including, but not limited to, community outreach events, public information workshops, and newsletters posted on the authority's internet website.

SB 152 Beall D (Dist. 15) Active Transportation Program.

Location: SENATE 2 YEAR

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Current law establishes the Active Transportation Program in the Department of Transportation for the purpose of encouraging increased use of active modes of transportation, such as biking and walking. Existing law requires specified funds for the program to be appropriated to the department in the annual Budget Act and allocated to eligible projects by the California Transportation Commission. This bill would require that 60% of available funds be awarded to projects selected by metropolitan planning organizations (MPO) in urban areas with populations greater than 200,000, with the available funds distributed to each MPO based on its relative share of the population, 15% to fund projects in small urban and rural regions, and 25% to projects competitively awarded by the commission on a statewide basis.

Position: Support

SB 168 Wieckowski D (Dist. 10) Climate change: Chief Climate Resilience Officer.

Location: ASSEMBLY NAT. RES.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Would establish the Chief Climate Resilience Officer, appointed by the Governor and subject to confirmation by the Senate, in the Office of Planning and Research to serve as the statewide lead for planning and coordination of climate adaptation policy and implementation in California, and would specify the duties of the chief officer. The bill would make the chief officer, or the chief officer's designee, a member of the advisory council and would designate the chief officer, or the chief officer's designee, as the chair of the advisory council.

SB 197 Beall D (Dist. 15) Department of Transportation: retention proceeds.

Location: ASSEMBLY TRANS.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Current law prohibits the Department of Transportation, until January 1, 2020, from withholding retention proceeds when making progress payments for work performed by a contractor. This bill would delete the repeal of this provision, thereby making the prohibition operative indefinitely.

SB 210 Leyva D (Dist. 20) Heavy-Duty Vehicle Inspection and Maintenance Program.

Location: ASSEMBLY TRANS.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered	38.b
	1st House				2nd House								

Current law requires the State Air Resources Board, in consultation with the Bureau of Automotive Repair and a specified review committee, to adopt regulations requiring owners or operators of heavy-duty diesel motor vehicles to perform regular inspections of their vehicles for excessive emissions of smoke. Current law requires the state board, in consultation with the State Energy Resources Conservation and Development Commission, to adopt regulations requiring heavy-duty diesel motor vehicles to use emission control equipment and alternative fuels. This bill would require the state board, in consultation with the bureau and other specified entities, to implement a pilot program that develops and demonstrates technologies that show potential for readily bringing heavy-duty vehicles into an inspection and maintenance program.

SB 211 **Beall D (Dist. 15) State highways: leases.**

Location: ASSEMBLY TRANS.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Would authorize the Department of Transportation to lease on a right of first refusal basis any airspace under a freeway, or real property acquired for highway purposes, that is not excess property, to the city or county in which the airspace or real property is located, or to a political subdivision of the city or county, for purposes of an emergency shelter or feeding program for a lease amount, for up to 10 parcels in the city or county, or political subdivision of the city or county, of \$1 per month, and a payment of an administrative fee not to exceed \$500 per year, as specified.

SB 277 **Beall D (Dist. 15) Road Maintenance and Rehabilitation Program: Local Partnership Program.**

Location: ASSEMBLY TRANS.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Current law continuously appropriates \$200,000,000 annually from the Road Maintenance and Rehabilitation Account for allocation by the California Transportation Commission for a program commonly known as the Local Partnership Program to local or regional transportation agencies that have sought and received voter approval of taxes or that have imposed certain fees, which taxes or fees are dedicated solely for road maintenance and rehabilitation and other transportation improvement projects. Current law requires the commission, in cooperation with the Department of Transportation, transportation planning agencies, county transportation commissions, and other local agencies, to develop guidelines for the allocation of those moneys. This bill would require the commission to apportion these funds on a formula basis to those of the local and regional transportation agencies described above that also have responsibility for funding, procuring, and constructing transportation improvements within their jurisdictions.

SB 330 **Skinner D (Dist. 9) Housing Crisis Act of 2019.**

Location: ASSEMBLY L. GOV.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

The The Housing Accountability Act requires a local agency that proposes to disapprove a housing development project that complies with applicable, objective general plan and zoning standards and criteria that were in effect at the time the application was deemed to be complete, or to approve it on the condition that it be developed at a lower density, to base its decision upon written findings supported by substantial evidence on the record that specified conditions exist, and places the burden of proof on the local agency to that effect. The act requires a court to impose a fine on a local agency under certain circumstances and requires that the fine be at least \$10,000 per housing unit in the housing development project on the date the application was deemed complete. This bill would, until January 1, 2025, specify that an application is deemed complete for these purposes if a preliminary application

was submitted, as specified.

SB 336 Dodd D (Dist. 3) Transportation: fully-automated transit vehicles.

Location: ASSEMBLY TRANS.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House					2nd House							

Would require a transit operator, as defined, until January 1, 2025, to ensure each of its fully-automated transit vehicles, as defined, is staffed by at least one of its employees, who has had specified training, while the vehicle is in service. The bill would require a transit operator that deploys a fully-automated transit vehicle to report the results of that deployment to the Legislature on or before March 31, 2025.

SB 351 Hurtado D (Dist. 14) Climate change: Transformative Climate Communities Program.

Location: ASSEMBLY APPR.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House					2nd House							

Current law creates the Transformative Climate Communities Program, which is administered by the Strategic Growth Council. Current law requires the council to award competitive grants to specified eligible entities for the development and implementation of neighborhood-level transformative climate community plans that include greenhouse gas emissions reduction projects that provide local economic, environmental, and health benefits to disadvantaged communities, as defined. This bill would require the council to consider applications for projects undertaken in unincorporated areas of a county.

SB 358 Committee on Transportation Transportation.

Location: ASSEMBLY TRANS.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House					2nd House							

Article XIX of the California Constitution restricts the use of excise tax revenues imposed by the state on fuels used in motor vehicles on public highways to highway and certain mass transit purposes and provides for the deposit of these fuel excise tax revenues in the Highway Users Tax Account for apportionments to cities, among other things. Current law prohibits apportionments from the account to a city pursuant to specified provisions from being made unless the city has set up by ordinance a special gas tax street improvement fund, and requires the apportionment of those moneys to be deposited into that fund. This bill would delete the reference to those specified provisions providing for apportionments from the account, thereby prohibiting any and all apportionments from the account to city from being made unless the city has set up by ordinance a special gas tax street fund, and thereby requiring the apportionment of those moneys to be deposited into that fund.

SB 498 Hurtado D (Dist. 14) Trade Corridors Improvement Fund: grant program: short-line railroads.

Location: ASSEMBLY TRANS.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House					2nd House							

Would require the California Transportation Commission, upon appropriation by the Legislature of funds resulting from TCIF program savings, to establish a competitive grant program to provide grants from those funds in the 2020–21 and 2021–22 fiscal years to the Department of Transportation or regional transportation planning agencies, or both, for short-line railroad projects such as railroad reconstruction, maintenance, upgrade, or replacement. The bill would require the commission to adopt guidelines, in consultation with representatives from specified government and industry entities, by July 1, 2020, to be used by the commission to select grant recipients.

SB 526 Allen D (Dist. 26) Regional transportation plans: greenhouse gas emissions: State Mobility Action Plan for Healthy Communities.

Location: SENATE 2 YEAR

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	C	38.b
	1st House				2nd House								

Would require the State Air Resources Board to adopt a regulation that requires a metropolitan planning organization to provide any data that the state board determines is necessary to fulfill the requirements of the above described report and to determine if the metropolitan planning organization is on track to meet its 2035 greenhouse gas emission reduction target. After completing each report, the bill would require the state board to determine if each metropolitan planning organization is on track to meet its 2035 target.

SB 531 Glazer D (Dist. 7) Local agencies: retailers.

Location: ASSEMBLY REV. & TAX

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Would prohibit, on or after January 1, 2020, a local agency from entering into any form of agreement that would result, directly or indirectly, in the payment, transfer, diversion, or rebate of Bradley-Burns local tax revenues to any retailer, as defined, in exchange for the retailer locating or continuing to maintain a place of business that serves as the place of sale, as defined, within the territorial jurisdiction of the local agency if that place of business would generate revenue, from the sale of tangible property delivered to and received by the purchaser in the territorial jurisdiction of another local agency, for the local agency under the Bradley-Burns Uniform Local Sales and Use Tax Law.

SB 621 Glazer D (Dist. 7) California Environmental Quality Act: expedited judicial review: affordable housing projects: reports.

Location: ASSEMBLY NAT. RES.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Would require the Judicial Council, by July 1, 2020, to adopt a rule of court applicable to an action or proceeding brought to attack, review, set aside, void, or annul the certification of an environmental impact report for an affordable housing project, as defined, or the granting of an approval of an affordable housing project that requires the action or proceeding, including any potential appeals therefrom, to be resolved, to the extent feasible, within 27 days of the filing of the certified record of proceeding with the court. The bill would provide that these provisions do not apply to an affordable housing project if it is in certain locations.

SB 676 Bradford D (Dist. 35) Transportation electrification: electric vehicles: grid integration.

Location: ASSEMBLY U. & E.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Would require the PUC, by December 31, 2020, in an existing proceeding, to establish strategies and quantifiable metrics to maximize the use of feasible and cost-effective electric vehicle grid integration, as defined, by January 1, 2030, based on the estimated electrical demand by customers of electrical corporations, community choice aggregators, and electric service providers for electric vehicle charging, as specified. The bill would require the PUC to reference the electric vehicle grid integration strategies in all ongoing and subsequent proceedings that address issues of transportation electrification in any part and to identify how programs and investments that the PUC may approve will advance the achievement of the strategies.

SB 695 Portantino D (Dist. 25) Special education: individualized education programs: translation services.

Location: ASSEMBLY ED.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Current law requires local educational agencies to identify, locate, and assess individuals with exceptional needs to provide those pupils with a free appropriate public education in the least restrictive environment, with special education and related services as reflected in an individualized education program. Current law requires a local educational agency to initiate and conduct meetings for purposes of developing, reviewing, and revising the individualized education program of each individual with exceptional needs in accordance with federal law. Current law requires the local educational agency to take any action necessary to ensure that the parent of the individual with exceptional needs understands the proceedings at a meeting, including arranging for an interpreter for parents with deafness or whose native language is a language other than English. Current law defines “parent” for purposes of these provisions. This bill would revise the definition of “parent” to specify that it also includes the educational rights holder and the conservator of a child.

SB 732 Allen D (Dist. 26) Transactions and use tax: South Coast Air Quality Management District.

Location: SENATE 2 YEAR

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House					2nd House							

Current law establishes the South Coast Air Quality Management District vested with the authority to regulate air emissions from stationary sources located in the South Coast Air Basin and establishes a district board to govern the district. This bill would authorize the south coast district board to impose a transactions and use tax within the boundaries of the south coast district, as specified, with the moneys generated from the transactions and use tax to be used to supplement existing revenues being used for south coast district purposes, as specified.

Position: Oppose

SB 736 Umberg D (Dist. 34) Creative Economy Task Force.

Location: ASSEMBLY J., E.D. & E.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House					2nd House							

Would establish the Creative Economy Task Force within GO-Biz, chaired by the Director of GO-Biz and comprised of various representatives from the Governor’s Office, the Department of Finance, rural and urban tourism organizations, the California State Association of Counties, and the League of California Cities and representatives appointed by the Senate and the Assembly. The bill would require the task force to study and submit a report to the Legislature by June 30, 2020, regarding the creation of a state fund designated to assist local governments to compete with other states in the bidding processes for major events, which includes arts and cultural events, entertainment events, agricultural events, sporting events, and international conferences.

SCA 1 Allen D (Dist. 26) Public housing projects.

Location: SENATE E. & C.A.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House					2nd House							

The California Constitution prohibits the development, construction, or acquisition of a low-rent housing project, as defined, in any manner by any state public body until a majority of the qualified electors of the city, town, or county in which the development, construction, or acquisition of the low-rent housing project is proposed approve the project by voting in favor at an election, as specified. This measure would repeal these provisions.

Total Measures: 120

Total Tracking Forms: 120

Minute Action

AGENDA ITEM: 39

Date: July 10, 2019

Subject:

Release of Request for Proposal No. 19-1002171 for Freeway Service Patrol Beats 5 and 27

Recommendation:

That the Board, acting as the San Bernardino County Transportation Authority, approve release of Request for Proposal 19-1002171 for the procurement of tow operator services for Freeway Service Patrol Beats 5 and 27.

Background:

Freeway Service Patrol (FSP) consists of a fleet of tow trucks that patrol selected San Bernardino County freeways during peak periods of congestion to assist motorists with their disabled vehicles. The segment of highway that the tow trucks patrol up and down is referred to as a “Beat.” Over the years, the FSP program has demonstrated many benefits to the motoring public by reducing the amount of time a motorist is in an unsafe situation, reducing traffic congestion, and decreasing fuel consumption, vehicular emissions, and secondary incidents.

San Bernardino County Transportation Authority (SBCTA) began FSP operations on January 3, 2006, and now has seventeen (17) primary tow trucks on eight (8) separate Beats in operation. The services are provided Monday through Friday in two (2) separate shifts to accommodate peak traffic hours: 5:30 a.m. to 9:00 a.m. and from 2:00 p.m. to 7:00 p.m. On December 2, 2017, SBCTA launched a weekend service pilot, which brought service to five (5) of the current eight (8) service areas on Saturdays and Sundays from 10:00 a.m. to 6:00 p.m.

Beat 27 will be the only Beat in the Request for Proposal (RFP) that participates in the weekend service pilot, as detailed in the scope of work.

The FSP program is managed through SBCTA staff and is supervised in the field by the California Highway Patrol (CHP).

The following service areas are available for procurement at this time:

- Beat 5: SR-60 Reservoir Street (LA County line) to Milliken Avenue
- Beat 27: I-15 Sierra Avenue to Oak Hill Road

Beat 5 is currently under contract by Navarro’s Towing. The five (5) year agreement is set to expire on December 31, 2019. Beat 27 is a new Beat that will be funded by Senate Bill 1 (SB 1) funds; the release for Beat 27’s RFP was approved at the January 2019 Board meeting. The successful proposer(s) will have 90 days from the date of award to purchase tow trucks. The contracts for both Beats 5 and 27 are anticipated to begin on January 2, 2020.

For the first time in the history of FSP RFP’s, SBCTA launched some new incentives in an effort to get more tow companies to submit proposals for the FSP. The past three (3) RFP’s have resulted in less than two (2) proposals per Beat. After doing extensive research on actual Freeway Service Patrol operator costs, which included speaking with tow companies about their costs, staff has introduced the following incentives/changes to the RFP:

Entity: San Bernardino County Transportation Authority

1. Revised price sheet – the revised price sheet allows for a more detailed list of costs that tow operators should be prepared for and charge for.
2. Mobilization Cost Payment option – this is an OPTIONAL item where SBCTA will pay for mobilization costs for the down payment of the tow trucks and insurance down payment costs. This was done to assist the tow operators with cash flow, especially due to the fact that these operators make the purchase a month in advance and do not see the first payment until about 45 days after the start of the contract. The “Mobilization Payment” shall only be approved by the RFP Evaluation Committee and will verify all quotes/estimates provided. The successful contractor(s) will re-pay the mobilization cost back in 12 equal monthly payments to be deducted from their monthly invoice.
3. Two (2) rate structure – these contracts will ask for two (2) rates, one (1) for regular FSP operations Monday through Friday, and one (1) for any weekend work and/or extra work/construction FSP work that may come up during the term of the contract. The idea is, the driver’s salary is likely increased on extra/weekend work due to overtime pay, as well as the need for additional maintenance/repairs, etc.

The draft Scope of Work is included with this item as Attachment A. The estimate for Beat 5 is \$1,680,000 and the estimate for Beat 27 is \$2,465,000 for a five (5) year term. Staff recommends approval to release RFP No. 19-1002171 for procurement of Freeway Service Patrol Beats 5 and 27; timely procurement will enable continued service on Beats 5 with no service interruption to the motoring public.

Financial Impact:

This item is consistent with the SBCTA Fiscal Year 2019/2020 Adopted Budget, for Beat 5, 80% is funded by FSP State funds, for Beat 27, 80% is funded by Senate Bill 1 funds and both Beats are funded 20% by Department of Motor Vehicle funds.

Reviewed By:

This item has not received prior policy committee or technical advisory committee review. SBCTA's General Counsel, Procurement Manager and Risk Manager have reviewed this item.

Responsible Staff:

Jenny Herrera, Management Analyst III

Approved
Board of Directors
Date: July 10, 2019

Witnessed By:

ATTACHMENT A

FREEWAY SERVICE PATROL

BEAT 5: SR-60 FROM MILLIKEN AVENUE TO RESERVOIR STREET (LA COUNTY LINE)

BEAT 27: I-15 FROM SIERRA AVENUE TO OAK HILL ROAD

SCOPE OF WORK

1.0 Summary of Scope of Work

CONTRACTOR shall provide the rapid removal of disabled vehicles and those involved in minor accidents from the freeway. Each Beat shall require the appropriate number of Freeway Service Patrol (FSP) Certified Trucks:

Two (2) primary certified FSP tow trucks and one (1) certified back-up FSP tow truck. *

*FSP Beat 27 will have the option to utilize Flat bed tow trucks. Two pricing sheets will be required to be submitted for evaluation of the Committee.

The CONTRACTOR's FSP trucks shall be exclusively dedicated to providing FSP services during the designated hours of operation. All tow truck maintenance activities for the primary and back-up tow trucks shall be conducted during non-designated service hours.

CONTRACTOR's FSP Certified Tow Truck Drivers ("Driver or Drivers") shall assist motorists involved in minor accidents and those with disabled vehicles. When and where conditions warrant, service may take place on the freeway shoulders. Where conditions do not warrant, Drivers will remove the vehicles from the freeway to provide services pursuant to the Standard Operating Procedures (SOP) Manual. The Drivers shall continuously patrol their assigned Beat, respond to California Highway Patrol (CHP) dispatched calls for service, and use the designated turnaround locations and designated drop locations assigned by CHP.

The Drivers may be required to change flat tires, provide "jump" starts, provide one gallon of gasoline or diesel fuel, temporarily tape cooling system hoses, and refill radiators. These services are not all-inclusive. Where conditions permit, safe removal of small debris may also be required. The Drivers are to spend a maximum of ten (10) minutes per disablement in attempting to mobilize a vehicle.

If a disabled vehicle cannot be mobilized within the ten-minute (10) time limit, it shall be offered to be towed to a designated drop location identified by the CHP. The motorist can request the FSP Driver to contact the CHP Communications Center to request a CHP Rotation Tow or other services. A Driver shall not be allowed to tow as an independent CONTRACTOR from an incident that occurred during the FSP shift. This is only allowed after the shift is over and the CONTRACTOR is called as a Rotation Tow by CHP. If called as a Rotation Tow Operator after

a FSP shift, the Driver must remove all FSP markings such as vests, uniforms and any sort of FSP signage

All FSP services shall be provided at no cost to the motorist. The Drivers shall not accept any gratuities, gifts or money to perform any other services, recommend secondary tows, or recommend repair/body shop businesses. The CONTRACTOR shall follow the SOP Manual. The CHP is responsible for the day-to-day field supervision of the FSP Program; therefore, policies and procedures are outlined in the SOP Manual. To promote a safe work environment and to maintain a high level of professionalism, the CONTRACTOR and their Drivers must follow the SOP Manual as this document and all updates will be incorporated into the CONTRACTOR's agreement. Please note that the SOP Manual is updated as needed, and that the CONTRACTOR is responsible to operate and adhere to the most recent version of the SOP Manual at all times.

There may be some instances where the Driver may be requested to provide assistance to CHP Officers in the field. When a CHP Officer in the field directs a Driver to complete a task, the Driver shall follow those directions provided, given the task does not endanger the Driver or the public and is within the Driver's skills and training. The Driver shall only advise the officer of the possible dangers. If the task is not within the FSP policy, a FSP CHP Officer should be notified of the incident, as the CHP Officer on scene will assume responsibility for any damage or injury occurring. Drivers should not tell the CHP Officer they will not perform the task requested UNLESS they believe they are unable to perform the task safely. Afterwards, CHP will take the necessary steps to avoid future misunderstandings between the Officer and FSP.

At times, SBCTA and/or the California Department of Transportation (Caltrans) will have construction projects on the highways that may require Construction FSP. Typically this will take place along a highway segment that is a construction zone with no inside or outside shoulder areas, or the shoulders available are not wide enough to accommodate vehicles. SBCTA and Caltrans have an agreement under which these types of services can be provided. Days and hours may vary for each construction project and will typically take place during non-FSP hours.

CONTRACTOR or its designated management-level representative shall attend the required FSP Technical Advisory Committee (TAC) meeting every other month. The FSP TAC will encompass focused and informal/formal discussions concerning but not limited to: scope, services, schedule, and current progress of services, relevant cost issues, and future project objectives. CONTRACTOR shall be responsible for having a representative attend all meetings (FSP TAC meetings) who has the ability to make management-level decisions on the behalf of the CONTRACTOR while at the meeting. If the CONTRACTOR cannot have a management-level representative at a meeting, CONTRACTOR shall notify SBCTA and CHP at least two (2) business days prior to the meeting. Management-level attendance at these meetings shall be considered part of the CONTRACTOR's contractual responsibility. Meetings are scheduled for the entire calendar year; CHP provides the schedule via email.

Please refer to Contract Exhibit "C" for further details on violations and penalties.

2.0 Contract Representatives.

SBCTA, Caltrans, and the CHP will jointly oversee the FSP services (referred to, singularly or jointly, as “FSP Management”). CHP is responsible for dispatch services to incident locations within the tow truck's patrol limits, otherwise referred to as “Beats”. The dispatching will be done in accordance with the contract for the service. A SOP Manual will be provided to the successful CONTRACTOR explaining the types of incidents to which a Driver may be dispatched. Please note that this SOP Manual is updated as needed and that the CONTRACTOR is responsible to adhere to the most current version of the SOP Manual at all times. Also note that SBCTA’s contract with the successful Proposer(s) will incorporate the SOP Manual and any updates; thus, adhering to the SOP Manual is a contractual requirement.

3.0 Service Location.

The FSP operates on selected freeway segments referred to as “Beats”. Each Beat has specific turnaround locations and designated drop locations identified by the CHP. The limits are identified in the SOW.

SBCTA reserves the right, at any time during the contract's term, to adjust Beat specifications (length of the Beat for example) and Beat hours to better accommodate demand for the service. These changes can occur during the course of the contract through written permission (e.g., email). The CONTRACTOR may be requested by CHP to go beyond the limits of its assigned Beat area to assist a motorist in an adjacent Beat area. Drivers may be permitted to do this only upon CHP request. SBCTA reserves the right to add or delete holidays to the work schedule. Travel time to and from the Beat will be at the expense of the CONTRACTOR.

4.0 Equipment Requirements:

A. Tow Truck Requirements:

Primary FSP Tow Trucks will be exclusively dedicated to FSP services during the hours of FSP operations. They are not required to be exclusive during non-FSP hours. **Please note that for Beat 27 there is the OPTION to utilize two-vehicle car carrier/flatbed Class A tow trucks. However, it is NOT REQUIRED. Bidders wanting to utilize the flatbed option shall submit two sets of pricing for the evaluation committee to review and determine the final selection, one for the flatbeds and one for the wheel lift tow trucks.**

The FSP Program will utilize, at a minimum, Class A tow trucks with a minimum gross vehicle weight rating of 14,000 pounds, dual wheel chassis, and four (4) ton recovery equipment rating. All trucks proposed for use in the FSP Program must be less than one (1) year old with a maximum of 50,000 miles and a clear, non-salvage title on the chassis and working parts of the truck. The truck must be free of any mechanical defects or physical damage at the onset of the contract. Lastly, the truck shall have seating capabilities for five (5) adults.

OPTION FOR BEAT 27 ONLY (I-15 FROM SIERRA AVENUE TO OAK HILL ROAD)

Two-vehicle car carrier/flatbed Class A tow trucks with a seating capacity for five (5). The tow trucks will have a minimum gross vehicle weight rating of 21,000 pounds and a rear gross adjusted weight rating of 15,000 pounds. All trucks proposed for use in the FSP Program must be less than one (1) year old with a maximum of 50,000 miles and a clear, non-salvage title on the chassis and working parts of the truck. The truck must be free of any mechanical defects or physical damage at the onset of the contract.

The CHP, in conjunction with SBCTA, will verify the original purchase dates to ensure compliance.

All FSP Tow Trucks must be Department of Transportation (DOT) compliant, as well as California Air Resources Board (CARB) compliant. This includes an engine that has been certified by CARB, as required by law in the State of California. Any tow truck that is utilized for the FSP Program must comply with emission standards set forth by DOT and CARB, as well as all Local, State and Federal laws applicable to that truck, and as outlined in the RFP.

Prior to commencement of service, the CHP will inspect each tow truck designated for the FSP Program in San Bernardino County to ensure that it meets the tow truck specifications and to ensure that it meets or exceeds safety requirements. These inspections will occur prior to the start of service. Succeeding inspections will occur periodically as determined by the FSP CHP officers. Documentation of the vehicle identification number and successful completion of the inspection will be kept on file at the CHP office and CONTRACTOR's local office. Any unsafe, poorly maintained FSP Certified Tow Truck(s) or improperly equipped FSP Certified Tow Truck(s) shall not be allowed into service, and if discovered during the shift, shall be removed from service or repaired as directed by the CHP. The CONTRACTOR shall be fined three (3) times the hourly contract rate in one (1) minute increments for ALL service time lost. The CONTRACTOR will be required to have a FSP Certified Back-Up Tow Truck available for service during their FSP Beat(s) shift(s).

Please note that FSP Certified Back-Up Tow Trucks for existing FSP tow operator contracts with other FSP agencies (i.e., not with SBCTA) do not qualify as meeting the certified SBCTA FSP back-up truck requirement(s).

FSP tow trucks bearing the service patrol title, the FSP logo, and the vehicle identification number shall be painted all white (includes the hood, fenders, doors, boom and bed area). No trim will be allowed. Lettering shall be in block lettering and shall be no less than two inches by two inches and no greater than four inches in height. Lettering can **ONLY** be black in color and will be bold style parallel to the ground. Letters shall be placed on the lower body of the truck toward the cab. Names, phone numbers, advertising of any kind or any other lettering on the boom shall be prohibited during FSP operational hours. The overall look of the truck must be approved by CHP prior to service implementation; therefore, any questions regarding this policy is highly recommended to be discussed with the FSP CHP officers prior to implementing, as truck compliance with current State FSP standards is required. No other accessory equipment or signage (bumper stickers, employment advertisement, and so forth) shall be mounted or installed

without prior FSP CHP officer approval. This includes but is not limited to brass, chrome wheel covers, window tint, etc.

Please refer to Contract Exhibit "C" for further details on violations and penalties.

SBCTA follows and relies on the policies and procedures set forth in the SOP Manual developed by the County of San Bernardino FSP CHP Program. Please note that the SBCTA FSP equipment list is subject to change at any time, and may be different from FSP Program equipment lists found in other counties. For the most updated SBCTA FSP equipment list, please refer to the latest SOP Manual.

Each FSP tow truck shall be equipped in accordance with the SOP Manual and shall include the following, please note that if a company decides to add on any of the OPTIONAL equipment, and is something CHP would test for proficiency, they will do so for every driver that is tested from that company:

1. Wheel lift towing equipment, with a minimum lift rating of 3,000 pounds. All tow equipment shall include proper safety straps.
2. Boom with a minimum static rating of 8,000 pounds.
3. Winch Cable - 8,000 pound rating on the first layer of cable.
4. Wire rope- 100 ft., 5/16-inch diameter, with a working limit of 3500 pounds.
5. Towing slings rated at 3,000 pounds minimum **OPTIONAL**
6. Two (2) Tow chains 3/8" alloy or OEM specs. J/T hooks assembly.
7. Rubber faced push bumper.
8. Mounted spotlight capable of directing a beam both front and rear.
9. Amber warning lights with front and rear directional flashing capability, with on/off switch in cab.
10. Public address system.
11. Power outlets ("hot boxes"), front and rear mounted, with outlets compatible to 12-volt booster cables.
12. Heavy duty, 60+ amp battery.
13. Radios with the ability to communicate with the CONTRACTOR's base office (Verizon).
14. Programmable scanners capable of scanning between the 39 and 48 MHz used by the CHP. Scanners need to be capable of scanning CHP Police frequencies, and must be mounted for safety concerns.
15. Suitable cab lighting.
16. Trailer hitch capable of handling a 1 7/8-inch ball and 2-inch ball.
17. One (1) 1 7/8-inch ball and one (1) - inch ball.
18. Rear work lights (4)
19. Safety chain D-ring or eyelet mounted on rear of truck.
20. Motorcycle Straps (2)
21. Diesel fuel in plastic jerry cans (5 gallons)
22. Unleaded gasoline in plastic jerry cans (5 gallons)
23. Safety chains min. 5 ft. min. 5/16" Alloy or OEM Spec. (2)
24. First aid kit (small 5" x 9") (1)

25. Fire extinguisher aggregate rating of at least 4 B-C units (1)
26. Pry bar - 36" or longer (1)
27. Radiator water in plastic container (5 gallons)
28. Sling crossbar spacer blocks **OPTIONAL** (2)
29. 4" x 4" x 48" wooden cross beam (1)
30. 4" x 4" x 60" wooden cross beam (1)
31. 24" wide street broom (1)
32. Square point shovel (1)
33. Highway flares 360 minutes min.
34. Cones 18" height, reflectorized with tape
35. Hydraulic Floor Jack: 2-ton AND
2-ton jack stand (1)
36. Wheel chock (1)
37. Four-way lug wrench (1 std.) (1)
38. Four way lug wrench (1 metric)
39. Rechargeable compressor or refillable air bottle,
hoses and fittings to fit tire valve stems, 100
psi capacity (1)
40. Flashlight and spare batteries or charger (1)
41. Tail lamps/stop lamps, portable remote
with extension cord (1 set)
42. Booster cables, 25 ft. long minimum,
3-gauge copper wire with heavy-duty clamps
and one end adapted to truck's power outlets (1 set)
43. Funnel, multi-purpose, flexible spout (1)
44. Pop-Up Dolly (with tow straps), portable for removing
otherwise un-towable vehicles (1)
45. Five (5)-gallon can with lid filled with clean absorb-all (1)
46. Empty trash can with lid (five gallon) (1)
47. Lock out set (1)
48. Safety glasses

Each FSP Certified Tow Truck will be required to have a toolbox with the following minimum number of tools/supplies. A tool kit for small equipment items is required. The list may be supplemented at the CONTRACTOR's option and expense.

49. Screwdrivers-
 - i. Standard-1/8", 3/16", 1/4", 5/16" (1 each, min.)
 - ii. Phillips head - #1 and #2 (1 each, min.)
50. Needle nose pliers (1)
51. Adjustable rib joint pliers, 2" min. capacity (1)
52. Crescent wrench - 8" (1)
53. Crescent wrench - 12" (1)
54. Four (4) lb. hammer (1)
55. Rubber mallet (1)

- 56. Electrical tape, roll (1)
- 57. Duct tape, 20 yard roll (1)
- 58. Tire pressure gauge (1)
- 59. Mechanic's wire (roll) (1)
- 60. Bolt cutters (1)

BEAT 27 OPTION ONLY, FLATBED TOW TRUCK EQUIPMENT LIST

Current Registration/ Insurance	Fire Extinguisher: 4BC Rating, new or exp:
Age limit: 5 years for cab, chassis, and bed components	Broom: 24 inches wide, coarse bristle
Paint: White Only, 4" max black lettering	Shovel: Square point
Rubber faced push bumper(s)	Large Pry Bar: Minimum 36 inch length
Vehicle numbers on both sides	Wood Crossbeams: 1 ea., 4"x4"x48" and 4"x4"x60"
2 FSP signs	Hydraulic Floor Jack: 2-Ton capacity
Headlights	Jack stand: 2-Ton capacity
Turn Signals	Portable air tank: 80 psi. min, or compressor w/ 50' min hose
Reflectors, Front and Side	Bolt Cutters
Clearance Lamps (>80" Wide)	One 4 - Ton snatch block
Amber Warning Lights: Front/rear selectable, in-cab controls	Flares: Total burn time of 360 minutes minimum
License Plate Lamp	Metric and Standard 4-way Lug Wrenches
Tail Lamps	Sledge Hammer: 4 pound
Stop Lamps	Utility/ Motorcycle Straps
Backup Lamps	Steering Wheel Securement Device
Rear work lights	Funnel with flexible spout

Reflectors, Rear	Water Container: Plastic, 5 gallon
Extension Tail/ Stop Lamps	Fuel in Approved Plastic Containers: Gas/Diesel, 5 gal. each
Fenders / Mudguards	Absorbent Can with lid: 5 gal. of clean absorbent
Windshield	Trash Can with lid: 5 gal., empty
Windshield Wipers	Cones: 6 ea., 18 inch height, reflectorized w/ tape
Spotlight: Body mounted, front to rear coverage	Booster cables: 3 ga. Cu., 25 ft., H-D clamps, fit truck
Service Brakes	Booster Cable Connectors: mounted front and rear
Parking Brake	Battery Rating: 60 Amp-hour or greater
Mirrors	Tire Tread
Horn	Wheels
Beam Indicator	Suspension
Cab interior lighting suitable for reading and writing	Steering
Truck to Shop Communications System	Frame
FSP Two-Way Radios / Terminals	Exhaust System
Scanner: Operating and properly programmed	Fuel Cap(s)
Public Address System	
Flashlight	
Spare flashlight batteries/ Charger for rechargeable	Tool Kit
First Aid kit: 5"x9"	Screwdrivers: 1/8", 3/16", 1/4", 5/16" Flat; #1, #2 Philips

Lockout Tool Set	Adjustable Wrenches: 8" and 12"
Warning Devices (Reflectors)	Pliers: Needle nose and adjustable rib joint, 2 inch capacity
	Duct tape, Electrical tape, mechanics wire: 1 roll each
	Rubber Mallet
	Tire Pressure Gauge

WRECKER - GENERAL

Manufacturer Rating Plates	Throttle Control
Wrecker Controls on both sides of vehicle	Hydraulic Rams, Hoses, Valves
Control Labels	Winch: Type:
Body and Towing Equipment Mounting Bolts	Winch: Rated 8,000 pounds on first cable layer
Cable Sheaves	Safety chain D-ring or eyelet mounted on rear of truck

WHEEL LIFT

Minimum GVWR: 14,000 lbs.	"L" Arms
Wheel Lift Assembly; Rated 3,000 Pounds-Extended	Cradle / Straps/ Chains
Pivot Pin	Claw
(2) Wheel Tie Down Safety Straps with ratchets	100' 3/8" 6x19 Wire rope or OEM Specifications
4-Ton Boom Assembly	(2) Tow Chains 5/16" Grade 70 with J/T Hooks
Sling Assembly; Rating: 3,000 Pounds (if equipped)	Tow Dolly (with wheel tie down straps)
One pair of spacer blocks or 2 wood blocks 4"x6"x12"	(2) Safety Chains: 5/16" Alloy or OEM Specifications 5 foot min. length

CAR CARRIER/ TWO VEHICLE

Minimum seating capacity for 5 adults	50' 3/8" 6X19 Wire rope or OEM Specifications

GVWR: Minimum. 21,000 lbs.; Rear GAWR 15,000 min.	J/T Hook Loading Bridle Chains
Carrier Bed Frame	4 Safety Chains 5/16" Alloy or OEM Specifications
Bed Material: Steel or Aluminum	Wheel Lift Assembly; Rated 3,000 Pounds-Extended
Bed Length: 19.5 ft. minimum	(2) Wheel Tie Down Safety Straps with ratchets
Bed Hinges	One pair of spacer blocks or 2 wood blocks 4"x6"x12"
Bed Safety Lock	Motorcycle loader for flatbeds
Tie Downs: 8 each, one near each corner of the bed, two each side of bed distributed between corner tie downs, each must accommodate snatch blocks	(2) Safety Chains: 5/16" Alloy or OEM Specifications 5 foot min. length

The Driver shall be required to complete a pre-operation shift inspection log of the vehicle as well as inventory of the required equipment prior to the start of each shift. An Inspection form, which is in the tablet FSP data collection software, shall be completed by the Driver prior to the start of each shift and be available for inspection by the CHP and/or SBCTA. Any equipment that is malfunctioning or missing must be replaced prior to the start of the shift. All equipment on the truck shall be secured.

Installation of FSP related equipment:

Upon execution of the contract, SBCTA will designate and cover the cost of the selected installer for the SBCTA FSP digital radio equipment and SBCTA's Automatic Vehicle Locator (AVL) equipment. SBCTA covers the initial cost of the FSP digital radio and the AVL equipment as well. Please note that SBCTA, along with the installer, must be able to access the required primary and back up FSP Tow Trucks no later than seven (7) business days prior to the start date of the Beat(s). No exceptions. If SBCTA is not able to access the required primary and back up FSP tow trucks and/or service truck by the seventh (7th) business day deadline, the CONTRACTOR shall be assessed a fine as detailed in Exhibit "C" of the contract.

At times, equipment such as an "outside speaker" or a handheld "mic," for example, may need to be replaced due to normal wear and tear. If SBCTA-provided equipment needs to be replaced due to normal wear and tear, SBCTA will provide the CONTRACTOR with

replacement equipment at no charge. However, please note that if FSP-related equipment needs to be replaced due to negligence by the CONTRACTOR or any of its staff, including Drivers, the cost of the equipment and the installation expense will be deducted from the CONTRACTOR'S invoice/payment that same month or the following month (depending on when the incident occurred). CONTRACTORS, supervisors and Drivers are required to contact SBCTA and one of the FSP CHP officers immediately when any SBCTA FSP equipment is damaged, failing or has failed, and the CONTRACTOR will be provided with a replacement part by SBCTA or by one of the FSP CHP officers. If a replacement part is not immediately available, then the CONTRACTOR will be asked to have their "FSP Certified Back-Up Tow Truck" on the Beat to cover the shift.

With the written permission of SBCTA (email is allowed), the CONTRACTOR may install some replacement equipment (e.g., an "outside speaker" or a "mic") as long as the CONTRACTOR installs the equipment per SBCTA and SBCTA FSP standards. If a CONTRACTOR is given the authorization to install FSP-related equipment, and has any questions regarding "installation standards", the CONTRACTOR is to contact SBCTA or one of the FSP CHP officers for further instructions/information. If provided the authorization by SBCTA or FSP CHP, the CONTRACTOR must install equipment in the safest possible manner, and the installation of the equipment must comply with all FSP equipment guidelines and San Bernardino FSP installation standards for safety reasons.

Please note that equipment requirements are subject to change at any time. For the most updated equipment list, please refer to the latest SOP Manual.

B. FSP Certified Back-Up Tow Truck.

The CONTRACTOR shall be required to have one FSP Certified Back-Up Tow Truck available for each Beat during FSP service hours that is in full compliance with this Contract, unless otherwise authorized by SBCTA in writing. The FSP Certified Back-Up Tow Truck should be used when a primary FSP Certified Tow Truck is unavailable. The FSP Certified Back-Up Tow Truck shall meet the same requirements for equipment, set-up and color as a primary Certified FSP Tow Truck. It shall meet all the vehicle equipment specifications. Please refer to Exhibit "C" of the contract for further details on violations and penalties. FSP Certified Tow Trucks are subject to inspections during FSP services hours and non-FSP service hours by CHP.

As noted above, Primary FSP Tow Trucks will be exclusively dedicated to SBCTA FSP services during the hours of FSP operations. However, FSP Certified Back-Up Tow Trucks are not required to be exclusive to the SBCTA FSP Program during FSP service hours and non-FSP service hours. If a FSP Certified Back-Up Tow Truck is needed to replace one of the primary FSP Certified Tow Trucks on Beat, the CONTRACTOR shall meet all Contract obligations as outlined, which includes the vehicle's availability to work the Beat area within the 45 (forty-five) minute time period (after which point penalties begin to accrue).

C. Vehicle Breakdown and Other Missed Service.

A FSP Certified Back-Up Tow Truck must be in service on the Beat within 45 (forty-five) minutes of the time when a primary FSP Tow Truck is taken out of service for any reason. The CONTRACTOR shall not be paid for the time period that the contractually required trucks are not in service. If a vehicle is not made available within the 45 (forty-five) minute time period, the CONTRACTOR shall be fined three (3) times the hourly contract rate in one (1) minute increments until a FSP Certified Back-Up Tow Truck is provided. This 45 (forty-five) minute period prior to imposition of fines shall not apply to trucks removed from service for failure to meet specifications or safety requirements as set forth in paragraph A above, in which case fines shall begin immediately. If a FSP Certified Tow Truck is not ready due to a breakdown at the start of a shift, the fine time will be calculated from the start of the shift. If the entire shift is missed, the CONTRACTOR shall be fined for the entire shift at three (3) times the hourly rate. FSP Tow Truck maintenance shall be performed during non-FSP service hours.

In the event that a FSP Certified Back-Up Tow Truck is required to continue the shift, the Driver must complete a new inspection worksheet and mileage log prior to the commencement of driving the tow truck and notify one of the FSP CHP Officers/Supervisors immediately. In addition, the Driver must indicate in the “notes” section of the Tablet Computer (per 4.0 E., below) that they have switched to a FSP Certified Back-Up Tow Truck.

In addition, failure to have a FSP Certified Back-Up Tow Truck Driver available is not an allowable excuse for failing to have a FSP Certified Back-Up Tow Truck on the Beat within the 45 (forty-five) minute time period.

Please refer to Contract Exhibit “C” for further details on violations and penalties.

Please note: Existing FSP tow operator contracts with the Riverside County Transportation Commission (RCTC) or any other FSP service do not qualify as meeting the back-up requirement noted above.

D. Vehicle Identification.

It shall be the Driver’s sole responsibility to place detachable FSP markings on each vehicle during the service hours and to remove or cover the FSP markings immediately upon completion of each shift. SBCTA will supply each CONTRACTOR with the appropriate number of detachable markings for each Beat(s). If a marking is lost or damaged, the CONTRACTOR shall be responsible for the cost of the replacement markings. All FSP markings shall be returned immediately at the termination of the contract. The cost of any item or equipment supplied by SBCTA, Caltrans or CHP that is not returned shall be deducted from the CONTRACTOR's final payment.

FSP markings as well as vehicle numbers shall be required on both sides of all FSP tow trucks and FSP service trucks. The detachable markings (magnetic or other forms of FSP signage) provided by SBCTA must be placed on the center of both doors (driver and passenger doors) of the vehicle. The Driver shall be required to keep the title and logos clean, straight and in readable condition throughout the service patrol's operation. The CONTRACTOR is also

required to keep all FSP-related signage completely flat, clean, out of direct sunlight and out of public view when being stored.

E. Communications Equipment.

Each FSP vehicle shall be equipped with various communication devices that will enable the Driver to communicate with the CHP Communications Center and FSP CHP Officers. All vehicles shall be equipped with an AVL system, radios, and handheld Tablet Computers for data collection. The AVL system, radio system, and handheld Tablet Computers shall be purchased, owned, supplied, and installed by SBCTA only. SBCTA shall select the equipment installation vendor.

The CONTRACTOR shall be responsible for maintaining the security of the SBCTA-owned vehicle communication equipment. The CONTRACTOR shall be liable for any damage other than normal wear and tear to the communication equipment. The CONTRACTOR shall also be liable for the full replacement value of the communication equipment installed in the trucks while in the care, custody and control of the equipment. SBCTA shall pay for repair of normal wear and tear to equipment. However, SBCTA will deduct from CONTRACTOR's monthly invoice, any repair fees and/or the full replacement cost of any SBCTA equipment damaged or altered due to CONTRACTOR's improper use or negligence. SBCTA-supplied vehicle equipment shall be returned immediately (within one to three business days – pursuant to direction by SBCTA FSP staff) upon contract termination. The cost of any equipment not returned shall be deducted from the CONTRACTOR's final payment.

Programmable scanners capable of scanning between the 39 and 48 MHz used by CHP shall be supplied by the CONTRACTOR and shall be installed and securely mounted in all FSP Certified Tow Trucks by the CONTRACTOR.

The CONTRACTOR is also required to use Push to Talk Plus for Verizon Wireless (or equivalent direct connect device that will pair with Verizon Push to Talk Plus CHP devices). ***Special Note: If you are considering purchasing something else other than a Verizon Push to Talk Plus device, please confirm with SBCTA and/or CHP as to whether or not the device will be compatible with existing CHP equipment. Equipment purchased for the FSP Program must be compatible with FSP CHP officer devices which are currently Verizon Push to Talk Plus devices*** in order to facilitate proper communication with the CHP Communications Center and FSP CHP field supervisors. Verizon phones shall be purchased, owned, maintained, and paid for by the CONTRACTOR. The CONTRACTOR will also be responsible for all operating costs of the Verizon cell phones. In addition, Drivers are not permitted to take pictures or video, or to capture any other images while performing FSP duties during FSP operational hours, or capture any FSP-related images during non-FSP service hours. These actions will not be tolerated and a Driver that is found doing this will not be permitted to work in the FSP Program. Drivers are not permitted to download or share any data or images related to the FSP Program. If any FSP-related data or images are found on any social media outlet or networks not authorized by SBCTA, the driver or drivers associated with the incident will be removed from the program.

Data input to the Tablet Computer shall not be allowed while the vehicle is being operated/driven. Use of other devices, such as cellphones, while driving/operating a vehicle is subject to California State Law.

The FSP vehicles shall be equipped with a public address system. The public address system shall have the capability to audibly transmit instructions from the cab of the FSP vehicle to the motorist of the disabled vehicle when the FSP vehicle is directly to the rear of the disabled vehicle.

The CONTRACTOR shall purchase and maintain a computer workstation (not a laptop) with high speed internet access and email to communicate with SBCTA, staff, and FSP CHP officers. Please note email is the primary means by which FSP Management (SBCTA, CHP, and Caltrans) communicate various operations messages. It is essential that a representative of the CONTRACTOR check the email daily.

It is the CONTRACTOR's responsibility to ensure that all Tablet Computers are operational at all times. The exterior protective case of the Tablet Computer shall be cleaned regularly, and the screen protector shall be inspected for functionality and serviceability. **Damaged/Worn items shall be reported to SBCTA within three (3) hours of identification of a problem.** All Tablet Computers must be kept in a secure location. Tablet Computers shall not be left in any tow or service truck during non-FSP operational hours. During FSP operational hours, Tablet Computers must be with the Driver in their FSP Tow Truck; at all other times, Tablet Computers must be connected to a battery charger in the designated secure workstation of the CONTRACTOR'S facility. Any other location is not permitted.

CONTRACTOR shall immediately report any issues with the Tablet Computers to SBCTA or the FSP CHP Officers. CONTRACTOR is responsible for ensuring its Tablet Computers are operating at all times.

The CONTRACTOR shall provide SBCTA, FSP CHP Officers, and their designees, access to the Tablet Computers at any time during the course of the contract. If upon inspection SBCTA determines that the Tablet Computers are not being properly charged/stored, the CONTRACTOR will be subject to fines as outlined in Exhibit "C" of the Contract.

The CONTRACTOR shall provide a quarterly inspection report to SBCTA indicating the status of all equipment. SBCTA will provide the quarterly report submittal form to the CONTRACTOR. Accurate completion and timely return of this form is a contract requirement.

F. Equipment Modifications

Modifying FSP communication/tracking equipment so that it does not function properly to SBCTA's specifications, is disconnected, or is moved (without FSP Management authorization) from its original installed location is strictly prohibited. This includes, but is not limited to: breaking evidence tape/connection sealer on equipment connections, cutting wires or cable, moving mounted equipment (speakers, microphones, antennas, etc.), rerouting any wiring, not putting radio equipment back in its original installed location, disconnecting any connectors, etc. Interfering with the operations of the equipment is strictly prohibited.

If modification and/or interference is suspected, SBCTA shall conduct an inspection of the equipment on/near the Beat area or the vehicle may be sent to a designated location determined by SBCTA. CONTRACTOR shall not access the AVL equipment in any way until SBCTA has arranged an inspection.

- 1) If any alterations are found with AVL-related equipment owned by SBCTA, the CONTRACTOR shall be fined, at a minimum, two complete FSP shifts (7 - 9 hours) at three (3) times the hourly penalty rate. The final penalty shall be determined and assessed by FSP Management.
- 2) SBCTA shall designate the AVL installer and technician that to review and repair the AVL systems.
- 3) In the event of alterations, CONTRACTOR is responsible for any expenses, including but not limited to transportation, labor, repair, and replacement, incurred to repair the AVL equipment/system for the SBCTA FSP tow operations. Costs incurred to repair and document the equipment will be deducted from payment of the CONTRACTORS monthly invoice.

Please refer to Contract Exhibit "C" for further details on violations and penalties.

5.0 Drivers.

All Drivers shall be required to have a safe driving record and valid California Class C driver's license. All Drivers shall be at least 18 years of age at the time of background check. All Drivers shall be subject to driving record and criminal background checks through the CHP.

FSP Driver Certification Requirements

The following are required to be completed before the issuing of a California Tow Truck FSP driver Certificate DL64:

1. CHP 234F Form (Tow FSP Driver/FSP Driver Information) submitted to CHP.
2. Successfully pass a driving record and criminal history check.
3. Pay all processing fees.
4. Submit to fingerprinting.
5. Successfully pass a CHP-administered Proficiency Test.
6. Complete a SHRP 2 /TIMS training course and provide a certificate of completion.
7. Attend and pass a FSP driver certification class.
8. Obtain a Medical Examiner's Certificate (MEC) MCSA-5875.
9. Issued a FSP Driver Identification Card.
10. Successfully complete ten (10) shifts of ride-a-longs with an approved FSP driver trainer.

Drivers shall be sufficiently experienced in the tasks of tow truck operations and proficient with all required FSP equipment to provide safe and proper service. Drivers from other FSP service areas will be evaluated by the CHP on a case-by-case basis. All Drivers must be

capable of demonstrating their tow operating abilities prior to formal CHP training. Additionally, the Drivers will be required to exercise good, sound judgment in carrying out their duties.

The CONTRACTOR's Drivers shall be required to inform the CHP Communications Center at any time he/she leaves the assigned Beat, whether to replenish expendable items such as gasoline or fire extinguisher, to take breaks, etc. The Driver shall be required to immediately notify the CHP Communications Center upon a tow truck breakdown.

Each Driver shall be responsible for accurately entering the following into their Tablet Computer:

- Inspection worksheet prior to the commencement of driving the tow truck/service truck. This should be completed at the tow yard, prior to leaving the yard and driving to the Beat.
- Log of mileage prior to commencement of driving the tow truck/service truck on the Beat. This should be completed in a safe location at or near the Beat location, prior to beginning the shift.

The Driver shall also be required to complete an assist record, on the Tablet Computer, for each incident.

Driver will be required to utilize a Tablet Computer to input the mileage log, inspection worksheet, and each assist, which will include location, vehicle make, model, license number, type of assistance provided, etc. Driver will be trained to use the Tablet Computers to enter accurate data using SBCTA data collection software.

Other important forms Driver must complete and turn in when assisting motorists are the Liability Release Forms and the Damage Release Forms. It is critical these forms are completed in a clear and accurate manner and returned to SBCTA as quickly as possible and no longer than thirty (30) business days from the date of the assist. Any CONTRACTOR who fails to complete and turn in these required forms may be subject to penalties as outlined in Exhibit "C" of the contract.

The CONTRACTOR is required to participate in the California Department of Motor Vehicles DMV Pull Notice Program.

If a Driver is convicted of a crime listed in California Public Resources Code Section 5164 or California Vehicle Code 13377, the CONTRACTOR may be required to remove that Driver from the FSP program. If a Driver is charged with any such crimes, the CONTRACTOR may be required to suspend that Driver from duties under this Contract pending the outcome of the criminal case. If the Driver is not convicted, or is ultimately convicted of a lesser crime not described above, CHP may direct SBCTA to have the CONTRACTOR remove that Driver from the duties under the FSP program.

Mandatory CHP refresher training classes/meetings shall be scheduled during non-FSP hours. A minimum of four (4) hours refresher training per year is required. The SBCTA FSP Program conducts a one hour refresher training class/meeting each quarter, for a total of four hours of on-going training each year. CONTRACTOR shall pay all Drivers and Back-Up Drivers for attendance at the required training.

As required by California Vehicle Code Sections 2430.5 and 2431, all applicants and owners are required to have a driver's license and criminal history check. After CHP receives and accepts a completed CHP 234F, CHP will perform a driver's license and criminal history check. CHP will perform background checks ONLY upon acceptance of a CHP 234F.

The driver's license check will consist of confirming that the applicant has a valid driver's license and the applicant's point count is within standards set forth in the SOP.

The criminal history check will consist of a preliminary background check to determine whether the applicant meets the criteria for a Driver Certificate, as outlined in California Vehicle Code Section 13377 and the FSP contract.

If the applicant passes the preliminary check, then the applicant shall submit to fingerprinting to complete the background check at the CONTRACTOR's expense.

In addition, SBCTA and/or CHP may, in their sole discretion, require a CONTRACTOR to replace any Driver or potential Driver who is determined not to be a suitable representative of the FSP Program to the public based on the background check or any other reason.

Driver Equipment.

CONTRACTOR is responsible for providing Drivers with specified uniforms, black protective toe boots, nameplates, and other equipment. The equipment includes navy blue jump suits or shirts and pants. If coveralls are worn, they shall have a collar with a zipper. Optionally, drivers may wear a standard navy blue (long-sleeve only) uniform shirt, with a fluorescent orange (must be only 2.5" wide) trim, with a ½" silver reflective tape down the middle. This allowed reflective tape must be on both sleeves as indicated in the updated contractor exhibit. The only approved trim color is fluorescent orange with a ½ " silver reflective tape in the middle. The fluorescent tape cannot be wider than the allowed 2.5" wide. All uniforms shall be clean, properly maintained, and replaced whenever excessively worn.

A detachable brass or gold nameplate shall be worn with the first initial of the first name and full last name. Letters shall not exceed ½ inch tall; nameplate must be approved by a FSP CHP officers. The nameplate shall be worn above the right chest pocket on the vest.

A safety vest with reflective stripes shall be worn; SBCTA will supply vests. A small FSP logo patch shall be sewn on the front of the safety vest over the left front pocket of the uniform, and a small FSP logo patch shall be sewn on the left sleeve of the vest. A large FSP logo patch shall be sewn across the middle portion of the back of each safety vest. SBCTA will supply vests to the CONTRACTOR with the FSP logo patches already sewn on per CHP's required patch placement locations. The brass or gold nameplate with the Driver's first initial of first

name and full last name shall be displayed on the front of the safety vest over the right front pocket. **The CONTRACTOR is responsible for obtaining FSP CHP officer approval of the Driver nameplates, and the CONTRACTOR is responsible for the purchase and placement of the Driver nameplate.** An FSP logo patch is not required to be sewn on the navy blue Driver uniform.

All Drivers shall wear black work boots with protective (steel or composite) toe.

During cold weather, a navy blue jacket may also be worn at the Driver's option, if it meets all the uniform specifications. The CONTRACTOR and/or the Driver may contact CHP for any uniform questions.

Rain gear shall be waterproofed material, navy blue or yellow in color.

Hats, if worn, shall be baseball type cap, navy blue in color. An "FSP" logo patch may be sewn on the hat above the brim. No other logos/names shall be accepted. A beanie may also be worn which must be navy blue in color and worn only with a jacket or long sleeve shirt under the vest. A picture of the uniform is provided toward the end of this scope of work.

CONTRACTOR should refer to the most current SOP Manual in making sure it is following the most recent Driver equipment requirements.

6.0 Local Office.

The CONTRACTOR shall provide a local office for contract administration purposes. This office shall be staffed by either the CONTRACTOR or its representative, who is authorized to conduct business and make decisions on behalf of the CONTRACTOR. The office shall have business hours coinciding with CONTRACTOR's Beat(s) hours of operation. Through the Proposal document shown in section 7.0 of the Scope of Work, Contractor Representative Form, the CONTRACTOR shall designate representatives who will be available at the office during hours of operation to make decisions on behalf of the CONTRACTOR. The office shall be established within close proximity to the CONTRACTOR's Beat(s) and shall be located in Riverside, San Bernardino, Los Angeles or Orange Counties. A FSP Certified Back-Up Tow Truck and a FSP Certified Back-Up Tow Truck Driver must be available within a 45 minute request regardless of the CONTRACTOR's office location.

The CONTRACTOR shall also provide telephone, scanner and email through which he/she, or a responsible representative authorized to conduct business and make decisions on behalf of the CONTRACTOR, can be reached during the non-service hours of operation for the length of the contract. During non-business hours, an answering machine, provided at the CONTRACTOR'S expense, shall be available to log calls, take complaints, etc. An email address that is monitored daily shall be provided for "noticing" purposes during operational and non-service hours. The CONTRACTOR will be responsible for having a company representative monitor and review messages/notices on a daily basis and respond in a timely manner. Please see Exhibit "C" of this contract for penalties associated with failure to respond to communications from CHP and/or SBCTA.

7.0 Beat Descriptions.

SAN BERNARDINO COUNTY FREEWAY SERVICE PATROL

BEAT DESCRIPTIONS

Beat #	Beat Description	One-Way Length in Miles	# Primary FSP Trucks in both AM and PM	# FSP certified Back-Up Tow Trucks
5	SR-60 Milliken Avenue to Reservoir St. (LA County line)	8.6	2	1
27	I-15 Sierra Avenue to Oak Hill Road	14.2	2	1

All Beats are currently scheduled to operate from 5:30 a.m. to 9:00 a.m. and from 2:00 p.m. to 7:00 pm (Monday through Friday).

Both Beats require two (2) Primary FSP Certified Tow Trucks and one (1) Primary FSP Certified Back Up Tow Truck available during all FSP operational service hours.

Beat 5 shall not operate any weekend service hours except as authorized under “Extra Work”.

Beat 27 shall participate in SBCTA’s weekend service pilot. CONTRACTOR shall deploy two (2) FSP trucks in the field Saturdays and Sundays from 10:00 a.m. to 6:00 p.m.

SBCTA reserves the right to change Beat operating times and operational requirements (i.e., length of Beat) during the course of the Contract.

Please refer to Attached Map of Beat areas

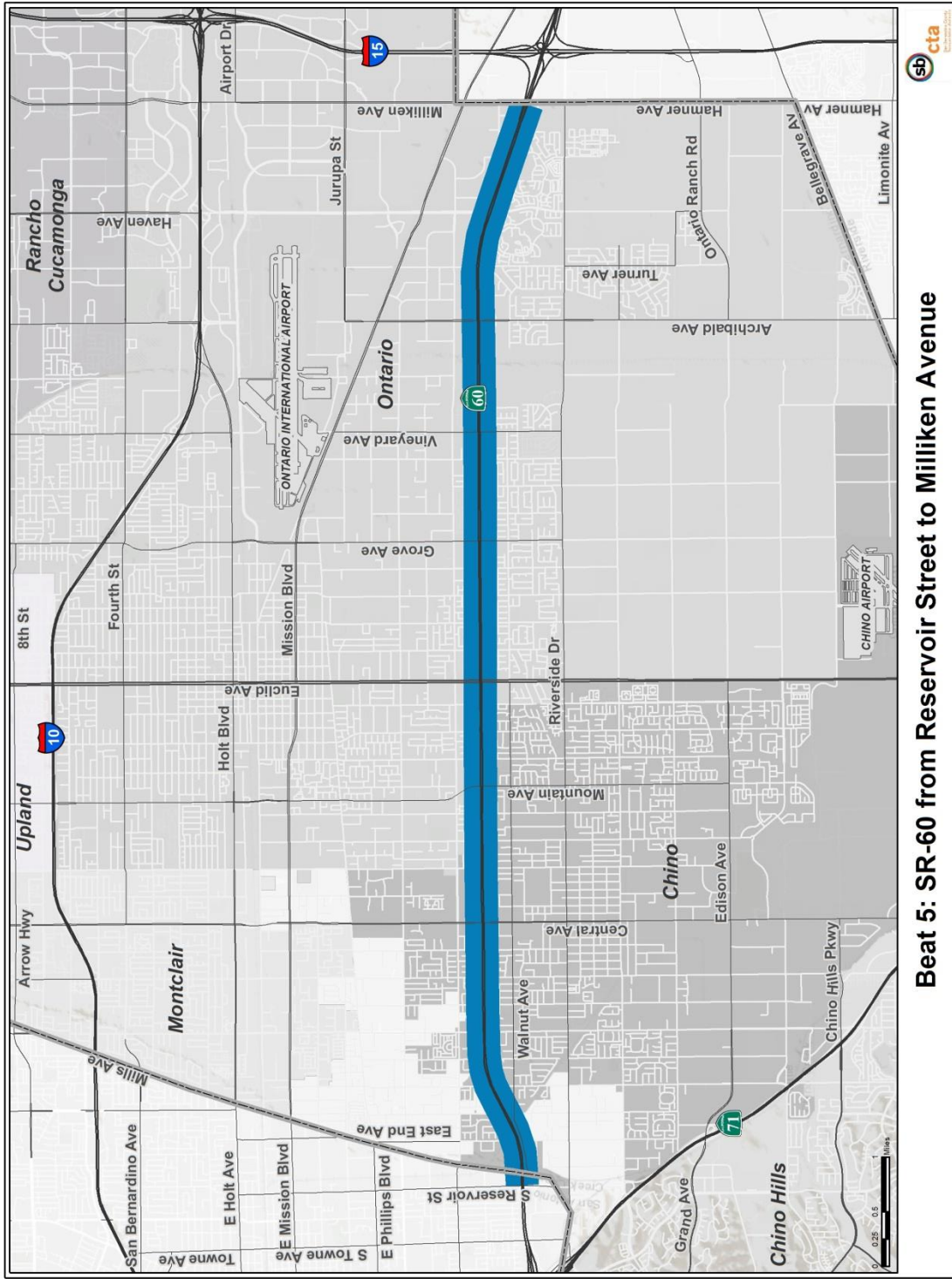
“Extra Work” for emergency coverage may be assigned for any of the nine (9) SBCTA FSP service areas:

1. Beat 5: SR-60 from Milliken Avenue to Reservoir Street (LA County line)
2. Beat 9: I-10 from Indian Hill Street (LA County line) to Haven Avenue
3. Beat 10: I-10 from Haven Avenue to Sierra Avenue
4. Beat 11: I-10 from Sierra Avenue to Waterman Avenue
5. Beat 14: I-215 from the Riverside County line to Devore Road
6. Beat 23: I-15 from the Riverside County line to Sierra Avenue
7. Beat 29: I-10 from Waterman Avenue to County line Road (Riverside County line)
8. Beat 27: I-15 from Sierra Avenue to Oak Hill Road
9. Beat 31: I-210 from the Los Angeles County line to Citrus Avenue

Beats 5 and 27 are the priority Beats for this contract, which means that should a primary truck go down; the “Extra Work” Beat truck shall be deployed back to the primary Beat. SBCTA shall evaluate all travel times made from the “Extra Work” Beat to the primary Beat in a penalty time situation on a monthly basis. Final penalty determination shall be made by CHP and SBCTA.

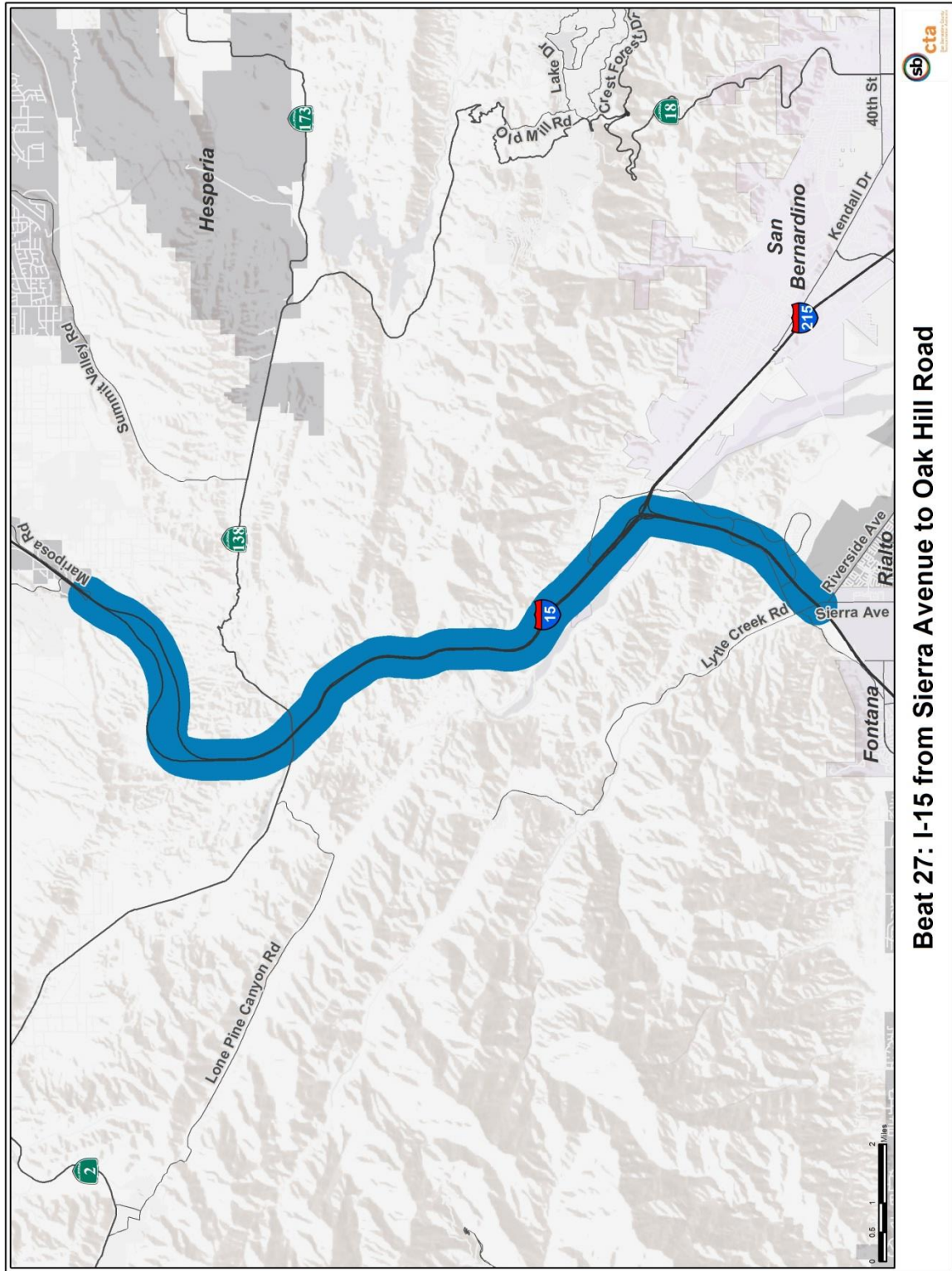
The contractor shall hold to all required standards about truck image and maintenance for the FSP Certified Back-Up Tow Truck being used during “Extra Work”, as CHP shall retain all rights to inspect and put the trucks out of service for non-compliance. Penalties shall still apply. In the event that the “Extra Work” Beat truck must be sent to cover the primary Beat, no penalty time shall be assessed for not having that back-up truck on the “Extra Work” Beat.

SBCTA reserves the right to change Beat hours and operational requirements during the course of the Contract. Written notice from SBCTA shall be required for commencement and termination of “Extra Work”.



Beat 5: SR-60 from Reservoir Street to Milliken Avenue

FSPBeat_5_190003_OK



8.0 FSP Holidays.

PRELIMINARY LIST OF FREEWAY SERVICE PATROL HOLIDAYS

Services are to be provided Monday through Friday at the hours designated in the Contract with the exception of the following holidays:

1. Martin Luther King, Jr. Day (Monday)
2. Presidents' Day (Monday)
3. Memorial Day (Monday)
4. Independence Day (July 4 - varies)
5. Labor Day (Monday)
6. Veterans Day (varies)
7. Thanksgiving Day (Thursday)
8. Day after Thanksgiving (Friday)
9. Christmas Day (December 25 - varies)
10. New Year's Day (January 1 – varies)

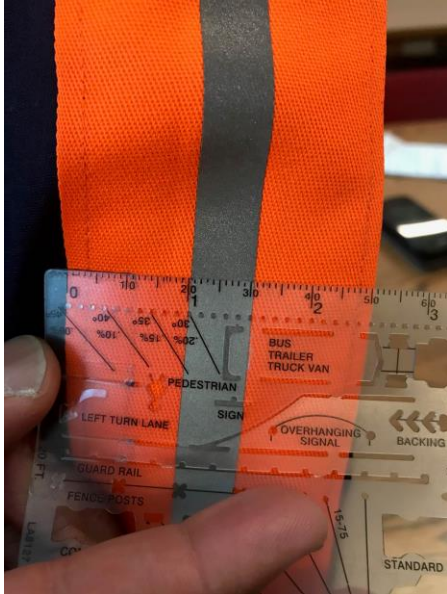
Approximate total ANNUAL service hours per vehicle per year: estimated to be 2,108 hours Monday through Friday for Beat 5, and an estimated 2,908 hours Monday through Sunday for Beat 27.

In addition to the above service hours, at the discretion of SBCTA and the CHP, additional service may be requested on certain "high traffic days" prior to or following certain holidays (e.g., July 4th, Labor Day, Sunday following Thanksgiving Day, Memorial Day). SBCTA may also alter the schedule to accommodate "summer traffic." CONTRACTORS will be notified at least one week prior when FSP service hours are altered due to when certain holidays fall on the calendar. Each year could be different. Please note that FSP service hours can be altered for other unforeseen purposes as well.

9.0 FSP UNIFORM REQUIREMENTS



STRIPE EXAMPLES:



Minute Action

AGENDA ITEM: 40

Date: July 10, 2019

Subject:

Resolution No. 20-001 Authorizing Placement of Assessments on the Tax Roll Related to the Property Assessed Clean Energy Program

Recommendation:

That the Board, acting as the San Bernardino Associated Governments (SBCOG):

Approve Resolution No. 20-001 authorizing the placement of assessments related to the Property Assessed Clean Energy program on the tax roll for Fiscal Year 2019/2020.

Background:

On March 6, 2013, the Board of Directors held a public hearing and then adopted Resolution No. 13-044 creating the Home Energy Renovation Opportunity (HERO) Program, a Property Assessed Clean Energy (PACE) Program, that allows a jurisdiction and an interested property owner to enter into a contractual agreement to finance the installation of eligible renewable energy, energy efficiency, or water efficiency improvements that are permanently affixed to the property. SBCOG loans the property owner the funds for the improvements. The amount of the loan plus a fixed interest amount is repaid through an assessment on the property tax bill for the property. SBCOG obtains the funds to loan by selling bonds to private investors secured by the property tax assessments paid by the property owners.

The HERO Program administered by SBCOG ended on June 30, 2017. However, during the four years of the program more than 15,000 assessments were created and SBCOG has a continuing obligation to bond holders to see that those existing assessments are collected.

Resolution No. 20-001 requests the Auditor-Controller/Treasurer/Tax Collector to enter the special assessments on the tax roll consistent with the obligations agreed to by the property owners that participated in the HERO Program and with SBCOG's obligations to the trustee and bondholders. The complete list of properties to be included on the tax roll is on file with the Clerk of the Board and available for review.

Financial Impact:

This item has no impact on the Fiscal Year 2019/2020 budget.

Reviewed By:

This item has not received prior policy committee or technical advisory committee review. SBCOG General Counsel has reviewed this item and the Resolution.

Responsible Staff:

Duane Baker, Deputy Executive Director

Board of Directors Agenda Item
July 10, 2019
Page 2

Approved
Board of Directors
Date: July 10, 2019
Witnessed By:

RESOLUTION NO. 20-001**RESOLUTION OF THE BOARD OF DIRECTORS OF THE SAN
BERNARDINO ASSOCIATED GOVERNMENTS MAKING CERTAIN
REPRESENTATIONS AND AUTHORIZING THE PLACEMENT OF
ASSESSMENTS ON THE TAX ROLL IN SAN BERNARDINO COUNTY**

WHEREAS, pursuant to Chapter 29 of Part 3 of Division 7 of the Streets and Highways Code of the State of California ("Chapter 29"), the Joint Exercise of Powers Agreement of the San Bernardino Associated Governments ("SANBAG"), originally made and entered into October 17, 1975, as further amended to date, and each separate Memorandum of Understanding by and between SANBAG and those parties to the Joint Exercise of Powers Agreement (each, a "Participating Party") that have elected to participate in the implementation of a property assessed clean energy ("PACE") program to finance the installation of distributed generation renewable energy sources, energy or water efficiency improvements or electric vehicle charging infrastructure, SANBAG has undertaken proceedings to establish and has established such a PACE program known as the "SANBAG HERO Program" (the "HERO Program"), to assist property owners within the jurisdictional boundaries of each Participating Party (the "Program Area") with the costs of installing distributed generation renewable energy sources, energy or water efficient improvements or electric vehicle charging infrastructure (the "Authorized Improvements") that are permanently fixed to their property; and

WHEREAS, SANBAG has by previous resolutions declared its intent to levy assessments for the purpose of financing Authorized Improvements under the provisions of Chapter 29; and

WHEREAS, assessment contracts have been entered into for properties located within the jurisdictional boundaries of San Bernardino County (the "County"); and

WHEREAS, the special assessments levied against the real property within the County are not levied with regard to property values but rather are fixed special assessments based upon the costs of the Authorized Improvements and the financing of such improvements; and

WHEREAS, SANBAG has determined and hereby certifies that the assessments are exempt from the provisions of Proposition 218, which was passed by the voters in November 1996; and

WHEREAS, SANBAG has further determined that the assessments are in compliance with all applicable laws.

WHEREAS, SANBAG requests that the Auditor-Controller of the County enter those special assessments identified in Exhibit A on the tax roll for collection by the Auditor-Controller for the 2019-2020 fiscal year.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the San Bernardino Associated Governments as follows:

Section 1. The above recitals are true and correct.

Section 2. SANBAG orders the levy and collection of such special assessments identified on Exhibit A within the jurisdictional boundaries of each Participating Party within the County for the 2019-2020 fiscal year, and in each subsequent fiscal year in which the charges may validly be levied; that a copy of this resolution shall be delivered to the Auditor-Controller of the County for placement of such assessments on the 2019-2020 Tax Roll of the County, and in each subsequent fiscal year in which the charges may validly be levied.

Section 3. The special assessments are in compliance with all applicable laws and are exempt from the provisions of Proposition 218.

Section 4. In the event of delinquencies, SANBAG will pursue the removal of the delinquent special taxes from the delinquent secured tax roll in accordance with the provisions of the Master Indenture.

Section 5. The Deputy Executive Director, or any designee of the Deputy Executive Director (each, an "Authorized Representative"), is hereby authorized and directed to take any other actions in the judgment of the Deputy Executive Director or such Authorized Representative necessary to place the special assessments on the 2019-2020 Tax Roll of the County, including, but not limited to making additions, deletions and modifications to Exhibit A attached hereto.

Section 6. This resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED at a meeting of the Board of Directors of the San Bernardino Associated Governments held on July 10, 2019.

Darcy McNaboe, President

ATTEST:

Vicki Watson, Clerk of the Board

EXHIBIT A

Minute Action

AGENDA ITEM: 41

Date: July 10, 2019

Subject:

Agreement with the Auditor-Controller/Treasurer/Tax Collector for the Collection of Special Taxes, Fees, and Assessments for Fiscal Year 2019/2020 as required by the HERO Program

Recommendation:

That the Board, acting as the San Bernardino Associated Governments:

Approve Agreement No. 19-1002243 with the San Bernardino County Auditor-Controller/Treasurer/Tax Collector providing for the collection of special assessments related to the San Bernardino Associated Governments Home Energy Renovation Opportunity Program for Fiscal Year 2019/2020 and authorize the Executive Director or his designee to execute the final Agreement.

Background:

On March 6, 2013, the Board of Directors held a public hearing and then adopted Resolution No. 13-044 creating the Home Energy Renovation Opportunity (HERO) Program that allows a jurisdiction and an interested property owner to enter into a contractual agreement to finance the installation of eligible renewable energy, energy efficiency, or water efficiency improvements that are permanently affixed to the property.

The HERO Program administered by San Bernardino Associated Governments (SANBAG), operating as San Bernardino Council of Governments (SBCOG), ended on June 30, 2017. However, during the four years of the program more than 15,000 assessments were created and SBCOG has a continuing obligation to bond holders to see that those existing assessments are collected.

On July 10, 2019, the Board of Directors will consider Resolution No. 20-001 requesting the Auditor-Controller/Treasurer/Tax Collector to enter the special assessments on the tax roll consistent with the obligations agreed to by the property owners that participated in the HERO Program and with SBCOG's obligations to the trustee and bondholders.

On July 11, 2018, San Bernardino Associated Governments entered into Agreement No. 18-1001979 with San Bernardino County to allow the County to collect the voluntary contractual assessments from property owners as required for the HERO Program. The County of San Bernardino has requested that this Agreement be renewed annually and has requested that SBCOG approve a new agreement before they will collect the special assessments. Agreement No. 19-1002243 will be in essentially the same form as Agreement No. 18-1001979 and is the new Agreement required by San Bernardino County and the form of this agreement is recommended for the Board's approval with authorization for the Executive Director or his designee to execute the final agreement.

Financial Impact:

This item is consistent with the Fiscal Year 2019/2020 Budget.

Reviewed By:

This item has not received prior policy committee or technical advisory committee review. SBCTA General Counsel has reviewed this item and the agreement.

Entity: San Bernardino Council of Governments

Board of Directors Agenda Item
July 10, 2019
Page 2

Responsible Staff:

Duane Baker, Deputy Executive Director

Approved
Board of Directors
Date: July 10, 2019

Witnessed By:

General Contract Information

Contract No: 19-1002243 Amendment No.: _____ Sole Source? N/A
 Vendor No.: 00559 Vendor/Customer Name: County of San Bernardino Auditor-Controller/Treasurer/Tax Collector
 Description: Agreement for HERO Program for collection of special taxes, fees, and assessments
 Estimated Start Date: 07/10/2019 Expiration Date: 07/01/2020 Revised Expiration Date: _____
 List Any SBCTA Related Contracts Nos.: _____

Dollar Amount							
Original Contract		\$	-	Original Contingency		\$	-
Prior Amendments		\$	-	Prior Amendments		\$	-
Current Amendment		\$	-	Current Amendment		\$	-
Total/Revised Contract Value		\$	-	Total Contingency Value		\$	-
	Total Dollar Authority (Contract Value and Contingency)					\$	-

Contract Authorization

Board of Directors _____ Date: 07/10/2019 Board _____ Item # 5848

Contract Management (Internal Purposes Only)

MOU/COOP/JPA _____ MOU/COOP/JPA/Zero Dollar Contracts _____ N/A _____

Accounts Payable											
Total Contract Funding: \$						Total Contingency: \$					
GL: 1					-	GL: 1					-
GL: 2					-	GL: 2					-
GL: 3					-	GL: 3					-
GL: 4					-	GL: 4					-
GL: 5					-	GL: 5					-
GL: 6					-	GL: 6					-
GL: 7					-	GL: 7					-
GL: 8					-	GL: 8					-
GL: 9					-	GL: 9					-
GL: 10					-	GL: 10					-
GL: 11					-	GL: 11					-
GL: 12					-	GL: 12					-

Accounts Receivable											
Total Contract Funding: \$											
Funding Agreement No: _____						Reversion Date: _____					
GL: 1					-	GL: 1					-
GL: 2					-	GL: 2					-
GL: 3					-	GL: 3					-
GL: 4					-	GL: 4					-
GL: 5					-	GL: 5					-

Duane Baker

Project Manager (Print Name)

Duane Baker

Task Manager (Print Name)

Additional Notes:



AUDITOR-CONTROLLER/TREASURER/TAX COLLECTOR
 AGREEMENT FOR COLLECTION OF SPECIAL
 TAXES, FEES, AND ASSESSMENTS
 FISCAL YEAR 2019-20

THIS AGREEMENT is made and entered into this 10th day of July, 2019, by and between the COUNTY OF SAN BERNARDINO, hereinafter referred to as "County" and the SAN BERNARDINO ASSOCIATED GOVERNMENTS, hereinafter referred to as "District".

WITNESSETH:

WHEREAS, Government Code Sections 29304 and 51800 authorize the County to recoup its collection costs when the County collects taxes, fees, or assessments for any city, school district, special district, zone or improvement district thereof; and

WHEREAS, the District and County have determined that it is in the public interest that the County, when requested by District, collect on the County tax rolls the special taxes, fees, and assessments for District.

NOW, THEREFORE, IT IS AGREED by and between the parties hereto as follows:

1. County agrees, when requested by District as hereinafter provided to collect on the County tax rolls the special taxes, fees, and assessments of District, and of each zone or improvement District thereof.
2. When County is to collect District's special taxes, fees, and assessments, District agrees to notify in writing the Auditor-Controller (268 W. Hospitality Lane, 4TH floor, San Bernardino, CA 92415) of the County on or before the 10th day of August of each fiscal year of the Assessor's parcel numbers and the amount of each special tax, fee, or assessment to be so collected. Any such notice, in order to be effective, must be received by the Auditor-Controller by said date.
3. County may charge District an amount per parcel for each special tax, fee, or assessment that is to be collected on the County tax rolls by the County for the District, not to exceed County's actual cost of collection.
4. District warrants that the taxes, fees, or assessments imposed by District and collected pursuant to this Agreement comply with all requirements of state law, including but not limited to, Articles XIIIC and XIID of the California Constitution (Proposition 218).
5. District hereby releases and forever discharges County and its officers, agents, and employees from any and all claims, demands, liabilities, costs and expenses, damages, causes of action, and judgments, in any manner arising out of District's responsibility under

this agreement, or other action taken by District in establishing a special tax, fee, or assessment and implementing collection of special taxes, fees or assessments as contemplated in this agreement.

6. The County Auditor-Controller has not determined the validity of the taxes or assessments to be collected pursuant to this contract, and the undersigned District hereby assumes any and all responsibility for making such a determination. The undersigned District agrees to indemnify, defend, and hold harmless the County and its authorized officers, employees, agents, and volunteers from any and all claims, actions, losses, damages, and/or liability arising out of this contract or the imposition of the taxes or assessments collected pursuant to this contract, and for any costs or expenses incurred by the County on account of any claim therefore, except where such indemnification is prohibited by law. If any judgment is entered against County or any other indemnified party as a result of action taken to implement this Agreement, District agrees that County may offset the amount of any judgment paid by County or by any indemnified party from any monies collected by County on District's behalf, including property taxes, special taxes, fees, or assessments. County may, but is not required to, notify District of its intent to implement any offset authorized by this paragraph.

7. District agrees that its officers, agents and employees will cooperate with County by answering inquiries made to District by any person concerning District's special tax, fee, or assessment, and District agrees that its officers, agents, and employees will not refer such individuals making inquiries to County officers or employees for response.

8. District shall not assign or transfer this agreement or any interest herein and any such assignment or transfer or attempted assignment or transfer of this agreement or any interest herein by District shall be void and shall immediately and automatically terminate this agreement

9. This agreement shall be effective for the 2019-20 fiscal year.

10. Either party may terminate this agreement for any reason upon 30 days written notice to the other party. The County Auditor-Controller shall have the right to exercise County's right and authority under this contract including the right to terminate the contract.

11. County's waiver of breach of any one term, covenant, or other provision of this agreement, is not a waiver of breach of any other term, nor subsequent breach of the term or provision waived.

12. Each person signing this agreement represents and warrants that he or she has been fully authorized to do so.

IN WITNESS WHEREOF, the parties hereto have executed this agreement as of the day and year first above written.

District: San Bernardino Associated Governments

By: _____

Printed Name: _____

Title: _____

Date: _____

ENSEN MASON CPA, CFA,
AUDITOR-CONTROLLER/TREASURER/TAX COLLECTOR
SAN BERNARDINO COUNTY

By Authorized Deputy: _____

Printed Name: Linda Santillano

Title: Chief Deputy, Property Tax

Date: _____

Minute Action

AGENDA ITEM: 42

Date: July 10, 2019

Subject:

Contract 19-1002152 for Grant Writing Services

Recommendation:

That the Board, acting as the San Bernardino Associated Governments (SBCOG):

Approve Contract 19-1002152 with Blais and Associates, Inc. for Grant Writing Services for \$195,910.00 for a two-year term, with two optional two-year extensions.

Background:

The San Bernardino Associated Governments (SBCOG) has contracted grant-writing services since 2016, and the program has been very successful with \$29,294,431 being brought to the region under the contract. The current contract ends June 30, 2019, and this item requests approval of a new contract.

The Request for Proposal (RFP) 19-1002152 was released on May 2, 2019, and was sent electronically to approximately one hundred nine (109) firms registered on San Bernardino County Transportation Authority (SBCTA)'s PlanetBids website, with fourteen (14) firms downloading the RFP packet. The solicitation was issued in accordance with Contracting and Procurement Policy No. 11000.

SBCTA received four (4) proposals prior to the due date and time specified in the RFP. The following is a summary of the events that transpired in the evaluation and selection process. A responsiveness review was conducted by the Procurement Analyst finding no irregularities and the firms were not listed on the System for Award Management (SAM) debarment website.

Summary of Evaluation Process:

On May 23, 2019, the proposals received were disseminated to the Evaluation Committee members along with a copy of the Score Sheets and the Declaration of Impartiality and Confidentiality form. The Evaluation Committee consisted of three SBCTA staff members.

Evaluation Committee Meeting:

On June 6, 2019, the Evaluation Committee completed their individual reviews of the proposals and convened to open discussion and review questions and concerns the panel member had with proposals based on the evaluation criteria identifying the strengths and weaknesses. The procurement analyst provided feedback for the reference checks that had no outstanding rating or comments that would affect selection of any firm. Minor variances in the criteria scores were discussed by the evaluation panel and, based on the proposal evaluation scoring, the firms were ranked in order of technical merit.

After discussions, the Evaluation Committee members individually scored the proposals based on the following evaluation criteria; Qualifications, Related Experience and References – 30 points, Proposed Staffing and Project Organization – 25 points, Work Plan – 30 points, and

Entity: San Bernardino Council of Governments

Price – 15 points. The Committee also established the format for the interview phase and arrived with the following shortlist of firms (in alphabetical order): Blais & Associates and KTUA.

Interviews:

Interviews were conducted on June 25, 2019 with the short-listed firms. Each firm was allotted 50 minutes, consisting of 5 minutes to set up equipment, 10 minutes for brief introductions and presentation, followed by 30 minutes of questions and answers, and concluding with a 5 minute closing statement. At the completion of the interviews, the Evaluation Committee separately scored the interviews. The assigned weights outlined in the RFP instructions were 40% for technical and 60% for interviews.

EVALUATION COMMITTEE RECOMMENDATION SUMMARY

Blais & Associates is the highest ranking score based on the technical and interview evaluations conducted by the Evaluation Committee for this procurement. The Committee recommends that the contract for RFP 19-1002152 be awarded to Blais & Associates to perform Grant Writing Consultant Services. The firm clearly demonstrated a thorough understanding of the scope-of-work and proposed a qualified team, clear and concise work plan, and innovative approach to the project showing the ability to perform necessary tasks and to complete the project on schedule and within budget. Evaluation forms and reference checks are located in the Contract Audit File.

Financial Impact:

This item is consistent with the adopted Fiscal Year 2019/2020 budget.

Reviewed By:

This item has had no prior policy committee or technical advisory committee review. SBCTA's General Counsel, Risk Manager and Procurement Manager have reviewed this item and the draft contract.

Responsible Staff:

Monique Reza-Arellano, Council of Governments Administrator

Approved
Board of Directors
Date: July 10, 2019

Witnessed By:

General Contract Information

Contract No: 19-1002152 Amendment No.: NA Sole Source? No
 Vendor No.: 03183 Vendor/Customer Name: Blais & Associates
 Description: Grant Writing Services
 Estimated Start Date: 07/10/2019 Expiration Date: 06/30/2021 Revised Expiration Date: _____
 List Any SBCTA Related Contracts Nos.: _____

Dollar Amount							
Original Contract		\$	195,910.00	Original Contingency		\$	-
Prior Amendments		\$	-	Prior Amendments		\$	-
Current Amendment		\$	-	Current Amendment		\$	-
Total/Revised Contract Value		\$	195,910.00	Total Contingency Value		\$	-
	Total Dollar Authority (Contract Value and Contingency)					\$	195,910.00

Contract Authorization

Board of Directors _____ Date: 07/10/2019 Board _____ Item # 5851

Contract Management (Internal Purposes Only)

Payable _____ Other Contracts _____ No Budget Adjustment _____

Accounts Payable											
Total Contract Funding: \$						Total Contingency: \$					
195,910.00						-					
GL: 1020 00 0501 0000 52001 41100000	97,955.00					GL: 1020 00 0501 0000 52001 41100000	-				
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GL: 1020 00 0501 0000 52001 41100000	-					GL: 1020 00 0501 0000 52001 41100000	-				

Accounts Receivable											
Total Contract Funding: \$						-					
Funding Agreement No: _____						Reversion Date: _____					
GL: 1020 00 0501 0000 52001 41100000	-					GL: 1020 00 0501 0000 52001 41100000	-				
GL: 1020 00 0501 0000 52001 41100000	-					GL: 1020 00 0501 0000 52001 41100000	-				
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GL: 1020 00 0501 0000 52001 41100000	-					GL: 1020 00 0501 0000 52001 41100000	-				

Monique Reza-Arellano

Duane Baker

Project Manager (Print Name)

Task Manager (Print Name)

Additional Notes:

Attachment: Contract Summary Sheet - Grant Writing 19-1002152 [Revision 1] (5851 : Contract 19-1002152 for Grant Writing Services)

EXHIBIT “A” “SCOPE OF WORK”

GRANT WRITING CONSULTANT SERVICES:

The Grant Writing Consultant shall serve as the grant consultant for the San Bernardino County Transportation Authority and the Council of Governments, attend Board and Committee meetings as requested, interface with SBCTA/SBCOG staff, interface with member agency staff, keep SBCTA/SBCOG aware of requirements and opportunities regarding on-going and new grant programs, write grant applications as requested, and monitor grant compliance as requested.

Grant services are required in a variety of areas including, but not limited to, transportation, infrastructure, rail, public health, energy efficiency, air quality, planning, economic development, and public safety. Additionally, services may include, but are not limited to submitting grant applications and assisting in the administration of funding received.

General and On-going Services Needed:

1. **Grant Writing** – The consultant may be required to seek grant funding for specific projects or programs as requested by SBCTA/SBCOG. Upon identification and analysis of grant programs/funding, the consultant may be required to assist SBCTA/SBCOG staff in the preparation of grant applications and/or complete and submit grant applications on behalf of the CTA/COG. SBCTA/SBCOG may request grant applications to be submitted to the Federal, State, Local, and other funding agencies. SBCTA/SBCOG may request the consultant to track progress of submitted grant applications and request support from legislators and agencies in an effort to secure funding. Develop timelines and checklists for identified grants to ensure timely grant completion and submission. In coordination with SBCTA/SBCOG staff, compose grant proposals, including budget, concept plans, and other necessary items for grant submittals. Assist SBCTA/SBCOG staff in ensuring compliance with all applicable grant rules and regulations.
2. **Grant Administration** – In the event that a grant application is prepared, submitted, and funded, the consultant may be required to implement and/or provide grant administration assistance for specific projects or programs. Grant administration assistance may include implementation of a program, preparation of required reports, cash draw down requests, progress reports, and clearing special conditions as identified by the funding agency.
3. **Deliverables** – Deliverables will be determined on a case-by-case basis depending on the services requested by SBCTA/SBCOG. Deliverables may include, but are not limited to, funding availability reports, work progress reports, monthly and quarterly grant reports, completed grant applications and supporting

documentation, attending meetings, and making presentations before SBCTA/SBCOG staff and Board of Directors.

4. **Ongoing Grant Research** – The consultant is required to inform SBCTA/SBCOG staff of any grant opportunities that are appropriate for SBCTA/SBCOG projects, programs, or services. This will include State, Federal, local and any other opportunities for funding from other non-profits/foundations. A report with the eligibility requirements, past success rates and example projects should be submitted to SBCTA/SBCOG staff for determination with each grant opportunity.
5. **Other Services** – The consultant may be required to complete awards applications and write other proposals as asked by SBCTA/SBCOG staff.

Any additional services that the consultant believes may be appropriate or necessary for the successful completion of these services should be identified in the Request For Proposal, but described and listed as proposed additional services. The Consultant will perform these services under the direction of SBCTA/SBCOG staff.

Specific Services Needed in Addition to Grant Writing and Support:

1. Conduct a needs assessment of SBCTA/SBCOG to gain an understanding of the program and funding needs of the agency.
2. Conduct 2 workshops per fiscal year for SBCTA/SBCOG and its member agencies on topics related to grant funding opportunities and successful grant writing.

ADDITIONAL INFORMATION

BOARD OF DIRECTORS ATTENDANCE RECORD – 2019

Name	Jan	Feb	March	April	May	June	July	Aug DARK	Sept	Oct	Nov	Dec
Robert A. Lovingood Board of Supervisors	X	X		X	X	X						
Janice Rutherford Board of Supervisors	X			X	X							
Dawn Rowe Board of Supervisors		X		X	X	X						
Curt Hagman Board of Supervisors	X	X		X	X	X						
Josie Gonzales Board of Supervisors	X	X		X	X	X						
Gabriel Reyes City of Adelanto			X									
Art Bishop Town of Apple Valley	X	X	X	X	X	X						
Julie McIntyre City of Barstow	X	X	X	X	X	X						
Bill Jahn City of Big Bear Lake		X	X	X		X						
Eunice Ulloa City of Chino	X	X	X	X	X	X						
Ray Marquez City of Chino Hills	X	X	X	X	X	X						
Frank Navarro City of Colton	X	X	X	X	X	X						
Acquanetta Warren City of Fontana	X	X	X	*	*	X						
Darcy McNaboe City of Grand Terrace	X	X	X	X	X	X						
Bill Holland City of Hesperia	X	*	*	*	*	*						

X = member attended meeting. * = alternate member attended meeting. Empty box = Did not attend meeting. Crossed out box = not a Board Member at the time.

BOARD OF DIRECTORS ATTENDANCE RECORD – 2019

Name	Jan	Feb	March	April	May	June	July	Aug DARK	Sept	Oct	Nov	Dec
Larry McCallon City of Highland	X	X	X	X	X	X						
Rhodes ‘Dusty’ Rigsby City of Loma Linda	X	X	X	X	X	X						
John Dutrey City of Montclair	X	X	X	X	X	X						
Edward Paget City of Needles	X	X	X	X	X							
Alan Wapner City of Ontario		X	X	X	X	X						
L. Dennis Michael City of Rancho Cucamonga	*	X	X	X		X						
Toni Momberger City of Redlands	* Attended as the Alternate	X		X	X	X						
Deborah Robertson City of Rialto	X	X	X		X	X						
John Valdivia City of San Bernardino	X	X	X	X	*	X						
Joel Klink City of Twentynine Palms	X	*	X	X	X	X						
Debbie Stone City of Upland	X	X	X		X	X						
Jim Cox City of Victorville	X	X	X	*	*	*						
David Avila City of Yucaipa	X	X	X	X	X							
Rick Denison Town of Yucca Valley		X	X	X	X	X						
Janice Benton Ex-Official Member	Syed Raza	X										
Michael Beauchamp Ex-Official Member			X	X	X	David Bricker						

X = member attended meeting. * = alternate member attended meeting. Empty box = Did not attend meeting. Crossed out box = not a Board Member at the time.

This list provides information on acronyms commonly used by transportation planning professionals. This information is provided in an effort to assist Board Members and partners as they participate in deliberations at Board meetings. While a complete list of all acronyms which may arise at any given time is not possible, this list attempts to provide the most commonly-used terms. Staff makes every effort to minimize use of acronyms to ensure good communication and understanding of complex transportation processes.

AB	Assembly Bill
ACE	Alameda Corridor East
ACT	Association for Commuter Transportation
ADA	Americans with Disabilities Act
ADT	Average Daily Traffic
APTA	American Public Transportation Association
AQMP	Air Quality Management Plan
ARRA	American Recovery and Reinvestment Act
ATMIS	Advanced Transportation Management Information Systems
BAT	Barstow Area Transit
CALACT	California Association for Coordination Transportation
CALCOG	California Association of Councils of Governments
CALSAFE	California Committee for Service Authorities for Freeway Emergencies
CARB	California Air Resources Board
CEQA	California Environmental Quality Act
CMAQ	Congestion Mitigation and Air Quality
CMIA	Corridor Mobility Improvement Account
CMP	Congestion Management Program
CNG	Compressed Natural Gas
COG	Council of Governments
CPUC	California Public Utilities Commission
CSAC	California State Association of Counties
CTA	California Transit Association
CTC	California Transportation Commission
CTC	County Transportation Commission
CTP	Comprehensive Transportation Plan
DBE	Disadvantaged Business Enterprise
DEMO	Federal Demonstration Funds
DOT	Department of Transportation
EA	Environmental Assessment
E&D	Elderly and Disabled
E&H	Elderly and Handicapped
EIR	Environmental Impact Report (California)
EIS	Environmental Impact Statement (Federal)
EPA	Environmental Protection Agency
FHWA	Federal Highway Administration
FSP	Freeway Service Patrol
FRA	Federal Railroad Administration
FTA	Federal Transit Administration
FTIP	Federal Transportation Improvement Program
GFOA	Government Finance Officers Association
GIS	Geographic Information Systems
HOV	High-Occupancy Vehicle
ICTC	Interstate Clean Transportation Corridor
IEEP	Inland Empire Economic Partnership
ISTEA	Intermodal Surface Transportation Efficiency Act of 1991
IIP/ITIP	Interregional Transportation Improvement Program
ITS	Intelligent Transportation Systems
IVDA	Inland Valley Development Agency
JARC	Job Access Reverse Commute
LACMTA	Los Angeles County Metropolitan Transportation Authority
LNG	Liquefied Natural Gas
LTF	Local Transportation Funds

Acronym List

MAGLEV	Magnetic Levitation
MARTA	Mountain Area Regional Transportation Authority
MBTA	Morongo Basin Transit Authority
MDAB	Mojave Desert Air Basin
MDAQMD	Mojave Desert Air Quality Management District
MOU	Memorandum of Understanding
MPO	Metropolitan Planning Organization
MSRC	Mobile Source Air Pollution Reduction Review Committee
NAT	Needles Area Transit
NEPA	National Environmental Policy Act
OA	Obligation Authority
OCTA	Orange County Transportation Authority
PA&ED	Project Approval and Environmental Document
PASTACC	Public and Specialized Transportation Advisory and Coordinating Council
PDT	Project Development Team
PNRS	Projects of National and Regional Significance
PPM	Planning, Programming and Monitoring Funds
PSE	Plans, Specifications and Estimates
PSR	Project Study Report
PTA	Public Transportation Account
PTC	Positive Train Control
PTMISEA	Public Transportation Modernization, Improvement and Service Enhancement Account
RCTC	Riverside County Transportation Commission
RDA	Redevelopment Agency
RFP	Request for Proposal
RIP	Regional Improvement Program
RSTIS	Regionally Significant Transportation Investment Study
RTIP	Regional Transportation Improvement Program
RTP	Regional Transportation Plan
RTPA	Regional Transportation Planning Agencies
SB	Senate Bill
SAFE	Service Authority for Freeway Emergencies
SAFETEA-LU	Safe Accountable Flexible Efficient Transportation Equity Act – A Legacy for Users
SCAB	South Coast Air Basin
SCAG	Southern California Association of Governments
SCAQMD	South Coast Air Quality Management District
SCRRA	Southern California Regional Rail Authority
SHA	State Highway Account
SHOPP	State Highway Operations and Protection Program
SOV	Single-Occupant Vehicle
SRTP	Short Range Transit Plan
STAF	State Transit Assistance Funds
STIP	State Transportation Improvement Program
STP	Surface Transportation Program
TAC	Technical Advisory Committee
TCIF	Trade Corridor Improvement Fund
TCM	Transportation Control Measure
TCRP	Traffic Congestion Relief Program
TDA	Transportation Development Act
TEA	Transportation Enhancement Activities
TEA-21	Transportation Equity Act for the 21 st Century
TMC	Transportation Management Center
TMEE	Traffic Management and Environmental Enhancement
TSM	Transportation Systems Management
TSSDRA	Transit System Safety, Security and Disaster Response Account
USFWS	United States Fish and Wildlife Service
VCTC	Ventura County Transportation Commission
VVTA	Victor Valley Transit Authority
WRCOG	Western Riverside Council of Governments

AGENCY REPORTS



REPORT: Mobile Source Air Pollution Reduction Review Committee

FROM: Larry McCallon, SBCTA Representative to the MSRC

SYNOPSIS: Below is a summary of key issues addressed at the MSRC's meeting on May 16, 2019. The next meeting is scheduled for Thursday, June 20, 2019 at 2:00 p.m., in Conference Room CC8.

MSRC Chair Appointed and MSRC Vice-Chair Appointed

Annually the MSRC elects its Chair and Vice-Chair. At its May 16, 2019 meeting, the MSRC unanimously appointed Larry McCallon as its Chair for a one-year term. Mr. McCallon is Mayor Pro Tem for the City of Highland and represents San Bernardino County Transportation Authority on the MSRC. The MSRC also unanimously elected Greg Winterbottom as its MSRC Vice-Chair for a one-year term. Mr. Winterbottom serves as the Public Member on the Orange County Transportation Authority (OCTA) Board of Directors and is also the Chairman of the OCTA Transit, Planning and Operations Committee and represents OCTA on the MSRC.

Update on Landscape for MSRC's Regional Goods Movement Program

As directed by MSRC, Better World Group Advisors (BWG) initiated an assessment of other funding providers' active and potential programs that would most closely align with the MSRC's priorities for their Regional Goods Movement Program. BWG reported their initial findings that big-box and online retailers have large distribution centers in the Inland Empire in the last few years that attract a high volume of trucks on a daily basis. The primary agencies and organizations providing incentives for and evaluating lower emitting heavy-duty vehicles in the goods movement sector are the California Air Resources Board (CARB), California Energy Commission (CEC), South Coast AQMD, California Transportation Commission, Ports of Los Angeles and Long Beach, Southern California Edison, and the Los Angeles Cleantech Incubator. Recommendations for potential future investments and areas for additional exploratory outreach are: investing in clean technology initiatives at the Ports of Los Angeles and Long Beach, expanding the clean truck trade-down program, investing in heavy-duty off-road vehicles and equipment, exploring collaborative opportunities beyond California entities, investing in charging/refueling infrastructure for heavy-duty vehicles, influencing state and regional clean transportation investments, building partnerships, and assessing needs and opportunities for Inland Empire warehouses.

Contract Modification Requests

1. For the City of Riverside, Contract #ML16034, to implement “Complete Streets” project, a nine-month term extension;
2. For the City of Santa Monica, Contract #MS16115, to repower transit buses with near-zero engines, retain one engine to be used for training purposes, in lieu of scrapping all 58 engines; and
3. For OCTA, Contract #MS16029, to implement regional bikeway projects, reduce the number of segments of the San Juan Capistrano Bicycle Lanes Gap Closure Project from seven to five, with a corresponding reduction in funding, and for the Lambert Road Bikeway, eliminate the lighting and bicycle locker elements with a corresponding reduction in funding.

Contracts Administrator’s Report

The MSRC’s AB 2766 Contracts Administrator provides a written status report on all open contracts from FY 2004-05 through the present.

COMMITTEE MEMBERSHIP

San Bernardino County Transportation Authority (SBCTA) Representatives on SCAG Committees

APPOINTING/ELECTING AUTHORITY	REGIONAL COUNCIL (12:15 p.m.)	POLICY COMMITTEES (Regional Council Members Serve on One Each) (Subregional Appointments) (County Commissions Appoint One to TC) (10:00 a.m.)		
		Community, Economic, and Human Development	Energy and Environment	Transportation
District 6 (Grand Terrace, Colton, Loma Linda, Redlands, Yucaipa) District 7 (San Bernardino, Highland) District 8 (Rialto, Fontana) District 9 (Rancho Cucamonga, Upland, Montclair) District 10 (Chino, Chino Hills, Ontario) District 11 (Barstow, Big Bear, Needles, Twentynine Palms, Yucca Valley) District 65 (Adelanto, Apple Valley, Hesperia, Victorville) San Bernardino County	F. Navarro L. McCallon D. Robertson L. Michael R. Marquez B. Jahn R. Ramirez C. Hagman	B. Jahn R. Ramirez	D. Robertson	F. Navarro L. McCallon L. Michael R. Marquez C. Hagman
†San Bernardino County Transportation Authority Appointee	A. Wapner			A. Wapner
SBCTA Subregional Appointees* *One appointee to each policy committee for a total of three appointees per subregion, plus one additional appointee for every SCAG District over three in the subregion. SBCTA has a total of seven subregional appointees to the policy committees. *Terms of appointment expire December 31 of odd-numbered years.		David Avila Ed Paget Vacant	Cynthia Moran John Valdivia Toni Momberger	John Dutrey

Rules of Appointment

1. SBCTA policy stipulates that all SBCTA appointees be SBCTA Board Members.
2. SCAG President appoints Regional Council members to Standing and Policy Committees.

Terms of Appointment

Terms of appointment are two years, commencing on adjournment of the annual General Assembly in May of each year. Even-numbered District representatives' terms expire in even-numbered years; odd-numbered District representatives expire in odd-numbered years. †SBCTA Regional Council Representative serves a two-year term from the date of appointment.

Stipend Summary

SCAG Regional Council members receive a \$120 stipend for attendance and travel to SCAG sponsored meetings. Regional Council members may also receive reimbursement for public transit expenses or a mileage reimbursement. Parking is validated at SCAG's downtown Los Angeles office for RC members. RC members are eligible to receive up to six (6) per diem stipends per month. Both RC members and Subregional Appointees, if eligible, may receive reimbursement (\$150 + taxes) for lodging (please review SCAG rules before making expenditure). Subregional Appointees shall receive a \$120 stipend for up to four Policy or Task Force meetings per month.

Meeting Information

The regular meetings of SCAG Regional Council and Policy Committees are on the 1st Thursday of each month at the SCAG offices located at 900 Wilshire Blvd., Ste. 700, Los Angeles. Generally, the Policy Committee meetings start at 10 AM and Regional Council meetings start at 12:15 PM.

Policy Committees

Community, Economic, and Human Development: Provides policy recommendations to the Regional Council on subjects of housing, land use, resource, economic, community development, infrastructure, employment, and regional disaster preparedness issues. Reviews and recommends to the Planning Committee revisions to the Housing, Economy, Growth Management, Human Resources, and Finance Chapters of the Regional Comprehensive Plan and Guide.

Energy and Environment: Acts as the policy advisory committee to the Regional Council on environmental issues, including air and water, hazardous, solid waste management, natural resources conservation, and energy conservation. Reviews the Environmental Impact Report of the Regional Comprehensive Plan and Guide. Provides recommendations to the Planning Committee on state and federal legislative proposals and administrative guidelines affecting environmental quality, resource conservation.

Transportation: Acts as the policy advisory committee to the Regional Council on all regional matters pertaining to the movement of goods and people on land, water, and air. Reviews and recommends to the Regional Council all major utility development plans. Addresses the location, size, or capacity, timing, and impact of facilities.

Appointments to External Agencies

The San Bernardino County Transportation Authority (SBCTA) and San Bernardino Council of Governments (SBCOG) work closely with not only the County and cities within the County of San Bernardino, but with a number of regional governments that relate to the multiple counties within the Southern California region. Members of the SBCTA Board of Directors frequently take active roles in representing the interests of San Bernardino County on these regional bodies. This participation provides assurance that the unique needs and characteristics of San Bernardino County are taken into consideration as policies are developed which impact this County and its individual local government units. Active participation in regional organizations further promotes the interests of San Bernardino County and secures its appropriate role in the Southern California region.

The following table lists some of the regional bodies upon which SBCTA and SBCOG representatives serve.

Committee	Appointee	Appointing Authority	Purpose	Term
California Association of Councils of Governments	Alan Wapner, Ontario	President	CALCOG facilitates communication and information sharing among its members. Most members of CALCOG are Councils of Governments (COGs), while some are transportation commissions and others are the large Metropolitan Planning Organizations like SCAG and SANDAG. CALCOG is governed by a Board of Directors comprised of a representative from each member's Board of Directors.	12/31/20
Inland Empire Economic Partnership (IEEP)	Dennis Michael, Rancho Cucamonga	President	The IEEP is a partnership that includes business, government and academic leaders to develop and carry out initiatives to benefit the region.	
The Sam and Alfreda L. Maloof Foundation for Arts and Crafts	Janice Rutherford, Supervisor	Board of Directors	A non-profit corporation that participates in the preparation of the Conservation Plan and oversees the activities and assets of the Foundation. A payment of stipend for participation has not been authorized.	12/31/19
Gold Line Phase II Joint Powers Authority	John Dutrey, Montclair, Primary Curt Hagman, Supervisor, Alternate	Board of Directors	The Gold Line Phase II Construction Authority is a Joint Powers Authority (JPA) formed by 14 cities along the corridor and SBCTA. The JPA serves as a forum for the review, consideration, study, development and recommendation of policies and plans for the extension of the Gold Line from Pasadena to Montclair. Members receive \$150 payment from Gold Line Authority for participation.	12/31/19 12/31/20
Metro Gold Line Foothill Extension Construction Authority	Alan Wapner, Ontario, Primary Deborah Robertson, Alternate	President	The Authority is responsible for the development of a light rail project from the City of Los Angeles into San Bernardino County. The Authority board meets on the second and fourth Wednesday of the month at 7:00 p.m. at the Authority's office in Monrovia. Members receive \$150 for each day spent on Authority business, not to exceed \$600 per month.	12/31/20 12/31/20
Mobile Source Air Pollution Reduction Review Committee	Larry McCallon, Highland, Primary John Valdivia, San Bernardino, Alternate	Board of Directors	Develops and implements work programs which reduce mobile source emissions, funded by AB2766 (portion of the \$4 motor vehicle registration fee). County Commissions, SCAQMD, and ARB have one appointment with alternates. In April 2005, SBCTA authorized a stipend of \$100 per day. The MSRC meets once a month on Thursdays at 2:00 p.m. at South Coast Air Quality Management District in Diamond Bar.	12/31/20 12/31/20

Appointments to External Agencies

Committee	Appointee	Appointing Authority	Purpose	Term
One Water One Watershed (OWOW) Steering Committee of the Santa Ana Watershed Project Authority	Deborah Robertson, Rialto	Board of Directors	<p>Responsible for developing the integrated Regional Water Management Plan for the Santa Ana River.</p> <p>The term of the appointment is for four years for a city representative from San Bernardino County.</p> <p>Officers leaving elected office after appointment are still eligible to serve. Beginning January 2016, the OWOW meets on the 4th Thursday of every other month at 11:00 a.m. at the Santa Ana Watershed Project Authority (SAWPA). Members of the Steering Committee do not receive a stipend.</p>	12/31/22
SCAG Policy Committees	See associated table.	The Board has authorized the President to make appointments to SCAG Policy Committees.	SBCTA also has authority to appoint up to seven appointees to the three SCAG Policy Committees: i.e., Community Economic and Human Development, Energy and Environment, and Transportation. SCAG pays appointees to policy committees a stipend of \$120 per meeting.	See associated table – Representatives on SCAG Committees
Southern California Regional Rail Authority	Alan Wapner, Ontario, Primary Larry McCallon, Highland, Primary Ray Marquez, Chino Hills, Alternate John Dutrey, Montclair, Alternate	Board of Directors (Recommendation made by the Transit Committee)	<p>SCRRA serves as the governing body for Metrolink, the regional commuter rail system serving the five Southern California Counties.</p> <p>Members receive payment of \$100 per day from SCRRA for participation.</p>	Indefinite
SR 91 Advisory Committee	Ray Marquez, Chino Hills, Ex-Officio Member	Board of Directors	<p>The Committee reviews issues and makes recommendations to OCTA regarding the transportation facilities acquired, including tolls imposed, operations, maintenance, use of toll revenues, and improvements in the area of SR 91 between I-15 and SR 55, including the identification and siting of alternate highways.</p> <p>SBCTA has not authorized payment of stipend for participation.</p>	12/31/20
California Vanpool Authority (CalVans)	Rick Denison, Yucca Valley, Primary John Valdivia, Alternate,	President	CalVans is a Joint Powers Authority (JPA) public transit agency that operates in 13 California urbanized areas including Riverside, Imperial, Ventura and Kern counties. Board meetings occur the second Thursday of each month at 10 a.m.	12/31/20 12/31/20

Communication: Appointments to External Agencies (Committee Membership)

COMMITTEE	PURPOSE	MEMBERSHIP	TERMS
<p>General Policy Committee</p> <p>Membership consists of the following: SBCTA President, Vice President, and Immediate Past President 4 East Valley (3 City, 1 County) 4 West Valley (3 City, 1 County) 4 Mt/Desert (3 City, 1 County)</p> <p>City members shall be SBCTA Board Members elected by caucus of city SBCTA Board Members within the subarea.</p> <p>Policy Committee and Board Study Session Chairs are members of this policy committee.</p> <p>All City members serving as Board officers, Committee chairs, or Board Study Session Chair, are counted toward their subareas City membership. Supervisors collectively select their representatives.</p> <p>The SBCTA Vice President shall serve as Chair of the General Policy Committee.</p>	<p>Makes recommendations to Board of Directors and:</p> <p>(1) Provides general policy oversight which spans the multiple program responsibilities of the organization and maintains the comprehensive organization integrity;</p> <p>(2) Provides policy direction with respect to administrative issues, policies, budget, finance, audit, and personnel issues for the organization;</p> <p>(3) Serves as policy review committee for any program area that lacks active policy committee oversight.</p> <p>Committee has authority to approve contracts in excess of \$25,000 with notification to the Board of Directors.</p> <p>* Board authorized Vice Chair of MDC to serve as Mtn/Desert Subarea representative until 6/30/19.</p> <p>(Brown Act)</p>	<p><u>West Valley</u></p> <p>Alan Wapner, Ontario (Past President) L. Dennis Michael, Rancho Cucamonga Acquanetta Warren, Fontana Curt Hagman, Supervisor</p> <p><u>East Valley</u></p> <p>Frank Navarro, Colton (Chair/Vice President/Chair MVSS) Darcy McNaboe, Grand Terrace (Vice Chair/President) Larry McCallon, Highland Dawn Rowe, Supervisor</p> <p><u>Mountain/Desert</u></p> <p>Bill Jahn, Big Bear Lake (Chair TC) Joel Klink, Twentynine Palms Rick Denison, Yucca Valley (Vice Chair MDC)* Robert A. Lovingood, Supervisor</p> <p>Should the chairs of each Committee and the Officers all be from the East Valley, West Valley or Mountain/Desert, additional members may be added to maintain geographical balance. Additional Board Members may be appointed annually at the discretion of the Board President.</p>	<p>6/30/2019 6/30/2019 6/30/2019 6/30/2019</p> <p>6/30/2019 6/30/2019 6/30/2019 6/30/2019</p> <p>6/30/2019 6/30/2019 6/30/2019 6/30/2019</p>
<p>Transit Committee</p> <p>Membership consists of 12 SBCTA Board Members: 10 Valley-members, two being Southern California Regional Rail Authority (SCRRA) primary (*) and two being SCRRA alternate (**) members, and 2 Mountain/Desert Board Members.</p> <p>SCRRA members and alternates serve concurrent with their term on the SCRRA Board of Directors as appointed by the SBCTA Board.</p> <p>Other members are appointed by the SBCTA President for 2-year terms.</p>	<p>Provides policy guidance and recommendations to the SBCTA Board of Directors and Southern California Regional Rail Authority (SCRRA) delegates with respect to commuter rail and transit service.</p> <p>* SCRRA Primary Member ** SCRRA Alternate Member</p> <p>(Brown Act)</p>	<p>Bill Jahn, Big Bear Lake (Chair) L. Dennis Michael, Rancho Cucamonga (Vice Chair) Frank Navarro, Colton John Dutrey, Montclair** Larry McCallon, Highland* David Avila, Yucaipa Deborah Robertson, Rialto Alan Wapner, Ontario* Acquanetta Warren, Fontana Ray Marquez, Chino Hills** Dawn Rowe, Supervisor John Valdivia, San Bernardino</p>	<p>12/31/2020 (6/30/2020) 12/31/2019 (6/30/2020) 12/31/2019 Indeterminate Indeterminate 12/31/2020 12/31/2020 Indeterminate 12/31/2019 Indeterminate 12/31/2020 12/31/2020</p>

San Bernardino County Transportation Authority (SBCTA) Policy Committee Membership

COMMITTEE	PURPOSE	MEMBERSHIP	TERMS
Mountain/Desert Committee Membership consists of 12 SBCTA Board Members from each Mountain/Desert jurisdiction and County Supervisors representing the First, Second, and Third Districts.	Provides ongoing policy level oversight related to the full array of SBCTA responsibilities as they pertain specifically to the Mountain/Desert subregion. The Committee also meets as the Mountain/Desert Measure I Committee as it carries out responsibilities for Measure I Mountain/Desert Expenditure Plan. (Brown Act)	Rick Denison, Yucca Valley (Chair) Robert A. Lovingood, Supervisor (Vice Chair) Bill Holland, Hesperia Art Bishop, Apple Valley Julie McIntyre, Barstow Bill Jahn, Big Bear Lake Gabriel Reyes, Adelanto Joel Klink, Twentynine Palms Jim Cox, Victorville Edward Paget, Needles Dawn Rowe, Supervisor Janice Rutherford, Supervisor	Indeterminate (6/30/202 Indeterminate (6/30/202 Indeterminate Indeterminate Indeterminate Indeterminate Indeterminate Indeterminate Indeterminate Indeterminate Indeterminate

Policy Committee Meeting Times

General Policy Committee
 Transit Committee
 Mountain/Desert Committee

Second Wednesday, 9:00 a.m., SBCTA Office
 Second Thursday (following the Board of Directors meeting), 9:00 a.m., SBCTA Office
 Third Friday, 9:30 a.m., Victorville, CA

Board of Directors Study Sessions for Metro Valley Issues

STUDY SESSION	PURPOSE	MEMBERSHIP	TERMS
Board of Directors Study Sessions for Metro Valley Issues Refer to SBCTA Policy 10007.	To review, discuss, and make recommendations for actions to be taken at regular meetings of the Board on issues relating to Measure I Projects in the Valley. (Brown Act)	Board of Directors Curt Hagman, Supervisor (Chair) Dawn Rowe, Supervisor (Vice Chair)	6/30/2020 6/30/2020

Meeting Time: Second Thursday (following the Board of Directors meeting), 9:30 a.m., SBCTA Office

I-10 and I-15 Corridor Joint Sub-Committee

Joint Sub-Committee	PURPOSE	MEMBERSHIP
I-10 and I-15 Corridor Joint Sub-Committee of the Board of Directors Metro Valley Study Session and the Mountain/Desert Policy Committee Members of the committee will be members of the SBCTA Board of Directors and will be appointed by the SBCTA Board President. The President will appoint the Chair and Vice-Chair of the Sub-Committee. The Sub-Committee will include a minimum of nine and a maximum of fourteen SBCTA Board members. Membership will be composed of a minimum of three representatives from the East Valley; and a minimum of two representatives from the Victor Valley. The Sub-Committee will meet as necessary immediately following the Metro Valley Study Session.	The purpose is to consider and make recommendations to the Board of Directors on the development of express lanes in San Bernardino County, in particular on the I-10 and I-15 Corridors. (Brown Act)	Alan Wapner, Ontario – Chair Josie Gonzales, Supervisor – Vice Chair Robert A. Lovingood, Supervisor Larry McCallon, Highland L. Dennis Michael, Rancho Cucamonga Frank Navarro, Colton Dusty Rigsby, Loma Linda Deborah Robertson, Rialto Janice Rutherford, Supervisor Acquanetta Warren, Fontana Art Bishop, Town of Apple Valley

Public and Specialized Transportation Advisory and Coordinating Council (PASTACC)

COMMITTEE	PURPOSE	MEMBERSHIP	TERMS
<p>Public and Specialized Transportation Advisory and Coordinating Council (PASTACC)</p> <p>Membership consists of 11 members appointed by the SBCTA Executive Director.</p> <p>5 representing Public Transit Providers</p> <p>1 representing County Dept. of Public Works</p> <p>2 representing the Consolidated Transportation Services Agency - Omnitrans and VVTA also represent CTSA for the Valley and High Desert respectively.</p> <p>5 At Large Members representing Social Service Providers</p>	<p>Subject to the Transportation Development Act (TDA) Section 99238 – establishes PASTACC’s statutory responsibilities;</p> <p>(1) Review and make recommendations on annual Unmet Transit Needs hearing findings</p> <p>(2) Score and make recommendations for Federal Transit Administration Section 5310 Capital Grant Program applications</p> <p>(3) Assist SBCTA in developing public outreach approach on updating the Coordinated Public Transit/Human Services Transportation Plan</p> <p>(4) Review call for projects for Federal Transit Administration Section 5310 grant applications</p> <p>(5) Monitor and make recommendations on Federal regulatory processes as they relate to transit and specialized transit</p> <p>(6) Monitor and disseminate information in reference to State level law and recommendations as they relate to transit and specialized transit</p> <p>(7) Receive annual reports on funded specialized programs funded through FTA Section 5310 and Measure I</p> <p>(8) Identify regional or county level areas of unmet needs</p> <p>(9) Address special grant or funding opportunities</p> <p>(10) Address any special issues of PASTACC voting and non-voting members</p> <p>(Brown Act)</p>	<p>Standing Membership –</p> <p>Morongo Basin Transit Authority</p> <p>Mountain Area Regional Transit Authority</p> <p>Needles Area Transit</p> <p>Omnitrans</p> <p>Victor Valley Transit Authority</p> <p>County of San Bernardino Dept. of Public Works</p> <p>At Large Membership –</p> <p>San Bernardino Dept. of Aging and Adult Services</p> <p>Foothill Aids</p> <p>OPARC</p> <p>Option House</p> <p>Loma Linda Medical Center</p>	<p>On-going</p> <p>On-going</p> <p>On-going</p> <p>On-going</p> <p>On-going</p> <p>On-going</p> <p>5/31/2020</p> <p>9/30/2020</p> <p>9/30/2020</p> <p>6/30/2022</p> <p>5/31/2020</p>

Meeting Dates and Time: Bi monthly, beginning in January, 2nd Tuesday of the month, 10:00 a.m., (Location rotates: SBCTA Office, VVTA, MBTA)

Communication: Committee Membership (Committee Membership)

Independent Taxpayer Oversight Committee (ITOC) Review of Measure I Expenditure Plan

COMMITTEE	PURPOSE	MEMBERSHIP	TERMS
<p>Independent Taxpayer Oversight Committee (ITOC) Review of Measure I Expenditure Plan</p> <p>The ITOC shall provide citizen review to ensure that all Measure I funds are spent by the San Bernardino County Transportation Authority (hereby referred to as the Authority) in accordance with provision of the Expenditure Plan and Ordinance No. 04-01. The ordinance specifies that each member of the ITOC have certain credentials or experience as follows:</p> <p>A. One member who is a professional in the field of municipal audit, finance and/or budgeting with a minimum of five years in a relevant and senior decision-making position in the public or private sector.</p> <p>B. One member who is a licensed civil engineer or trained transportation planner with at least five years of demonstrated experience in the fields of transportation and/or urban design in government and/or the private sector. No member shall be a recipient or sub-recipient of Measure "I" funding.</p> <p>C. One member who is a current or retired manager of a major publicly financed development or construction project, who by training and experience would understand the complexity, costs and implementation issues in building large scale transportation improvements.</p> <p>D. One member who is current or retired manager of a major privately financed development or construction project, who by training and experience would understand the complexity, costs and implementation issues in building large scale transportation improvements.</p> <p>E. One public member, who possesses the knowledge and skills which will be helpful to the work of the ITOC.</p> <p>In addition to the appointed members, the SBCTA President and Executive Director will serve as ex-officio members.</p>	<p>The ITOC shall review the annual audits of the Authority; report findings based on the audits to the Authority; and recommend any additional audits for consideration which the ITOC believes may improve the financial operation and integrity of program implementation.</p> <p>The Authority shall hold a publicly noticed meeting, which may or may not be included on the agenda of a regularly scheduled Board meeting, with the participation of the ITOC to consider the findings and recommendations of the audits.</p> <p>(Brown Act)</p>	<p>Donald Driftmier (A) Gerry Newcombe (B) Wayne Hendrix (C) Rick Gomez (D) Mike Layne (E) Darcy McNaboe, Ex-Officio Ray Wolfe, Ex-Officio</p>	<p>12/31/20 12/31/20 12/31/22 12/31/22 12/31/22 12/31/22</p>

SBCTA Ad Hoc Committees

COMMITTEE	PURPOSE	MEMBERSHIP
<p>Legislative</p> <p>In March 2013, the SBCTA Board President appointed this ad hoc committee.</p> <p>This committee will consist of the SBCTA Board Officers.</p>	<p>Review proposed legislation at the state and federal level. Provide direction to staff on positions consistent with the Board-adopted legislative platform.</p>	<p>President – Darcy McNaboe, Grand Terrace Vice President – Frank Navarro, Colton Immediate Past President – Alan Wapner, Ontario</p>

Communication: Committee Membership (Committee Membership)

Council of Governments Ad Hoc Committee In June 2016, the SBCTA Board President appointed this ad hoc committee.	To provide direction relative to the Council of Governments annual work plan.	Alan Wapner, Ontario – Chair Josie Gonzales, Supervisor Bill Jahn, Big Bear Lake Larry McCallon, Highland L. Dennis Michael, Rancho Cucamonga Frank Navarro, Colton Janice Rutherford, Supervisor
ByLaws Ad Hoc Committee In December 2016, the Board of Directors authorized the reactivation of the Ad Hoc Committee and the President to make appointments.	To study the Bylaws and make recommendations to the Board on necessary or desirable Bylaws amendments.	Alan Wapner, Ontario Robert Lovingood, County of San Bernardino Janice Rutherford, County of San Bernardino Dusty Rigsby, Loma Linda
Omnitrans/San Bernardino County Transportation Authority Ad Hoc Committee In April 2019, President McNaboe appointed SBCTA members to this ad hoc committee.	To provide policy guidance related to funding allocations and project delivery.	Ron Dailey, Loma Linda (Omnitrans) Penny Lilburn, Highland (Omnitrans) Sam Spagnolo, Rancho Cucamonga (Omnitrans) Darcy McNaboe, Grand Terrace (SBCTA) Dusty Rigsby, Loma Linda (SBCTA) Ray Marquez, Chino Hills (SBCTA)
Visioning Ad Hoc Committee In June 2019, the SBCTA Board President appointed SBCTA members to this ad hoc committee.	To review the Mission Statement.	Julie McIntyre, Barstow Eunice Ulloa, Chino Darcy McNaboe, Grand Terrace Rebekah Swanson, Hesperia John Dutrey, Montclair John Valdivia, San Bernardino Janice Rutherford, County of San Bernardino

SBCTA Technical Advisory Committees

COMMITTEE	PURPOSE	MEETING SCHEDULE
Transportation Technical Advisory Committee (TTAC) Committee membership consists of a primary staff representative of each SBCTA member agency designated by the City Manager or County Administrative Officer.	SBCTA's Transportation Technical Advisory Committee was formed by SBCTA management to provide input to SBCTA staff on technical transportation-related matters and formulation of transportation-related policy recommendations to the SBCTA Board of Directors. The TTAC is not a Brown Act committee.	Generally meets on the first Monday of each month at 1:30 PM, at SBCTA.
City/County Manager's Technical Advisory Committee (CCM TAC) The committee is composed of up to two representatives of the County Administrator's Office and the city manager or administrator from each city and town in the County.	SBCTA's City/County Manager's Technical Advisory Committee was established in the Joint Powers Authority that established San Bernardino Associated Governments (SANBAG). The primary role of the committee is to provide a forum for the chief executives of SANBAG's member agencies to become informed about and discuss issues facing SANBAG/SBCTA. It also provides a forum for the discussion of items of mutual concern and a way to cooperate regionally in addressing those concerns. The CCM TAC is a Brown Act Committee.	Meets on the first Thursday of each month at 10:00 AM, at SBCTA.
Planning and Development Technical Forum (PDTF) Committee membership consists of a primary staff representative of each SBCTA member agency designated by the City Manager or County Chief Executive Officer.	The SBCTA Planning and Development Technical Forum was formed by SBCTA management to provide an opportunity for interaction among planning and development representatives of member agencies on planning issues of multijurisdictional importance. The PDTF is not a Brown Act Committee.	Meets the 4th Wednesday of each month at 2:00 p.m. at the Santa Fe Depot (in the SCAG Office).

Project Development Teams	<p>Project Development Teams (PDTs) are assembled for all major project development activities by SBCTA staff.</p> <p>Teams are generally composed of technical representatives from SBCTA, member jurisdictions appropriate to the project, Caltrans, and other major stakeholder entities that have significant involvement in the project.</p> <p>PDTs make recommendations related to approaches to project development, evaluation of alternatives, and technical solutions.</p> <p>PDTs meet on a regular basis throughout the project phase to review progress and to provide technical input required for project development.</p> <p>The PDTs are not Brown Act Committees.</p>	Varies with the PDT.
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San Bernardino Associated Governments



MISSION STATEMENT

To enhance the quality of life for all residents, San Bernardino Associated Governments (SANBAG) will:

- Improve cooperative regional planning
- Develop an accessible, efficient, multi-modal transportation system
- Strengthen economic development efforts
- Exert leadership in creative problem solving

To successfully accomplish this mission, SANBAG will foster enhanced relationships among all of its stakeholders while adding to the value of local governments.

Approved June 2, 1993
Reaffirmed March 6, 1996