

AGENDA

General Policy Committee Meeting

December 11, 2019

9:00 AM

Location

San Bernardino County Transportation Authority

First Floor Lobby Board Room

1170 W. 3rd Street, San Bernardino, CA 92410

General Policy Committee Membership

Chair – Vice President

Mayor Frank Navarro
City of Colton

President

Mayor Darcy McNaboe
City of Grand Terrace

Past President

Council Member Alan Wapner
City of Ontario

East Valley Representatives

Mayor Pro Tem Larry McCallon
City of Highland

Supervisor Josie Gonzales
County of San Bernardino

Mt./Desert Representatives

Council Member Rick Denison
Town of Yucca Valley, *MDC Chair*

Council Member Bill Jahn
City of Big Bear Lake, *TC Chair*

Council Member Art Bishop
Town of Apple Valley

Supervisor Dawn Rowe
County of San Bernardino

West Valley Representatives

Mayor Acquanetta Warren
City of Fontana

Mayor L. Dennis Michael
City of Rancho Cucamonga

Supervisor Curt Hagman, *MVSS Chair*
County of San Bernardino

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

AGENDA

General Policy Committee Meeting

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First Floor Lobby Board Room
1170 W. 3rd Street, San Bernardino, CA 92410**

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 Frank Navarro)

- i. Pledge of Allegiance
- ii. Attendance
- iii. Announcements
- iv. Agenda Notices/Modifications - Diane Greve

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

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.

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CONSENT CALENDAR

Items listed on the Consent Calendar are expected to be routine and non-controversial. The Consent Calendar will be acted upon as a single motion. Items on the Consent Calendar may be removed for discussion by Board Members.

Consent - Administrative Matters

2. November 2019 Procurement Report

Pg. 11

Receive the November 2019 Procurement Report.

Presenter: Jeffery Hill

This item is not scheduled for review by any other policy committee or technical advisory committee.

3. Budget to Actual Report for Fourth Quarter Ending June 30, 2019

Pg. 19

Receive and file Budget to Actual Report for fourth quarter ending June 30, 2019.

Presenter: Hilda Flores

This item is not scheduled for review by any other policy committee or technical advisory committee.

DISCUSSION ITEMS

Discussion - Administrative Matters

4. Fiscal Year 2020/2021 Budget Schedule

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That the General Policy Committee recommend the Board:

Approve the Fiscal Year 2020/2021 Budget Schedule.

Presenter: Hilda Flores

This item is not scheduled for review by any other policy committee or technical advisory committee.

5. Budget Fiscal Year 2020/2021 Assessment Dues

Pg. 31

That the General Policy Committee recommend the Board:

Adopt the San Bernardino Council of Governments Fiscal Year 2020/2021 mandatory assessments and additional mandatory obligations.

Presenter: Hilda Flores

This item is not scheduled for review by any other policy committee or technical advisory committee.

Discussion - Administrative Matters Continued. . .

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6. Procurement Policy No. 11000 Update

That the General Policy Committee recommend the Board, acting as the San Bernardino County Transportation Authority:

Approve modifications to Contracting and Procurement Policy No. 11000, confirming the Executive Director or designee signature authority for Contract Task Orders as follows:

Contract Task Orders (CTO):

- i. All CTOs up to \$500,000, not-to-exceed the available contract balance.
- ii. CTO amendments within available contract balance:
 - With zero dollar value.
 - For CTOs originally less than \$500,000, increasing the CTO amount up to \$500,000.
 - For CTOs originally \$500,000 or more, increasing the CTO amount up to 10% of the original CTO value but not-to-exceed \$100,000.

Presenter: Jeffery Hill

This item is not scheduled for review by any other policy committee or technical advisory committee. SBCTA General Counsel has reviewed this item and the draft policy.

7. Lease Amendment with Southern California Association of Governments for Unit 140 and Budget Amendment for Furniture, Fixtures and Equipment Pg. 47

That the General Policy Committee recommend the Board, acting as the San Bernardino County Transportation Authority:

A. Approve Amendment No. 4 to Lease Agreement No. C13126 with Southern California Association of Governments for the lease of office space in Unit 140 at the San Bernardino Santa Fe Depot and authorize the Executive Director or his designee to execute the amendment.

B. Approve a budget amendment of \$138,860 in Task 0805-Building Operation, using fund balance from the Indirect Cost fund, to purchase furniture, fixtures, building modifications, data and telecommunications improvements to add work stations for use by the San Bernardino County Transportation Authority.

Presenter: Duane Baker

This item is not scheduled for review by any other policy committee or technical advisory committee. SBCTA General Counsel, Procurement Manager and Risk Manager have reviewed this item and the draft amendment. Pg. 52

8. Revision of Records Retention Schedule, Appendix A to Policy 10105

That the General Policy Committee recommend the Board acting as the San Bernardino County Transportation Authority and the San Bernardino Associated Governments:

Approve revised Records Retention Schedules, Appendix A to Policy 10105.

Presenter: Marleana Roman

This item is not scheduled for review by any other policy committee or technical advisory committee. SBCTA General Counsel has reviewed this item and the draft revised schedules.

Discussion - Regional/Subregional Planning

9. Agreement with State of California Wildlife Conservation Board for further development of the Regional Conservation Investment Strategy (RCIS) Pg. 54

That the General Policy Committee recommend the Board, acting as the San Bernardino County Transportation Authority (SBCTA) and the San Bernardino Associated Governments (SANBAG/SBCOG):

A. Approve Contract 20-1002330 with the California Wildlife Conservation Board (grant agreement number WC-1919CR) to receive an amount not-to-exceed \$562,210 for development of a San Bernardino County Regional Conservation Investment Strategy.

And, that the General Policy Committee recommend the Board, acting as the San Bernardino County Transportation Authority (SBCTA):

B. Approve the creation of a new fund No. 2665-California Wildlife Conservation Board and a budget amendment to the Fiscal Year 2019/2020 budget, Task No. 0404 by adding California Wildlife Conservation Board (WCB) funds in the amount of \$562,210 for consultant costs. Subsequent authorization to expend funds received from WCB will be presented to the SBCTA Board at a later date.

Presenter: Josh Lee

This item is not scheduled for review by any other policy committee or technical advisory committee. SBCTA General Counsel, Procurement Manager and Risk Manager have reviewed this item and the draft agreement.

Public Comment

Brief Comments from General Public

Comments from Board Members

Brief Comments from Board Members

ADJOURNMENT

Additional Information

Attendance

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Acronym List

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Mission Statement

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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 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*

Minute Action

AGENDA ITEM: 1

Date: *December 11, 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
		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:

Duane Baker, Deputy Executive Director

Approved
General Policy Committee
Date: December 11, 2019

Witnessed By:

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

Minute Action

AGENDA ITEM: 2

Date: December 11, 2019

Subject:

November 2019 Procurement Report

Recommendation:

Receive the November 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 November 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 2019/2020 Budget. Presentation of the monthly procurement report demonstrates compliance with the Contracting and Procurement Policy.

Reviewed By:

This item is not scheduled for review by any other policy committee or technical advisory committee.

Responsible Staff:

Jeffery Hill, Procurement Manager

Approved
General Policy Committee
Date: December 11, 2019

Witnessed By:

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

Attachment A November Contract Actions

New Contracts Executed:

Contract No.	Description of Specific Services	Vendor Name	Dollar Amount	Description of Overall Program
20-1002305	Reimbursement Agreement	City of Rancho Cucamonga	\$14,000.00	Reimbursement Agreement for the appraisal of the Etiwanda Depot.
20-1002309	Meeting Space Rental	San Bernardino County Museum	\$700.00	Utilize meeting space for the Board of Directors Visioning Workshop.

Attachment: November Procurement report Attachment A [Revision 1] (4979 : November 2019 Procurement Report)

Attachment A

November 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
15-1001298 Amendment 2	Extended the contract term date and increased the not-to-exceed amount to cover project closeout due to construction delays. Project: Construction Management Services for Monte Vista Ave. Grade Separation	Kleinfelder/Simon Wong Engineering	Original \$2,968,200.00 Amendment 1 \$0.00	\$100,000.00	\$3,068,200.00
C14005 Amendment 4	Increased the not-to-exceed amount to cover the cost of issuance of commercial paper. Project: Bond Counsel Services	Orrick Herrington & Sutcliffe, LLP	Original \$600,000.00 Amendment 1 \$0.00 Amendment 2 \$100,000.00 Amendment 3 \$400,000.00	\$100,000.00	\$1,200,000.00
15-1001175 Amendment 2	Replaced the Right-of-Way funding and spending summary. Project: US 395 Phase I ROW	Caltrans	Original \$0.00 Amendment 1 \$0.00	\$0.00	\$0.00
18-1001961 Amendment 1	Added the Lyft Concierge services. Project: Motorist Assistance Call Answering Center Services	AAMCOM, LLC.	Original \$1,100,000.00	\$8,248.00	\$1,108,248.00

Attachment: November Procurement report Attachment A [Revision 1] (4979 : November 2019 Procurement Report)

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
15-1001181 Amendment 1	Increased the not-to-exceed amount to cover the "Extra Work" for the extended summer hours. Project: Freeway Service Patrol Along Beat 5	Navarros Towing	Original \$973,072.00	\$60,000.00	\$1,033,072.00

Attachment: November Procurement report Attachment A [Revision 1] (4979 : November 2019 Procurement Report)

Attachment A

November 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
17-1001741 CTO 8	Labor compliance services for electric vehicle infrastructure project.	GCAP Services	\$650,000.00 Shared with Gafcon, Inc. (17-1001664)	Various CTOs not including CTO 8 \$269,287.50	Total \$4,000.00

Attachment: November Procurement report Attachment A [Revision 1] (4979 : November 2019 Procurement Report)

Attachment A November Purchase Order Actions

Purchase Orders:

PO No.	PO Issue Date	Vendor Name	Description of Services	PO Dollar Amount
4001987	11/20/19	G/M Business Interiors	Furniture modification and additions for office 4.	\$26,250.00
4001982	11/20/19	LACMTA	Fiscal Year 2020 Regional rideshare activities for guaranteed ride home and rideshare marketing/outreach.	\$18,566.00

Attachment: November Procurement report Attachment A [Revision 1] (4979 : November 2019 Procurement Report)

Attachment A

November 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: November Procurement report Attachment A [Revision 1] (4979 : November 2019 Procurement Report)

Attachment B

November 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
11/26/19	RFP 20-1002320	On-Call Internal Audit & Price Review Services	\$500,000.00	April 2020	A bench of consultants to perform on-call internal audit & price review services as needed for SBCTA.

Minute Action

AGENDA ITEM: 3

Date: *December 11, 2019*

Subject:

Budget to Actual Report for Fourth Quarter Ending June 30, 2019

Recommendation:

Receive and file Budget to Actual Report for fourth quarter ending June 30, 2019.

Background:

The Budget for Fiscal Year 2018/2019 for new activity was adopted by the Board of Directors on June 6, 2018. This report provides a summary of program activity and task activity compared to budget based on the new string structure implemented in Fiscal Year 2018/2019. Budgetary information includes the original and revised budgets and expenditures as of June 30, 2019. The report is broken out by Fund group and provides a percentage of the budget received or expended through June 30, 2019, and explanations for significant changes are as follows:

General Fund

A. Revenues:

1. Measure I Sales Tax revenue exceeds the prior fiscal year due to a strong economy and the department of tax and fee administration releasing funds from the prior fiscal year due to conversion of new financial system.
2. Investment earnings are not budgeted.

B. Expenditures:

1. Expenditures are lower than budget due to timing of capital expenditures or program activities.

C. Other Financing Sources:

1. Operating transfers in represent cash transfers to reimburse expenditures funded by the Local Transportation Fund (LTF), State Transit Assistance Fund (STAF), and State of Good Repair Fund.
2. Operating transfers out are a combination of cash transfers within the General Fund to fund the Indirect Cost Fund and cash transfers to the Capital Projects Fund due to funding changes for the Sierra Avenue and Juniper Avenue Metrolink Crossing Pedestrian Improvements Projects.

Federal Highway Fund

A. Revenues:

1. The timing for collections of revenues fluctuates as all federal grants are on a reimbursement basis.
2. Investment earnings are not budgeted.

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

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B. Expenditures:

1. Expenditures are lower than budget due to timing of capital expenditures, which can take several years.

C. Other Financing Sources:

1. Operating transfers are cash transfers to the capital projects fund to maximize funding from federal demonstration grant for the Interstate 10 (I-10) Pepper Interchange project.
2. Loss on the sale of assets recorded at year-end. The loss is not budgeted since the proceeds from the sale are not determinable until the time of sale.

Federal Transit Administration Fund

A. Revenues:

1. The timing for collections of revenues fluctuates as all federal grants are on a reimbursement basis.

B. Expenditures:

1. Expenditures are lower than budget due to timing of capital expenditures, which can take several years.

State Highway Fund

A. Revenues:

1. The timing for collections of revenues fluctuates as most state grants are on a reimbursement basis.
2. Investment earnings are not budgeted.

B. Expenditures:

1. Expenditures are lower than budget due to timing of capital expenditures, which can take several years.

C. Other Financing Sources:

1. Operating transfers out to Measure I 2010-2040 to maximize Regional Improvement Program (RIP) state funding.

Proposition 1B Fund

A. Revenues:

1. The revenue recognition for most Proposition 1B funds is when expenditures are incurred since the funds are received in advance.
2. Investment earnings resulted higher than budgeted.

B. Expenditures:

1. Expenditures are lower than budget due to timing of capital expenditures, which can take several years.

C. Other Financing Sources:

1. Operating transfers in represent cash transfers resulting from changes in funding sources.

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2. Operating transfers out to the capital projects fund to maximize a Trade Corridor Improvement Fund (TCIF) - Proposition 1B grant for the I-10 Pepper Interchange project.

Local Transportation Fund (LTF)

A. Revenues:

1. LTF revenue is higher than the prior fiscal year due to a strong economy and distribution of funds from the department of tax and fee administration pertaining to the prior fiscal year due to conversion of new financial system.
2. Investment earnings are not budgeted.

B. Expenditures:

1. Expenditures are lower than budget due to timing of capital expenditures, which can take several years.

C. Other Financing Sources:

1. Operating transfers out represent cash transfers to the General Fund to fund administrative, planning and transit activities, and transit projects. These transfers are based on a reimbursement basis.

State Transit Assistance Fund (STAF)

A. Revenues:

1. The timing for recording of revenues fluctuates based on the period of performance upon distribution from the state.
2. Investment earnings are not budgeted.

B. Expenditures:

1. Expenditures are lower than budget due to timing of capital expenditures, which can take several years.

C. Other Financing Sources:

1. Operating transfers in represent cash transfers from the General Fund to return State Transit Assistance funds as some expenses were reclassified as project deposits.
2. Operating transfers out represent cash transfers to the General Fund to fund transit projects.

Measure I 1990-2010 Fund

A. Revenues:

1. Measure I 1990-2010 ended on March 31, 2010 and only interest earnings are accrued based on cash balances.
2. Investment earnings resulted higher than budgeted.

B. Expenditures:

1. Expenditures to date are low and can be due to timing of capital expenditures, which can take several years.

C. Other Financing Sources:

1. Loss on the sale of assets recorded at year-end. The loss is not budgeted since the proceeds from the sale are not determinable until the time of sale.

Measure I 2010-2040 Fund

A. Revenues:

1. Measure I Sales Tax revenue is higher than the prior fiscal year due to a strong economy and distribution of funds from the department of tax and fee administration pertaining to the prior fiscal year due to conversion of new financial system.
2. Investment earnings resulted higher than budgeted.

B. Expenditures:

1. Expenditures incurred are lower than budget due to timing of capital expenditures, which can take several years.

C. Other Financing Sources:

1. Operating transfers in are not budgeted since they are unknown during the budget development. The amount represents cash transfers resulting from changes in funding sources. The \$1,300,000 reduces the need to use Measure I funds since revenue bond proceeds or local funding sources were used to cover the expenditures.
2. Operating transfers out represent cash transfers to: 1) the General Fund of \$4,884,000 to fund the Indirect Cost Fund, \$1,253 to transfer salaries, fringe, and indirect costs to Measure I – Express Bus Valley program for the West Valley Connector project, and \$5,773 costs to maximize local funding for the Redlands Passenger Rail Project. 2) Debt Service Fund of \$12,831,130 to meet debt service commitments; and 3) Capital projects fund of \$6,654 to reverse the prior year transfer due to unallowable expenses that cannot be reimbursed by TCIF and Public Utilities Commission 190 funding.
3. Gain on the sale of assets recorded at year-end. The gain is not budgeted since the amount is not determinable until the time of sale.

Debt Service Fund

A. Revenues:

1. Investment earnings are not budgeted.

B. Expenditures:

1. No major variances.

C. Other Financing Sources:

1. Transfers in represent cash transfer from the Measure I funds to cover debt service expenditures.

Capital Projects Fund

A. Revenues:

1. The timing for collections of revenues fluctuates as most projects are funded on a reimbursement basis.

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2. Investment earnings are not budgeted.

B. Expenditures:

1. Expenditures to date are low and can be due to timing of capital expenditures, which can take several years.

C. Other Financing Sources:

1. Operating transfers in are not budgeted since they are unknown during the budget development. The amount represents cash transfers resulting from changes in funding sources. The transfer of \$582,226 reduces the need to use local funding sources since revenue bond proceeds and Measure I were used to cover the expenditures.
2. Operating transfers out represent cash transfers resulting from changes in funding sources. The \$1,300,000 reduces the need to use Measure I funds since local funding sources were used to cover the expenditures.
3. Loss on the sale of assets recorded at year-end. The loss is not budgeted since the proceeds from the sale are not determinable until the time of sale.

Nonmajor Governmental Funds – Excluding Council of Governments

A. Revenues:

1. The timing for collections of revenues fluctuates as most of the state grants are on a reimbursement basis.
2. Investments earnings exceed amount budgeted.

B. Expenditures:

1. Expenditures to date are low and can be due to timing of capital expenditures, which can take several years.

C. Other Financing Sources:

1. Operating transfers in represent transfer of unallowable costs to a Transportation Development Act (TDA) funding source for the Low Carbon Transit Operations Program (LCTOP) transit marketing and fare subsidy project.
2. Operating transfers out represent transfer from the Service Authority for Freeways fund to the Indirect Cost fund.

Council of Governments Fund

A. Revenues:

1. The timing of collection of revenues fluctuates as this program is mostly funded on a reimbursement basis.
2. Investment earnings resulted higher than budgeted.

B. Expenditures:

1. Expenditures to date are low and can be due to timing of program activities.

C. Other Financing Sources:

1. Operating transfers out represent cash transfers to fund the Indirect Cost Fund.

General Policy Committee Agenda Item

December 11, 2019

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Enterprise Fund

A. Expenditures:

1. Expenditures to date are low and can be due to timing of capital expenditures. Furthermore, the hiring of the additional positions depends on financial close-out of the I-10 Corridor Contract 1 project.

B. Other Financing Sources:

1. Operating transfers not required during the fiscal year.

Financial Impact:

This item reports the status of expenditures against budget and imposes no financial impact on Fiscal Year 2018/2019 Budget.

Reviewed By:

This item is not scheduled for review by any other policy committee or technical advisory committee.

Responsible Staff:

Hilda Flores, Chief Financial Officer

Approved
General Policy Committee
Date: December 11, 2019

Witnessed By:

**Fiscal Year 2018-2019
Fourth Quarter Budget to Actual Report
June 30, 2019**

	2018-2019 Original Budget		2018-2019 Revised Budget		Actual Revenues & Expenditures to Date	Encumbrances	Balance	% of Budget Remaining
GENERAL FUND								
Revenues								
Sales Tax-MSI	1,628,000	-	1,628,000	1,836,220	-	(208,220)	-12.79%	
Intergovernmental	12,497	-	12,497	2,750	-	9,747	77.99%	
Charges for Services	749,503	-	749,503	721,565	-	27,938	3.73%	
Investment Earnings	-	-	-	704,766	-	(704,766)	0.00%	
Miscellaneous	-	-	-	1,150	-	(1,150)	0.00%	
Total Revenues	<u>2,390,000</u>	<u>-</u>	<u>2,390,000</u>	<u>3,266,451</u>	<u>-</u>	<u>(876,451)</u>	<u>-36.67%</u>	
Expenditures								
General Government	11,500,283	5,398	11,505,681	8,410,601	-	3,095,080	26.90%	
Regional & Subregional Planning	1,010,263	(4,197)	1,006,066	623,264	-	382,802	38.05%	
Transit	37,997,759	14,826,378	52,824,137	20,774,648	-	32,049,489	60.67%	
Project Delivery	-	1,400	1,400	699	-	701	50.07%	
Fund Administration	369,074	30,172	399,246	381,796	-	17,450	4.37%	
Total Expenditures	<u>50,877,379</u>	<u>14,859,151</u>	<u>65,736,530</u>	<u>30,191,008</u>	<u>-</u>	<u>35,545,522</u>	<u>54.07%</u>	
Other Financing Sources								
Transfers in	49,184,161	434,855	49,619,016	32,974,161	-	16,644,855	33.55%	
Transfers out	(2,761,677)	(1,268,709)	(4,030,386)	(4,030,386)	-	-	0.00%	
Total Other Financing Sources	<u>46,422,484</u>	<u>(833,854)</u>	<u>45,588,630</u>	<u>28,943,775</u>	<u>-</u>	<u>16,644,855</u>	<u>36.51%</u>	
Revenues Over (Under) Expenditures	<u>(2,064,895)</u>	<u>(15,693,005)</u>	<u>(17,757,900)</u>	<u>2,019,218</u>	<u>-</u>	<u>(19,777,118)</u>		
Note: Transfers in are from LTF, STA, and SGR revenue for budget purposes. The comprehensive annual financial report accounts for the activity in the individual funds of LTF, STA, and SGR, not the general fund.								
FEDERAL HIGHWAY FUND								
Revenues								
Intergovernmental	150,802,268	-	150,802,268	76,940,226	-	73,862,042	48.98%	
Investment Earnings	-	-	-	57,123	-	(57,123)	0.00%	
Total Revenues	<u>150,802,268</u>	<u>-</u>	<u>150,802,268</u>	<u>76,997,349</u>	<u>-</u>	<u>73,804,919</u>	<u>48.94%</u>	
Expenditures								
Commuter and Motorist Assistance	1,509,176	-	1,509,176	1,196,212	-	312,964	20.74%	
Project Delivery	149,293,092	(242,813)	149,050,279	74,786,414	-	74,263,865	49.82%	
Total Expenditures	<u>150,802,268</u>	<u>(242,813)</u>	<u>150,559,455</u>	<u>75,982,626</u>	<u>-</u>	<u>74,576,829</u>	<u>49.53%</u>	
Other Financing Sources								
Transfers out	-	(241,413)	(241,413)	(241,413)	-	-	0.00%	
Gain (loss) on Sale of Assets	-	-	-	(613)	-	613	0.00%	
Total Other Financing Sources	<u>-</u>	<u>(241,413)</u>	<u>(241,413)</u>	<u>(242,026)</u>	<u>-</u>	<u>(613)</u>	<u>0.00%</u>	
Revenues Over (Under) Expenditures	<u>-</u>	<u>1,400</u>	<u>1,400</u>	<u>772,697</u>	<u>-</u>	<u>(772,523)</u>		
FEDERAL TRANSIT ADMINISTRATION FUND								
Revenues								
Intergovernmental	31,908,059	(14,842,909)	17,065,150	384,183	-	16,680,967	97.75%	
Total Revenues	<u>31,908,059</u>	<u>(14,842,909)</u>	<u>17,065,150</u>	<u>384,183</u>	<u>-</u>	<u>16,680,967</u>	<u>97.75%</u>	
Expenditures								
Commuter and Motorist Assistance	1,398,500	-	1,398,500	498,423	-	900,077	64.36%	
Transit	30,509,559	(14,842,909)	15,666,650	329,636	-	15,337,014	97.90%	
Total Expenditures	<u>31,908,059</u>	<u>(14,842,909)</u>	<u>17,065,150</u>	<u>828,059</u>	<u>-</u>	<u>16,237,091</u>	<u>95.15%</u>	
Revenues Over (Under) Expenditures	<u>-</u>	<u>-</u>	<u>-</u>	<u>(443,876)</u>	<u>-</u>	<u>443,876</u>		
STATE HIGHWAY FUND								
Revenues								
Intergovernmental	37,441,808	7,450,097	44,891,905	18,515,814	-	26,376,091	58.75%	
Investment Earnings	-	-	-	18,060	-	(18,060)	0.00%	
Total Revenues	<u>37,441,808</u>	<u>7,450,097</u>	<u>44,891,905</u>	<u>18,533,874</u>	<u>-</u>	<u>26,358,031</u>	<u>58.71%</u>	
Expenditures								
General Government	12,535	1,423	13,958	6,924	-	7,034	50.39%	
Regional & Subregional Planning	4,382	4,073	8,455	4,326	-	4,129	48.84%	
Transit	4,345,860	6,150,097	10,495,957	512,630	-	9,983,327	95.12%	
Project Delivery	32,460,948	(5,975)	32,454,973	8,101,030	-	24,353,943	75.04%	
Fund Administration	618,083	92,692	710,775	623,750	-	87,025	12.24%	
Total Expenditures	<u>37,441,808</u>	<u>6,242,310</u>	<u>43,684,118</u>	<u>9,248,660</u>	<u>-</u>	<u>34,435,458</u>	<u>78.83%</u>	

Attachment: 4th qtr budget report (4986 : Budget to Actual Report - 4th Qtr 2018/2019)

**Fiscal Year 2018-2019
Fourth Quarter Budget to Actual Report
June 30, 2019**

	2018-2019		2018-2019	Actual Revenues			% of Budget
	Original	Amendments	Revised	& Expenditures	Encumbrances	Balance	Remaining
	Budget		Budget	to Date			
Other Financing Sources							
Transfers out	-	(5,975)	(5,975)	(5,975)	-	-	0.00%
Total Other Financing Sources	-	(5,975)	(5,975)	(5,975)	-	-	0.00%
Revenues Over (Under) Expenditures	-	1,201,812	1,201,812	9,279,239	-	(8,077,427)	
PROPOSITION 1B FUND							
Revenues							
Intergovernmental	1,005,361	-	1,005,361	1,053,661	-	(48,300)	-4.80%
Investment Earnings	251,500	-	251,500	406,558	-	(155,058)	0.00%
Total Revenues	1,256,861	-	1,256,861	1,460,219	-	(203,358)	-16.18%
Expenditures							
Transit	11,318,000	(1)	11,317,999	2,757,533	-	8,560,466	75.64%
Project Delivery	1,005,361	(77,133)	928,228	767,749	-	160,479	17.29%
Total Expenditures	12,323,361	(77,134)	12,246,227	3,525,282	-	8,720,945	71.21%
Other Financing Sources							
Transfers in	-	-	-	360	-	(360)	0.00%
Transfers out	-	(107,133)	(107,133)	(107,133)	-	-	0.00%
Total Other Financing Sources	-	(107,133)	(107,133)	(106,773)	-	(360)	0.00%
Revenues Over (Under) Expenditures	(11,066,500)	(29,999)	(11,096,499)	(2,171,836)	-	(8,924,663)	
LOCAL TRANSPORTATION FUND							
Revenues							
Sales Tax-LTF	96,075,522	-	96,075,522	106,927,206	-	(10,851,684)	-11.29%
Investment Earnings	-	-	-	2,404,861	-	(2,404,861)	0.00%
Total Revenues	96,075,522	-	96,075,522	109,332,067	-	(13,256,545)	-13.80%
Expenditures							
Transit	87,876,000	9,378,562	97,254,562	78,433,106	-	18,821,456	19.35%
Total Expenditures	87,876,000	9,378,562	97,254,562	78,433,106	-	18,821,456	19.35%
Other Financing Sources							
Transfers out	(24,570,938)	2,778,562	(21,792,376)	(15,302,849)	-	(6,489,527)	29.78%
Total Other Financing Sources	(24,570,938)	2,778,562	(21,792,376)	(15,302,849)	-	(6,489,527)	29.78%
Revenues Over (Under) Expenditures	(16,371,416)	(6,600,000)	(22,971,416)	15,596,112	-	(38,567,528)	
STATE TRANSIT ASSISTANCE FUND							
Revenues							
Intergovernmental	21,092,146	-	21,092,146	24,985,877	-	(3,893,731)	-18.46%
Investment Earnings	-	-	-	1,995,368	-	(1,995,368)	0.00%
Total Revenues	21,092,146	-	21,092,146	26,981,245	-	(5,889,099)	-27.92%
Expenditures							
Transit	24,325,414	384,421	24,709,835	11,088,810	-	13,621,025	55.12%
Total Expenditures	24,325,414	384,421	24,709,835	11,088,810	-	13,621,025	55.12%
Other Financing Sources							
Transfers in	-	-	-	1,073,715	-	(1,073,715)	0.00%
Transfers out	(16,698,544)	(731,199)	(17,429,743)	(9,745,578)	-	(7,684,165)	44.09%
Total Other Financing Sources	(16,698,544)	(731,199)	(17,429,743)	(8,671,863)	-	(8,757,880)	50.25%
Revenues Over (Under) Expenditures	(19,931,812)	(1,115,620)	(21,047,432)	7,220,572	-	(28,268,004)	
MEASURE I 1990-2010 FUND							
Revenues							
Investment Earnings	70,000	-	70,000	274,900	-	(204,900)	-292.71%
Total Revenues	70,000	-	70,000	274,900	-	(204,900)	-292.71%
Expenditures							
Environment and Energy Conservation	442,000	-	442,000	1,082	-	440,918	99.76%
Commuter and Motorist Assistance	1,050,000	-	1,050,000	72,675	-	977,325	93.08%
Project Delivery	6,872,444	112,741	6,985,185	2,942,926	-	4,042,259	57.87%
Total Expenditures	8,364,444	112,741	8,477,185	3,016,683	-	5,460,502	64.41%

Attachment: 4th qtr budget report (4986 : Budget to Actual Report - 4th Qtr 2018/2019)

Fiscal Year 2018-2019
Fourth Quarter Budget to Actual Report
June 30, 2019

	2018-2019		2018-2019		Actual Revenues & Expenditures to Date	Encumbrances	Balance	% of Budget Remaining
	Original Budget	Amendments	Revised Budget					
Other Financing Sources								
Gain (loss) from Sale of Assets	-	-	-	(1,544)	-	(1,544)	0.00%	
Total Other Financing Sources	-	-	-	(1,544)	-	1,544	0.00%	
Revenues Over (Under) Expenditures	(8,294,444)	(112,741)	(8,407,185)	(2,743,327)	-	(5,663,858)		
MEASURE I 2010-2040 FUND								
Revenues								
Sales Tax-MSI	161,172,000	8,206,000	169,378,000	181,785,772	-	(12,407,772)	-7.33%	
Investment Earnings	2,005,500	-	2,005,500	10,000,449	-	(7,994,949)	-398.65%	
Total Revenues	163,177,500	8,206,000	171,383,500	191,786,221	-	(20,402,721)	-11.90%	
Expenditures								
General Government	1,077,850	(59,253)	1,018,597	738,223	-	280,374	27.53%	
Environment and Energy Conservation	223,929	(22,000)	201,929	189,134	-	12,795	6.34%	
Commuter and Motorist Assistance	1,440,517	22,000	1,462,517	469,760	-	992,757	67.88%	
Regional & Subregional Planning	736,304	2,424	738,728	472,556	-	266,172	36.03%	
Transit	46,228,311	8,770,236	54,998,547	21,998,326	-	33,000,221	60.00%	
Project Delivery	127,285,075	(2,223,429)	125,061,646	52,175,811	-	72,885,835	58.28%	
Fund Administration	86,350,658	6,325,504	92,676,162	59,571,279	-	33,104,883	35.72%	
Total Expenditures	263,342,644	12,815,482	276,158,126	135,615,089	-	140,543,037	50.89%	
Other Financing Sources								
Transfers in	-	-	-	1,288,671	-	(1,288,671)	0.00%	
Transfers out	(17,653,650)	(1,433,240)	(19,086,890)	(17,728,810)	-	(1,358,080)	7.12%	
Gain (loss) on sale of assets	-	-	-	60,137	-	(60,137)	0.00%	
Total Other Financing Sources	(17,653,650)	(1,433,240)	(19,086,890)	(16,380,002)	-	(2,706,888)	14.18%	
Revenues Over (Under) Expenditures	(117,818,794)	(6,042,722)	(123,861,516)	39,791,130	-	(163,652,646)		
Note: Sales tax - MSI is net of the 1% for Measure I Administration and accounted for in the General Fund.								
DEBT SERVICE FUND								
Revenues								
Investment Earnings	-	-	-	2,515	-	(2,515)	0.00%	
Total Revenues	-	-	-	2,515	-	(2,515)	0.00%	
Expenditures								
Debt Service	12,769,650	15,000	12,784,650	12,774,649	-	10,001	0.08%	
Total Expenditures	12,769,650	15,000	12,784,650	12,774,649	-	10,001	0.08%	
Other Financing Sources								
Operating Transfers In	12,769,650	-	12,769,650	12,831,130	-	(61,480)	-0.48%	
Total Other Financing Sources	12,769,650	-	12,769,650	12,831,130	-	(61,480)	-0.48%	
Revenues Over (Under) Expenditures	-	(15,000)	(15,000)	58,996	-	(73,996)		
CAPITAL PROJECTS FUND								
Revenues								
Intergovernmental	22,376,392	3,284,599	25,660,991	24,080,289	-	1,580,702	6.16%	
Investment Earnings	-	-	-	806,622	-	(806,622)	0.00%	
Miscellaneous	11,106,230	2,343,388	13,449,618	562,314	-	12,887,304	95.82%	
Total Revenues	33,482,622	5,627,987	39,110,609	25,449,225	-	13,661,384	34.93%	
Expenditures								
Environment and Energy Conservation	-	1,560,000	1,560,000	391,613	-	1,168,387	74.90%	
Commuter and Motorist Assistance	497,399	(154,881)	342,518	40,941	-	301,577	88.05%	
Regional & Subregional Planning	200,000	150,000	350,000	66,771	-	283,229	80.92%	
Transit	1,361,746	2,111,255	3,473,001	2,108,206	-	1,364,795	39.30%	
Project Delivery	33,923,830	1,055,449	34,979,279	16,834,050	-	18,145,229	51.87%	
Total Expenditures	35,982,975	4,721,823	40,704,798	19,441,581	-	21,263,217	52.24%	
Other Financing Sources								
Operating Transfers In	-	-	-	582,226	-	(582,226)	0.00%	
Operating Transfers Out	-	(1,385,320)	(1,385,320)	(1,325,121)	-	(60,199)	4.35%	
Gain (loss) on sale of assets	-	-	-	24,104	-	(24,104)	0.00%	
Total Other Financing Sources	-	(1,385,320)	(1,385,320)	(718,791)	-	(666,529)	0.00%	
Revenues Over (Under) Expenditures	(2,500,353)	(479,156)	(2,979,509)	5,288,853	-	(8,268,362)		

Fiscal Year 2018-2019
Fourth Quarter Budget to Actual Report
June 30, 2019

	2018-2019		2018-2019		Actual Revenues & Expenditures to Date	Encumbrances	Balance	% of Budget Remaining
	Original Budget	Amendments	Revised Budget	Budget				
NONMAJOR GOVERNMENTAL FUNDS - EXCLUDING COUNCIL OF GOVERNMENTS FUND								
Revenues								
Intergovernmental	17,576,884	13,512,077	31,088,961	20,054,537	-	11,034,424	35.49%	
Charges for Services	4,700	-	4,700	3,758	-	942	20.04%	
Investment Earnings	12,000	-	12,000	173,448	-	(161,448)	0.00%	
Miscellaneous	-	-	-	1,208	-	(1,208)	0.00%	
Total Revenues	<u>17,593,584</u>	<u>13,512,077</u>	<u>31,105,661</u>	<u>20,232,951</u>	-	<u>10,872,710</u>	<u>34.95%</u>	
Expenditures								
General Government	363,094	15,645	378,739	211,983	-	166,756	44.03%	
Environment and Energy Conservation	5,093,500	-	5,093,500	4,671,701	-	421,799	8.28%	
Commuter and Motorist Assistance	4,389,125	154,881	4,544,006	3,859,801	-	684,205	15.06%	
Regional & Subregional Planning	1,745,321	199,365	1,944,686	614,758	-	1,329,928	68.39%	
Transit	2,094,000	9,317,457	11,411,457	1,507,630	-	9,903,827	86.79%	
Project Delivery	1,919,614	11,500,000	13,419,614	11,949,410	-	1,470,204	10.96%	
Total Expenditures	<u>15,604,654</u>	<u>21,187,348</u>	<u>36,792,002</u>	<u>22,815,283</u>	-	<u>13,976,719</u>	<u>37.99%</u>	
Other Financing Sources								
Transfers in	21,525	-	21,525	6,002	-	15,523	72.12%	
Transfers out	(173,314)	-	(173,314)	(173,314)	-	-	0.00%	
Total Other Financing Sources	<u>(151,789)</u>	<u>-</u>	<u>(151,789)</u>	<u>(167,312)</u>	-	<u>15,523</u>	<u>-10.23%</u>	
Revenues Over (Under) Expenditures	<u>1,837,141</u>	<u>(7,675,271)</u>	<u>(5,838,130)</u>	<u>(2,749,644)</u>	-	<u>(3,088,486)</u>		
COUNCIL OF GOVERNMENTS FUND								
Revenues								
Intergovernmental	87,760	250,635	338,395	117,747	-	220,648	65.20%	
Special Assessments	248,545	-	248,545	248,545	-	-	0.00%	
Investment Earnings	22,000	-	22,000	56,381	-	(34,381)	-156.28%	
Miscellaneous	458,730	-	458,730	103,748	-	354,982	77.38%	
Total Revenues	<u>817,035</u>	<u>250,635</u>	<u>1,067,670</u>	<u>526,421</u>	-	<u>541,249</u>	<u>50.69%</u>	
Expenditures								
General Government	462,590	747,740	1,210,330	329,479	-	880,851	72.78%	
Environment and Energy Conservation	494,294	11,276	505,570	106,705	-	398,865	78.89%	
Regional & Subregional Planning	20,588	250,635	271,223	88,542	-	182,681	67.35%	
Total Expenditures	<u>977,472</u>	<u>1,009,651</u>	<u>1,987,123</u>	<u>524,726</u>	-	<u>1,462,397</u>	<u>73.59%</u>	
Other Financing Sources								
Transfers out	(117,213)	(38,724)	(155,937)	(95,688)	-	(60,249)	38.64%	
Total Other Financing Sources	<u>(117,213)</u>	<u>(38,724)</u>	<u>(155,937)</u>	<u>(95,688)</u>	-	<u>(60,249)</u>	<u>38.64%</u>	
Revenues Over (Under) Expenditures	<u>(277,650)</u>	<u>(797,740)</u>	<u>(1,075,390)</u>	<u>(93,993)</u>	-	<u>(981,397)</u>		
ENTERPRISE FUND								
Expenditures								
Project Delivery	30,410,333	(1,245)	30,409,088	-	-	30,409,088	100.00%	
Enterprise	499,465	1,245	500,710	85,542	-	415,168	82.92%	
Total Expenditures	<u>30,909,798</u>	<u>-</u>	<u>30,909,798</u>	<u>85,542</u>	-	<u>30,824,256</u>	<u>99.72%</u>	
Other Financing Sources								
Transfers in	30,909,798	-	30,909,798	-	-	30,909,798	100.00%	
Total Other Financing Sources	<u>30,909,798</u>	<u>-</u>	<u>30,909,798</u>	<u>-</u>	-	<u>30,909,798</u>	<u>100.00%</u>	
Revenues Over (Under) Expenditures	<u>-</u>	<u>-</u>	<u>-</u>	<u>(85,542)</u>	-	<u>85,542</u>		

Minute Action

AGENDA ITEM: 4

Date: December 11, 2019

Subject:

Fiscal Year 2020/2021 Budget Schedule

Recommendation:

That the General Policy Committee recommend the Board:

Approve the Fiscal Year 2020/2021 Budget Schedule.

Background:

The preparation of the San Bernardino County Transportation Authority (SBCTA) Fiscal Year 2020/2021 Budget requires a schedule for development, consideration and adoption of the final budget appropriations. The General Policy Committee is primarily responsible for policy input for the development and review of the budget. Other policy committees are also scheduled to consider proposed tasks under their review.

A full SBCTA Board of Directors Budget Workshop will be scheduled in conjunction with the May 6, 2020 Board of Directors meeting for consideration of the proposed budget. Final budget adoption for Fiscal Year 2020/2021 is scheduled for the June 3, 2020 Board of Directors meeting. The schedule is similar to prior years.

Financial Impact:

This item has no budgetary impact.

Reviewed By:

This item is not scheduled for review by any other policy committee or technical advisory committee.

Responsible Staff:

Hilda Flores, Chief Financial Officer

Approved
General Policy Committee
Date: December 11, 2019

Witnessed By:

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

**Budget Schedule
Fiscal Year 2020/2021**

<u>DATE</u>	<u>ACTIVITY</u>
December 11, 2019	General Policy Committee Review and Discussion of 2020/2021 Budget Schedule
January 8, 2020	Board Approval of 2020/2021 Budget Schedule
February 13, 2020	Metro Valley Study Session General Overview by Region
February 21, 2020	Mountain/Desert Committee General Overview by Region
March 11, 2020	General Policy Committee Review of Tasks
March 12, 2020	Metro Valley Study Session Review of Tasks
March 12, 2020	Transit Committee Review of Tasks
March 20, 2020	Mountain/Desert Committee Review of Tasks
April 8, 2020	General Policy Committee Further Review of Tasks, if Required
April 9, 2020	Metro Valley Study Session Further Review of Tasks, if Required
April 9, 2020	Transit Committee Further Review of Tasks, if Required
April 17, 2020	Mountain/Desert Committee Further Review of Tasks, if Required
May 6, 2020	Budget Presentation and Workshop of the Proposed Budget in Conjunction with Board of Directors' Meeting Adoption of the Council of Governments' Fiscal Year 2020/2021 Budget
June 3, 2020	Public hearing on SBCTA's recommended budget for Fiscal Year 2020/2021 and Board of Directors Adoption of the SBCTA Fiscal Year 2020/2021 Budget

Minute Action

AGENDA ITEM: 5

Date: December 11, 2019

Subject:

Budget Fiscal Year 2020/2021 Assessment Dues

Recommendation:

That the General Policy Committee recommend the Board:

Adopt the San Bernardino Council of Governments Fiscal Year 2020/2021 mandatory assessments and additional mandatory obligations.

Background:

San Bernardino Council of Governments (SBCOG) has collected mandatory assessments since its inception. The assessments are calculated according to a formula based 50% on population and 50% on assessed valuation of each member jurisdiction.

Mandatory assessments are used in Task 0501, Intergovernmental Relations, and support for SBCOG activities as approved by the Board. Projects include a grant writing services contract, a County-Wide Emergency Medical Services Optimization project, an analysis of the impacts of automation on San Bernardino County’s workforce, planning the City/County Conference, developing tools and strategies for dealing with changing housing policies and requirements, and coordinating efforts for 2020 Census complete count.

On December 2, 2015, the Board of Directors approved an additional mandatory obligation of \$133,418 for Fiscal Year 2020/2021, specifically to support the addition of staff to work exclusively on SBCOG activities. Total assessments and other mandatory obligations of \$124,121 budgeted for Fiscal Year 2020/2021 represent an increase of \$4,396 or 1.7% from the prior year, as shown in the attachment.

Financial Impact:

This item establishes the Fiscal Year 2020/2021 budget for mandatory assessment and other monetary obligations which will be included in the proposed budget for Fiscal Year 2020/2021.

Reviewed By:

This item is not scheduled for review by any other policy committee or technical advisory committee.

Responsible Staff:

Hilda Flores, Chief Financial Officer

Approved
General Policy Committee
Date: December 11, 2019

Witnessed By:

Entity: San Bernardino Council of Governments

San Bernardino County Transportation Authority General Assessment Dues Calculation Fiscal Year 2020/2021

JURISDICTION:	POP.	% OF	ASSESSED VALUE	% OF	AVG. %	FY2020	FY2021	FY2021	FY2021	VAR
	2019	TOTAL	BEFORE RDA	TOTAL	POP. &	TOTAL	MANDATORY	OTHER MONETARY	TOTAL	FOR
	POP.	POP.	2019/2020	VALUE	VALUE	AMOUNT	ASSESSMENT	OBLIGATIONS	AMOUNT	FY 2021
							AMOUNT	AMOUNT (\$)		
Adelanto	35,136	1.603%	\$2,316,760,063	0.977%	1.290%	\$6,882	\$1,601	\$5,337	\$6,938	\$56
Apple Valley	73,464	3.351%	\$6,301,585,026	2.659%	3.005%	\$8,935	\$3,730	\$5,337	\$9,067	\$132
Barstow	24,150	1.102%	\$1,461,421,627	0.617%	0.859%	\$6,366	\$1,066	\$5,337	\$6,403	\$37
Big Bear Lake	5,461	0.249%	\$3,681,700,537	1.553%	0.901%	\$6,416	\$1,119	\$5,337	\$6,456	\$40
Chino	89,829	4.098%	\$14,223,945,266	6.001%	5.049%	\$11,382	\$6,267	\$5,337	\$11,604	\$222
Chino Hills	84,364	3.848%	\$12,983,141,079	5.478%	4.663%	\$10,920	\$5,788	\$5,337	\$11,125	\$205
Colton	54,391	2.481%	\$3,770,649,849	1.591%	2.036%	\$7,775	\$2,527	\$5,337	\$7,864	\$89
Fontana	212,078	9.674%	\$21,160,085,508	8.928%	9.301%	\$16,473	\$11,544	\$5,337	\$16,881	\$408
Grand Terrace	12,654	0.577%	\$1,158,028,860	0.489%	0.533%	\$5,975	\$661	\$5,337	\$5,998	\$23
Hesperia	96,362	4.396%	\$6,463,913,012	2.727%	3.561%	\$9,601	\$4,421	\$5,337	\$9,758	\$157
Highland	55,778	2.544%	\$3,845,838,565	1.623%	2.084%	\$7,831	\$2,586	\$5,337	\$7,923	\$92
Loma Linda	24,335	1.110%	\$2,340,481,074	0.987%	1.049%	\$6,593	\$1,302	\$5,337	\$6,639	\$46
Montclair	39,563	1.805%	\$3,525,995,924	1.488%	1.646%	\$7,308	\$2,043	\$5,337	\$7,380	\$72
Needles	5,085	0.232%	\$360,049,104	0.152%	0.192%	\$5,567	\$238	\$5,337	\$5,575	\$8
Ontario	178,268	8.132%	\$27,517,353,669	11.610%	9.871%	\$17,155	\$12,252	\$5,337	\$17,589	\$434
Rancho Cucamonga	179,412	8.184%	\$27,642,340,160	11.663%	9.923%	\$17,218	\$12,317	\$5,337	\$17,654	\$436
Redlands	71,839	3.277%	\$10,453,348,776	4.410%	3.844%	\$9,939	\$4,771	\$5,337	\$10,108	\$169
Rialto	107,271	4.893%	\$10,022,185,498	4.229%	4.561%	\$10,798	\$5,661	\$5,337	\$10,998	\$200
San Bernardino	219,233	10.001%	\$15,557,320,601	6.564%	8.282%	\$15,253	\$10,280	\$5,337	\$15,617	\$364
Twentynine Palms	28,958	1.321%	\$927,857,888	0.391%	0.856%	\$6,362	\$1,063	\$5,337	\$6,400	\$38
Upland	78,481	3.580%	\$9,820,386,020	4.143%	3.862%	\$9,960	\$4,793	\$5,337	\$10,130	\$170
Victorville	126,543	5.772%	\$9,343,514,086	3.942%	4.857%	\$11,152	\$6,029	\$5,337	\$11,366	\$214
Yucaipa	54,844	2.502%	\$4,724,942,109	1.994%	2.248%	\$8,028	\$2,790	\$5,337	\$8,127	\$99
Yucca Valley	22,050	1.006%	\$1,799,677,421	0.759%	0.883%	\$6,394	\$1,095	\$5,337	\$6,432	\$38
County	312,654	14.262%	\$35,611,532,309	15.025%	14.644%	\$22,860	\$18,177	\$5,330	\$23,507	\$647
	2,192,203	100.000%	\$237,014,054,031	100.00%	100.00%	\$253,143	\$124,121	\$133,418	\$257,539	\$4,396

NOTES:

- 1) Population Source: Most recent Measure I population data, which is the Department of Finance estimate as of January 1 reconciled to the total population for San Bernardino County.
- 2) Net Assessed Value Source: Property Tax Section, County Auditor/Controller, 2019/2020.
- 3) These calculations are based on the most recent data received from the County of San Bernardino.
- 4) Assessed valuation of jurisdiction includes properties within redevelopment areas.
- 5) The Board of Directors approved an additional \$133,418 in FY2020/2021 dues for Council of Government (COG) activities.

Minute Action

AGENDA ITEM: 6

Date: December 11, 2019

Subject:

Procurement Policy No. 11000 Update

Recommendation:

That the General Policy Committee recommend the Board, acting as the San Bernardino County Transportation Authority:

Approve modifications to Contracting and Procurement Policy No. 11000, confirming the Executive Director or designee signature authority for Contract Task Orders as follows:

Contract Task Orders (CTO):

- i. All CTOs up to \$500,000, not-to-exceed the available contract balance.
- ii. CTO amendments within available contract balance:
 - With zero dollar value.
 - For CTOs originally less than \$500,000, increasing the CTO amount up to \$500,000.
 - For CTOs originally \$500,000 or more, increasing the CTO amount up to 10% of the original CTO value but not-to-exceed \$100,000.

Background:

At the request of the San Bernardino County Transportation Authority (SBCTA) Board of Directors (Board) during the October Transit Meeting, Procurement Policy No. 11000 is being updated to include a signature authority limit for the Executive Director or his designee on Contract Task Orders (CTO). On-Call contracts that utilize CTOs are an effective way to expedite projects.

A formal Request for Proposals (RFP) solicitation is conducted in order to select the firm or firms for contracts using CTOs. The RFP includes approval for release, a question & answer period, proposal submission, an independent evaluation and scoring, shortlist meeting, scored interviews, and contract award. The average RFP takes between four to eight months to complete; during this process the firms are fully vetted and qualified. Once the contracts are fully executed, Staff can issue individual CTOs for work as needed. This allows for flexibility and a quick turnaround. The average CTO takes only three to six weeks, instead of months. CTOs executed by the Executive Director or his designee are currently reported in the monthly Procurement Report.

Having a \$500,000 signature limit will still continue to allow the majority of CTOs to be executed in an efficient manner with the accelerated timeline, which is the main benefit of utilizing CTOs. These CTOs will continue to be reported on the monthly Procurement Report.

CTOs in excess of \$500,000 will now require Board approval prior to the execution of the CTO. This will allow the Board to have more oversight on large CTOs, while not limiting the effectiveness of the CTO process.

Entity: San Bernardino County Transportation Authority

General Policy Committee Agenda Item
December 11, 2019
Page 2

Financial Impact:

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

Reviewed By:

This item is not scheduled for review by any other policy committee or technical advisory committee. SBCTA General Counsel has reviewed this item and the draft policy.

Responsible Staff:

Jeffery Hill, Procurement Manager

Approved
General Policy Committee
Date: December 11, 2019

Witnessed By:

San Bernardino County Transportation Authority	Policy	11000
Adopted by the Board of Directors January 3, 1997	Revised	121/086/2017
Contracting and Procurement Policy	Revision No.	232

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.

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I. PURPOSE

This policy establishes contracting and procurement standards to guide the selection of the most qualified firms to perform services to the best advantage of the Agency. It provides guidance to SBCTA staff with respect to policy considerations adopted by the SBCTA Board of Directors.

II. REFERENCES

[Policy 10025](#), Guidelines for Agenda Materials

California Government Code § 4525 et seq.; Public Contract Code; and Public Utilities Code §§ 130221–130239

2 CFR part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards; (see Procurement Standards 2 CFR sec. 200.317 through 200.326).

2 CFR Chapter XII—Department of Transportation, Part 1201--Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards; (see 2 CFR sec. 1201.317).

40 USC Chapter 11 (Brooks Act)

23 CFR part 172

California Department of Transportation Local Assistance Procedures

III. POLICY

All contracts and purchase orders for construction projects, leases of real property, professional, non-professional and maintenance services, and the purchase of goods shall be processed according to the following policies.

IV. GENERAL

A. Definitions

Awarding Authority means the Board, or a Board Committee or the Executive Director to whom the Board delegated authority to award a contract or purchase order under this Policy or by other action of the Board.

Construction (Public Works) means construction, reconstruction, erection, alteration, renovation, demolition, painting, and repair work involving any publicly owned, leased or operated facility, building, structure, real property, street or highway, or other public improvement of any kind. Does not include routine operation, maintenance or repair of existing facilities, buildings, structures, or real property, or recurring or usual work for the preservation or protection of publicly owned or operated facilities.

Goods means supplies, materials, equipment, and other movable/tangible things.

Non-Professional Services means janitorial, maintenance, security, advertising, printing, postal, landscape maintenance, including mowing, weeding, watering, trimming/pruning, planting, and servicing of irrigation and sprinkler systems, the maintaining or servicing of Goods, and other services that are not deemed a professional service.

Procurement contract means an agreement or purchase order with a third party for acquisition of Goods, Non-Professional Services, Professional Services (A & E), Professional Services (Non A & E) or Construction work.

Professional Services (A & E) means architectural, engineering, environmental, land surveying, construction engineering, construction project management services, or other professional services of an architectural or engineering nature that are required to be performed or approved by a person licensed, registered, or certified to provide such services.

Professional Services (Non A & E) means advisory, information technology, legal, financial, accounting, auditing, legislative advocacy, marketing, freeway service patrol, program management, and any other services which involve the exercise of professional discretion and independent judgment based on advanced or specialized knowledge, expertise or training gained by formal studies or experience, but excludes Professional Services (A & E).

Procurement Solicitation means Invitation for Bids (IFB), Request for Proposals (RFP), Invitation for Quotes (IFQ), or other forms of written or verbal solicitations for the procurement of Goods, Non-Professional and Professional Services, and Construction projects.

SBCTA Staff means full-time employees of San Bernardino Associated Governments, or upon the transfer of such employees to SBCTA pursuant to SB 1305, the full-time employees of SBCTA.

B. Standard Requirements

1. Written Contracts. Written contracts shall be required for construction projects and for all employment contracts.
2. Legal Counsel Review. All contracts shall be reviewed by legal counsel prior to presentation to the Board or the Executive Director, or his/her designee, for approval.
3. Contract Provisions. All contracts shall specify a period of performance, description of the function to be performed, total contract amount, and appropriate performance standards.
4. Non-Discrimination. All contracts shall contain a standard non-discrimination clause.
5. Contract Term. The maximum term for procurement contracts shall be five years unless otherwise authorized by the Board.
6. Federal/State Requirements. When utilizing state and federal funds which require more rigorous or different procurement standards than required by these policies, such standards will apply. SBCTA is responsible for ensuring that such standards including those set out in 2 CFR part 200 and 2 CFR part 1201 are met and are included in appropriate contracts.
7. Consultant Selection. When procuring a consulting firm for architectural and engineering services utilizing federal funds through Caltrans, SBCTA will advertise, award and administer the project in accordance with Caltrans current Local Assistance Procedures per 23 CFR part 172 unless otherwise stated in the executed Caltrans project-specific Program Supplement.
8. Insurance. SBCTA's Risk Manager is responsible for ensuring that all insurance requirements are reviewed and approved prior to the solicitation being released for all of the following procurements, meeting any of the following criteria:
 - a. Anticipated value of \$500,000 or greater, regardless of the procurement type;
 - b. Construction projects;
 - c. Environmental services;
 - d. Rail projects;
 - e. FSP services.

9. Independent Cost Estimates (ICE). ICE are required for all procurement actions, including but not limited to all contract amendments and contract change orders. The United States Department of Transportation, Federal Highways Administration and Federal Transit Administration require recipients of federal dollars to “perform a cost or price analysis in connection with every procurement action, including contract modifications...” The starting point for cost or price analysis is the development of an ICE which should be used in the evaluation of the consultant’s or contractor’s price proposal.

An ICE should be prepared by staff who are knowledgeable about the goods, services or construction work being procured. The ICE is the best ‘estimate’ as to the cost of the goods, services or construction work being procured. The method and degree of analysis is dependent on the complexity of the goods, services or construction work being procured. An ICE should be prepared in advance of the receipt of any bids or proposals, amendments or change orders. The ICE is particularly critical whenever there is no price competition (e.g., for architectural and engineering procurements or where only one proposal is received), or when firms submit unusually high price proposals.

V. TYPES OF PROCUREMENTS

A. Goods and Non-Professional Services – Competitive Procurement

1. Informal Procurement (PUC § 130232(b))

The following procedures will generally be used when each expected procurement for goods and non-professional services is valued in excess of \$1,000, but not exceeding \$25,000:

- a. Whenever possible, informal procurements should be based on the solicitation of at least three (3) bids, either written or oral (telephone survey), that permit prices and terms to be compared.
- b. An Invitation for Quotes (IFQ) or letters may be required if the goods or non-professional services being requested require more detailed bids. IFQ or letters will be issued to a limited number of prospective bidders.
- c. Award of a purchase order or contract will be to the lowest responsive responsible bidder whose bid conforms to SBCTA’s requirements.
- d. SBCTA will document the results of all such informal procurement actions.

2. Formal Procurement (PUC § 130232(a))

The following policies apply for goods and non-professional services procurements valued in excess of \$25,000:

- a. An Invitation for Bids (IFB) will be distributed and a notice inviting bids will be published at least once in a newspaper of general circulation or the equivalent. The publication shall be made at least 10 days before the date for the receipt of the bids. The competitive sealed bid method will be used.
- b. A control record will be maintained as the IFB is distributed indicating the date, time, and/or place of distribution or notice. The record shall contain the names and addresses of offerors receiving the IFB and details regarding the publication of the notice of IFB. The control record shall be used as a mailing or distribution list for the issuance of notices relative to the IFB and as a verification record in the case of vendor protests.
- c. Award of a contract or purchase order shall be made to the lowest responsive responsible bidder whose bid conforms to all the material terms and conditions of the IFB.
- d. The Board, at its discretion, may reject any and all bids and readvertise.

3. Amendments

- a. Contracts and purchase orders for goods and non-professional services may be amended to extend the term of the contract or purchase order.
- b. Contracts and purchase orders for non-professional services may be amended to add additional scope of work and compensation for additional work that was not foreseen at the time the original contract or purchase order was awarded pursuant to competitive procurement, if the Awarding Authority determines it is in the best interests of SBCTA to do so. The Awarding Authority shall consider cost-effectiveness, timeliness, prior quality of performance of services in determining if it is in the best interests of SBCTA.

B. Construction – Competitive Procurement

1. Informal Procurement

The following policies will generally apply for Construction procurements valued at \$25,000 or less:

- a. Whenever possible, informal procurements should be based on the solicitation of at least three (3) bids.
- b. An Invitation for Quotes (IFQ) will be issued to a limited number of prospective bidders.
- c. Award of a contract will be to the lowest responsive responsible bidder whose bid conforms to the SBCTA's requirements.
- d. SBCTA will document results of all such informal procurement actions.

2. Formal Procurement

The following policies apply to Construction procurements in excess of \$25,000. (PUC § 130232)

- a. An Invitation for Bids (IFB) will be distributed and a notice inviting bids will be published at least once in a newspaper of general circulation or the equivalent. The publication shall be made at least 10 days before the date for the receipt of the bids. The competitive sealed bid method will be used.
- b. A control record will be maintained as the IFB is distributed indicating the date, time, and/or place of distribution or notice. The record shall contain the names and addresses of offerors receiving the IFB and details regarding the publication of the notice of IFB. The control record shall be used as a mailing or distribution list for the issuance of notices relative to the IFB and as a verification record in the case of vendor protests.
- c. Award of a Construction contract shall be made to the lowest responsive responsible bidder whose bid conforms to all the material terms and conditions of the IFB.
- d. Award of a Construction contract may proceed directly to the Board without prior review or recommendation by a Board Committee if the contract award recommended is to the lowest responsive responsible bidder.
- e. The Board, at its discretion, may reject any and all bids and readvertise.

3. Amendments/Change Orders

- a. Amendments and change orders to Construction contracts shall comply with the California Public Contract Code.
- b. Department Directors are authorized to approve Change Orders on all Construction contracts up to the authorized contract contingency amount. Change Orders approved by the Department Directors will be presented monthly for review and ratification to the appropriate Policy Committee.

C. Professional Services (A & E) – Qualifications Based Procurement

1. Informal Procurement

The following policies will generally be used for Professional Services (A & E) procurements valued at \$25,000 or less:

- a. An Invitation for Quotes (IFQ) will be issued to a limited number of prospective proposers.
- b. Whenever possible, informal procurements should be based on the solicitation of at least three (3) proposals.
- c. Award of a purchase order or contract will be made to the consultant whose proposal conforms to the requirements of the IFQ and is most advantageous to the agency based on price and other factors considered.
- d. SBCTA will document results of all such informal procurement actions.

2. Formal Procurement

The following policies will be used for Professional Services (A & E) procurements valued at more than \$25,000:

- a. The Request for Proposal (RFP)/Request for Qualifications (RFQ) process will be used to solicit proposals.
- b. The RFP/RFQ process is a competitive procurement process that requires evaluation of a consultant's proposal and qualifications.
- c. These contracts shall be awarded based upon demonstrated competence, and professional qualifications and capabilities necessary to perform the services at a fair and reasonable price. This procurement process does not require award to the lowest cost proposer.
- d. Staff will maintain a control record as RFP packets are distributed indicating the date and time of distribution. The record shall contain the names and addresses of consultants receiving the RFP and attendance at pre-proposal conferences, if any.
- e. Pre-proposal conferences will be held, when appropriate, to discuss the basic requirements such as instructions to the consultants, funding, contract type, evaluation criteria, and specific points that should be addressed in each proposal.
- f. Special consideration is required in the instances of a formal competitive process resulting in only one response. In those instances, SBCTA staff shall evaluate factors relative to the competitive process, including adequacy of notification to qualified competitors, requirements of the RFQ/RFP, the amount of time provided to respond to the RFQ/RFP, adequacy of the one proposal received, and urgency. After such an analysis, the Executive Director shall make a recommendation to either accept or reject the proposal. Each circumstance will require consideration of facts relevant to the specific solicitation and work to be performed.

3. Amendments

- a. In those instances where it has been determined that professional services are required beyond the term of the existing contract, the standard practice shall be for the contract to be reviewed prior to the end of the contracted performance period and assessed relative to (1) the scope and continued need for the function performed, (2) the adequacy of performance under the contract, and (3) other terms and conditions of the contract.

In certain instances, SBCTA consultants are required to work closely with other public agency partners and SBCTA member jurisdictions. When such a professional services contract is being considered for a revised scope or extension, staff will solicit input from the representatives of those public agencies on the performance, demeanor, and timely implementation of work performed by the consultant.

- b. Based upon the demonstrated competence and on the professional qualifications of the consultant and upon the particular project needs, professional services contracts may be recommended for extension or be recommended for re-competition.

- c. Re-competition for required professional services serves to assess the competitive market conditions relative to expertise and pricing for such services and may be prudent on a periodic basis. However, where professional services relate to specific on-going projects or levels of unique qualifications, skills, and experience, it may be appropriate to extend such contracts without re-competition. Staff shall analyze each contract based upon the specific project needs and include justification for such recommendation in the report to the Board or Executive Director.
- d. It may be prudent for staff to recommend against a renewed competitive process in the following instances:
 - i. When the amendments are the result of an increase in the scope of work for the same project, wherein the qualifications and experience required to perform the new tasks were clearly examined as part of the prior competitive process.
 - ii. When, on the basis of a specific finding or competitive process prior to approval of the original contract, the consultant was determined to be the most qualified and responsive to undertake the work addressed by the contract amendment.
 - iii. Where the consultant, based upon findings presented to the Board, is found to be preeminently positioned to perform the work due to its: (1) specific qualifications, (2) unique knowledge of the project, or (3) unique knowledge of the work required.
- e. The Executive Director or Board may periodically approve amendments to product specific professional and technical services consulting contracts contingent upon consultant performance and negotiation. Amendments may address all contract components, but typically relate to increased cost, the period of performance to accomplish the project, or adjustments to the scope of work.
- f. Amendments to increase the cost and/or period of performance of an established scope of work are approved as a matter of prudence and necessity. These result from increased difficulty or range of work effort to accomplish the defined scope. Examples requiring such amendments include actions in response to review comments, the imposition of new state or federal regulations, various design complications, and other factors generally beyond the consultant's control and not anticipated during the initial cost proposal.

4. Procurement Process

The following procedures will be used for Professional Services (A&E) procurements to ensure that only highly qualified firms matching SBCTA's needs will be selected.

- a. Preparation and distribution of RFP/RFQ. Staff will prepare the scope of work and the RFP/RFQ.
- b. Appointment of Selection Team. The Board, Policy Committees and/or SBCTA staff shall appoint a selection team. A representative of SBCTA member jurisdictions or representatives of SBCTA counterpart agencies shall be invited to participate in the selection of consultants, when appropriate. Members of the selection team shall be appointed with reference to the discipline involved and the location of the project. When possible, SBCTA staff shall participate in the entire selection process.
- c. Responses to Queries. Numerous inquiries are typically received during the circulation period for any RFP/RFQ. Relevant information will be provided, and pre-proposal conferences will be held, when appropriate, to discuss the basic requirements such as instructions to offerors, funding, contract type, evaluation criteria, terms, scope, and the selection process. The names of the selection team are often requested. Relevant technical information will be provided, but names of the selection team shall not be made available prior to formal interviews.
- d. Short-listing. Short-listing is the most important part of the process. Narrowing the list to a small set of qualified firms greatly reduces the likelihood of making a poor selection. Ensuring an adequate short-list is therefore very important. Members of the selection team shall review and evaluate all responses to establish a short-list of the most highly qualified firms in preparation for formal interviews.

The review and evaluation will focus especially on the following points:

- Understanding of the project
 - Management structure of the project team
 - Approach
- e. Interviews. The selection team shall convene to interview the short-listed firms. Procurement staff will coordinate the interview process in questioning and discussion, but shall have no vote, and will not attempt to influence the decision. This will ensure adequate technical expertise and perspective from SBCTA's program interests.
- f. Debriefing. An essential part of the selection process is the debriefing of firms that were either not short-listed or not selected. Members of the selection team shall designate one member to meet with unsuccessful proposers to explain the selections that have been made and to offer recommendations for improving future proposals. Contract staff will not participate in the debriefing.

D. Professional Services (Non A & E) – Qualifications Based Procurement

1. Informal Procurement

The policies of Section V.C.1 for the Informal Procurement for A & E Professional Services contracts generally apply to Non A & E Professional Services procurements.

2. Formal Consultant Selection Process

The policies of Section V.C.2 for the Formal Procurement for A & E Professional Services contracts generally apply to Non A & E Professional Services procurements. Award of a purchase order or contract will be made to the consultant whose proposal conforms to the requirements of the RFP and is most advantageous to the agency based on qualifications, price and other factors considered.

3. Amendments

Amendments to contracts for Non A & E Professional Services shall be processed in accordance with the policies contained in Section V.C.3.

4. Procurement Process

Non A & E Professional Services shall be procured in accordance with the provisions contained in Section V.C.4, provided however Non A & E consultants' proposals may be ranked for short-listing based upon both qualifications and cost.

VI. EXCEPTIONS

A. Sole Source/Single Source

1. Goods--Single Source

Any Goods may be purchased without observing the provisions of this policy regarding contracts, bids, advertisement or notice, upon a finding by two-thirds (2/3) of all Board members that there is only a single source of procurement and the purchase is for the sole purpose of duplicating or replacing the supply, equipment, or material already in use. (PUC § 130237)

2. Professional Services—Sole Source

- a. In those specific instances when it may be necessary or prudent to enter into sole source contracts, specific approval shall be required.
- b. All sole source contracts shall be governed by the following guidelines:

- i. Sole source contracts may be recommended for approval upon a finding of appropriateness and that it is in the best interest of the agency to do so.
- ii. Contracts may be recommended for approval on a sole source selection based upon a requirement for unique qualifications, the existence of significant time constraints, and/or in certain instances of demonstrated experience.
- iii. Any recommendation for approval of a contract for which a competitive process has not been completed shall contain justification for the lack of competition.
- iv. Any recommendation to the Board for sole source procurement must be specifically called out in the agenda item and shall be placed on the discussion calendar.

B. Cooperative Procurements

SBCTA may contract with the vendor or supplier of any federal, state or local governmental department or agency (Public Agency) that has selected the vendor or supplier after complying with the Public Agency's competitive procurement requirements, and if it is in the best interest of SBCTA to do so. SBCTA's Procurement Manager will determine whether the purchase of goods and services directly from the vendor or supplier of a Public Agency is in the best interest of SBCTA based upon price, quality and whether the terms and conditions of the cooperative procurement contract meet SBCTA's necessary requirements.

C. Emergency Procurements (PUC § 130234)

In the event of great public calamity, as defined by Public Utilities Code § 130234, the Board may declare and determine, by resolution adopted by two-thirds (2/3) vote of all its members, that public interest and necessity demand the immediate expenditure of funds to safeguard life, health, or property, and enter into a contract without observance of the provisions of this policy and/or Public Utilities Code § 130232.

D. Remedial Measures (PUC § 130235)

Upon determining that immediate remedial measures are necessary to avert or alleviate damage to property, or to replace, repair, or restore damaged/destroyed property in order to ensure that SBCTA's facilities are available to serve the transportation needs of the public, and upon determining that available remedial measures are inadequate, including the procurement of goods and services or construction in accordance with Public Utilities Code §§ 130232-130234, the Executive Director may authorize the expenditure of funds for the procurement of goods and services without observance of the provisions of this policy and/or Public Utilities Code §§ 130232-130234. The Executive Director shall submit a report to the Board explaining the necessity of any such expenditure.

E. Prototype Equipment (PUC § 130236)

Upon a finding by two-thirds (2/3) vote by all members of the Board that a proposed competitive bid or open market purchase, in accordance with Public Utilities Code §§ 130232 and 130233, does not constitute an adequate method of procurement for the operation of SBCTA facilities or equipment, the Board may direct the procurement of prototype equipment or modifications in an amount sufficient to conduct and evaluate operational testing without further observance of the provisions of this policy and/or Public Utilities Code § 130232.

F. Specialized Equipment (PUC § 130238)

The Board may, upon a finding by two-thirds (2/3) vote by all its members, direct that the procurement of (1) specialized rail transit equipment, including rail cars, and (2) computers, telecommunications equipment, fare collections equipment, microwave equipment, and other related electronic equipment and apparatus be conducted through competitive negotiation as set forth in Public Utilities Code § 130238.

G. Open Market (PUC § 130233)

If after rejecting bids received from a formal competitive procurement process, the Board determines by a majority vote that the goods or non-professional services may be purchased at a lower price in

the open market, the procurement of such goods or services may proceed without further observance of the provisions of this policy regarding contracts, bids, advertisement, or notice.

H. Design Build

Procurements may be authorized by the Board, pursuant to the Public Contract Code § 6820 et seq. or other applicable law, for the design and construction of eligible projects through design build contracts. Such procurements shall be performed in accordance with applicable state and federal laws.

VII. DELEGATION OF AUTHORITY

A. Invitations for Quotes, Requests for Proposals, Requests for Qualifications, Invitations for Bids,

1. The Executive Director, or his/her designee, is authorized to release and advertise Invitations for Quotes (IFQ), Requests for Proposals (RFP), Requests for Qualifications (RFQ) and Invitations for Bids (IFB) for proposed contracts/projects for which funding has been approved in SBCTA's Annual Budget and are estimated not to exceed \$1 Million.

Board approval must be obtained prior to circulation of any RFP/RFQ/IFB if funding has not been approved in SBCTA's Annual Budget, or the anticipated value of the RFP/RFQ/IFB exceeds \$1 Million.

2. General Counsel is authorized to issue RFQs for the purpose of creating and maintaining panels of qualified lawyers and law firms to provide legal services.

B. Contracts, Purchase Orders, and Amendments

1. General Policy.

- a. All contracts, purchase orders, amendments, and memoranda of understanding in excess of \$100,000 require approval by the Board, unless otherwise authorized by the Board.
- b. In order to prevent delays that would result in negative impacts to projects and/or programs, staff will provide sufficient time for Policy Committees and/or the Board to review and consider staff recommendations for approval of contracts and contract amendments. Refer to Policy 10025.

2. Board President. The Board President is the officer designated to sign contracts on behalf of the organization, unless otherwise authorized by the Board. In the absence of the Board President, the Board Vice President is authorized to sign contracts on behalf of the organization.

3. General Policy Committee. The General Policy Committee is authorized to approve contracts in excess of \$100,000 in the event of significant time constraints, extenuating circumstances, or emergencies when approval is required, with notification to the Board. Notification shall be made at the next regularly scheduled meeting of the Board following such approval.

4. Executive Director. The Executive Director, or his/her designee, is authorized to approve and execute:

- a. All contracts and purchase orders up to \$100,000.
- b. Contract amendments:
 - i. With zero dollar value.
 - ii. Amendments to exercise the optional term(s) set out in contracts approved by the Board.
 - iii. Amendments that cumulatively do not exceed 50% of the original contract value or \$100,000 individually, whichever is less.
- c. Purchase order amendments:
 - i. With zero dollar value.
 - ii. For purchase orders originally less than \$100,000, increasing the purchase order amount up to \$100,000.

- iii. For purchase orders originally \$100,000 or more, increasing the purchase order amount up to 10% of the original purchase order value but not to exceed \$25,000.
- d. Contract Task Orders (CTO):
 - i. All CTOs up to \$500,000, not-to-exceed the available contract balance.
 - ii. CTO amendments within available contract balance:
 - With zero dollar value.
 - For CTOs originally less than \$500,000, increasing the CTO amount up to \$500,000.
 - For CTOs originally \$500,000 or more, increasing the CTO amount up to 10% of the original CTO value but not-to-exceed \$100,000.
- e. Sole source procurements up to \$100,000. Such sole source procurements shall be routinely reported to the Board.
- 5. General Counsel. General Counsel is authorized to directly award and execute legal services agreements up to \$100,000 in order to address the agency's legal needs. All such agreements shall be routinely reported to the Board. Award of contracts exceeding \$100,000 require Board approval.

VIII. LEASING OF REAL PROPERTY (Not Applicable to Rail Property – See Policy No. 31602)

SBCTA may, from time to time, enter into contracts for the leasing of real property belonging to SBCTA or leased for use by SBCTA. Examples of this type contract are for office space occupied by SBCTA staff, lease of rail rights-of-way owned by SBCTA not immediately required for rail operations, or other short-term project specific leases.

A. Leasing SBCTA Property

1. All lease agreements resulting from call for bids require approval of the Board.
2. The call for bids shall be posted in at least three public places for not less than 15 days and published for not less than two weeks in a newspaper of general circulation. The highest proposal for the proposed lease submitted in response to a call for bids shall be accepted, or all bids shall be rejected.
3. Leases for a period not exceeding ten years and having an estimated monthly rental of not more than \$5,000 may be excluded from the bidding procedure specified in the preceding paragraph, but shall be subject to the following requirements:
 - a. Notices requesting offers to lease SBCTA property shall be posted in the SBCTA offices. Notices shall also be mailed or delivered at least 15 days prior to accepting offers to lease to any person who has filed written request for notice with SBCTA. Such requests to receive notices shall be renewed annually. Notice shall be published as provided in Government Code § 6061.
 - b. Notices requesting offers to lease SBCTA property shall describe the property proposed to be leased, the terms of the lease, the location where offers to lease the property will be accepted, the location where leases will be executed, and any SBCTA officer authorized to execute the lease.
 - c. The Executive Officer, or his/her designee, is authorized to approve and execute leases exempted from the bidding procedures specified in this section.
 - d. Leases exempt from the bidding procedures are not renewable except by approval of the Board after a competitive process.

B. Leasing Property for SBCTA Use

Board approval is required on all leases of real property for use by SBCTA, except that the Executive Director, or his/her designee, is authorized to lease real property for a term not to exceed three years and for a rental not to exceed \$2,500 per month. The Executive Director, or his/her designee, is authorized to amend real property leases for improvements or alterations with a total cost not to

exceed \$2,500, provided that the amendment does not extend the term of the lease and that no more than two amendments, not exceeding \$2,500 each, are made within a 12-month period.

IX. STANDARD OF ETHICS

- A. No SBCTA staff shall solicit, demand or accept from any person anything of a monetary value for or because of any action taken, or to be taken, in the performance of his or her duties. SBCTA staff failing to adhere to the above will be subject to any disciplinary proceeding deemed appropriate by SBCTA, including possible dismissal.
- B. No SBCTA staff shall use confidential information for his or her actual or anticipated personal gain, or the actual or anticipated personal gain of any other person related to such SBCTA staff by blood, marriage, or by common commercial or financial interest. SBCTA staff failing to adhere to the above will be subject to any disciplinary proceeding deemed appropriate by SBCTA, including possible dismissal.
- C. SBCTA procurements shall be conducted in accordance with SBCTA's Procurement Standards of Conduct and in compliance with the SBCTA Conflicts of Interest Policy and applicable federal and state law.

X. REVISION HISTORY

Revision No.	Revisions	Adopted
0	New Policy. Adopted by the Board of Directors	01/03/97
1	Modified Para. 11000.10	01/07/98
2	Modified Para. 11000.7.2	01/07/98
3	Deleted & replaced Para. 11000.7.3	01/07/98
4	Added Para. 11000.10 B	03/04/98
5	Modified Para. 11000.10	06/03/99
6	-Added Para. 11000.7.2.f -Modified Para. 11000.7.3.5.B -Modified Para. 11000.9.3.2	09/01/99
7	-Added new Para. 11000.5.G -Re-identified Para. 11000.5.H (was Para. 11000.5.G) and revised to add "...or the Plans and Programs Committee . . ." -Re-identified Para. 11000.5.I (was Para. 11000.5.H) -Moved Para. 11000.7.5.3 to new paragraph 11000.7.5.1.d and added "...and shall be placed on the discussion calendar." -Added Para 11000.12 REVISION HISTORY	07/05/00
8	-Revised Par. 11000.2 DEFINITIONS to REFERENCES and added Policy 10025, Guidelines for Agenda Materials. -Revised Paragraphs 11000.5.H and 11000.5.I -Re-numbered original Par. 11000.5.I to 11000.5.J -Deleted Par. 11000.10 POLICY GOVERNING DISADVANTAGED BUSINESS ENTERPRISES; re-numbered original Paragraphs 11000.11 and 11000.12 to 11000.10. and 11000.11.	01/09/02
9	Par. IX.A.1: Added additional paragraph "In certain instances, SANBAG professional services contractors are required to work closely with other public agency partners...". Re-formatted paragraph numbering to match current policy format, e.g., 11000.1 PURPOSE changed to I. PURPOSE.	07/02/03
10	Eliminated the Local Preference Policy – Paragraph VII.C; subsequent paragraphs VII.D and E renumbered to VII.C and D.	11/07/07
11	Par. IV.E.2 and 3: Increased the Executive Director's authority for approving Purchase Orders from \$25,000 to \$50,000.	12/03/08
12	Revised the "Director of Freeway Construction" to "Director of Project Delivery". Par. VII.D.2: Increased the Executive Director's authority for approving sole source procurements from \$25,000 to \$50,000. All other changes in language were made for clarity.	10/06/10
13	Par. V.K: Added authorization for SANBAG General Counsel to award and execute legal services agreements up to \$50,000. Par. VII.B.1.b: Added authorization for SANBAG General Counsel to issue RFQs.	07/11/12
14	Par. IX.C: Changed 'Director of Project Delivery' to 'SANBAG Department Directors'. Par. V.F: Changed the maximum term for standard SANBAG contracts, unless otherwise authorized by the Board of Directors, to five years (was three years).	08/01/12
15	Par. V.L: Added Requirement for Independent Cost Estimates. Adopted by Board of Directors on 10/3/12, Agenda Item 6.	10/03/12

Revision No.	Revisions	Adopted
16	Par. VII.A.2: Added Insurance Requirements. Par. VII.C: Major Projects Negotiating Guidelines removed since Policy 34504, Major Projects Program, Contract Negotiation Guidelines, was repealed on 9/5/12 (Board Agenda Item 5). Par. VII.D, Sole Source Process renamed to Par. VII.C..	11/07/12
17	Par. VII.A.1.c: Deleted "Use of electronic quotation systems operating within San Bernardino County" and replaced with language on Cooperative Procurements.	12/05/12
18	Changes approved by the Board of Directors on February 6, 2013, Agenda Item 32. Approve modifications, granting the SANBAG Executive Director or designee, contracting and/or signature authority as follows: 1. To release and advertise Requests for Proposals, Request for Quotes and Invitation for Bids, for proposed contracts for which funding has been approved in SANBAG's Annual Budget, and which are estimated not to exceed \$1,000,000. 2. To approve and execute all purchase orders and contracts up to \$100,000; and 3. To approve and execute contract amendments that meet at least one of the following criteria: a. Amendments with zero dollar value; b. Amendments to exercise the option term(s) set out in contracts approved by the SANBAG Board of Directors; or c. Amendments that cumulatively do not exceed 50% of the original contract value or \$100,000 individually whichever is less. Paragraphs IV.E.3, V.B, V.H, VII.B.1.a, VII.C.2, IX, and IX.B revised to incorporate these changes. Par. V.H: Revised to incorporate Board-approved agenda items (9/5/12 Agenda Item 7 and 11/7/12 Agenda Item 28) on the renaming and deletion of policy committees.	02/06/13
19	Change approved by the Board of Directors on May 1, 2013, Agenda Item 6. VII.B.3. Removed "In this instance of SANBAG's Major Projects contracts, the selection team shall consist of 2 Caltrans representatives and 3 representatives from member counterpart agencies, or members of the Board of Directors or their designees."	05/01/13
20	Change approved by the Board of Directors on April 9, 2014, Agenda Item 7. Par. V.F: Further identified term duration and description of procurement contracts. Par. V.H.3 Approved modification, granting the SANBAG Executive Director authority to approve and execute purchase order amendments.	04/09/14
21	Change approved by the Board of Directors on January 4, 2017, Agenda Item 6. Change SANBAG to SBCTA. Revised to reorganize sections and incorporate statutory provisions of SB1305 applicable to SBCTA. Deleted requirement for Committee approval of contract awards to low bidders. Increased General Counsel contract authority to \$100,000.	01/04/17
22	Change approved by the Board of Directors on December 6, 2017, Agenda Item 4. Incorporated language regarding 2 CFR part 200 federal requirements.	12/06/17
<u>23</u>	<u>Changes approved by the Board of Directors on January 8, 2020, Agenda Item XX.</u> <u>Added in Executive Director CTO signature limit.</u>	<u>1/8/20</u>

Minute Action

AGENDA ITEM: 7

Date: December 11, 2019

Subject:

Lease Amendment with Southern California Association of Governments for Unit 140 and Budget Amendment for Furniture, Fixtures and Equipment

Recommendation:

That the General Policy Committee recommend the Board, acting as the San Bernardino County Transportation Authority:

A. Approve Amendment No. 4 to Lease Agreement No. C13126 with Southern California Association of Governments for the lease of office space in Unit 140 at the San Bernardino Santa Fe Depot and authorize the Executive Director or his designee to execute the amendment.

B. Approve a budget amendment of \$138,860 in Task 0805-Building Operation, using fund balance from the Indirect Cost fund, to purchase furniture, fixtures, building modifications, data and telecommunications improvements to add work stations for use by the San Bernardino County Transportation Authority.

Background:

Since 2009, San Bernardino County Transportation Authority (SBCTA) has leased office space, known as Unit 140, at the Santa Fe Depot to Southern California Association of Governments (SCAG) for their use as a regional office and video conference location.

During this time, SBCTA has grown. The number of projects, the financial oversight requirements, and the project management needs related to these projects has forced us to use all of the available space in our current offices. This situation is not ideal and we have reached the point where we need to provide more work spaces for our teams, whether the teams are SBCTA employees or contract employees working on our capital program.

The proposal before you is to modify the lease with SCAG to decrease the space that they lease from the 2,050 square foot entirety of Unit 140 to approximately 175 square feet consisting of two existing private offices, room for a copier and SCAG's telecommunications equipment, and shared use of the video conference room. In this way, SCAG will still be able to maintain their office and presence in San Bernardino County. The balance of the space, approximately 1,875 square feet, will be for SBCTA's use. In this space, SBCTA will create nine new workstations.

Other changes to the lease include reducing the base rent from \$2,202/month to \$750/month, removing the obligation of SCAG to contribute to the Common Area Maintenance (CAM), reducing dedicated parking spaces from nine to five, and requiring access to the office to go through SBCTA security screening. This amendment will also extend the term of the lease from May 2020 until June 2022.

In addition to amending the lease with SCAG, staff is also requesting a budget amendment of \$138,860. These funds are needed for minor demolition and construction work in the space; for new electrical, data and telecommunications cable runs; for capacity improvements to our routers

Entity: San Bernardino County Transportation Authority

General Policy Committee Agenda Item

December 11, 2019

Page 2

and data switches; for new furniture and equipment related to nine new workstations; and for minor modifications to the security hardware on the exterior doors.

Financial Impact:

This item will require a budget increase of \$138,860 to Indirect Cost Fund 7001 which will come from the current fund balance for the Indirect Cost Fund. This item will also result in a decrease of annual lease revenue from \$26,424 to \$9,000 and an annual loss of contributions to the Common Area Maintenance of the Depot in the amount of \$18,300.

Reviewed By:

This item is not scheduled for review by any other policy committee or technical advisory committee. SBCTA General Counsel, Procurement Manager and Risk Manager have reviewed this item and the draft amendment.

Responsible Staff:

Duane Baker, Deputy Executive Director

Approved
General Policy Committee
Date: December 11, 2019

Witnessed By:

General Contract Information

Contract No: C13126 Amendment No.: 4 Sole Source? N/A
 Vendor No.: 01963 Vendor/Customer Name: Southern California Association of Governments
 Description: Amendment to Lease Agreement Santa Fe Depot Unit No. 140
 Estimated Start Date: 06/05/2013 Expiration Date: 05/31/2020 Revised Expiration Date: 06/30/2022
 List Any SBCTA Related Contracts Nos.: _____

Dollar Amount					
Original Contract	\$	101,232.00	Original Contingency	\$	-
Prior Amendments	\$	64,501.00	Prior Amendments	\$	-
Current Amendment	\$	22,500.00	Current Amendment	\$	-
Total/Revised Contract Value	\$	188,233.00	Total Contingency Value	\$	-
Total Dollar Authority (Contract Value and Contingency)					\$ 188,233.00

Contract Authorization

Board of Directors _____ Date: 01/08/2020 Committee _____ Item # _____

Contract Management (Internal Purposes Only)

Receivable _____ Other Contracts _____ No Budget Adjustment _____

Accounts Payable									
Total Contract Funding: \$				-	Total Contingency: \$				-
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: \$				188,233.00				
Funding Agreement No: <u> 00-1000873 </u>				Reversion Date: _____				
GL:	7001	01	0805	0980	43013001	188,233.00	GL:	-
GL:	-	-	-	-	-	-	GL:	-
GL:	-	-	-	-	-	-	GL:	-
GL:	-	-	-	-	-	-	GL:	-
GL:	-	-	-	-	-	-	GL:	-

 Duane Baker
 Project Manager (Print Name)

 Duane Baker
 Task Manager (Print Name)

Additional Notes:

Attachment: Contract Summary Sheet [Revision 1] (6302 : Lease Amendment with SCAG and Budget Amendment for Fixtures and Furnishings)

FOURTH AMENDMENT TO LEASE

THIS FOURTH AMENDMENT TO LEASE (the "Amendment") is entered into and is effective as of January 8, 2020 through June 30, 2022, by and between San Bernardino County Transportation Authority (SBCTA) ("Landlord"), and Southern California Association of Governments (SCAG) ("Tenant"), on the basis of the following:

RECITALS

A. Landlord and Tenant previously entered into a Lease agreement and Amendments (collectively, the "Lease") for the rental of the Premises described as 1170 West 3rd Street, Unit 140, San Bernardino, California, also identified as Contract No: C13126.

B. An agreement has been reached whereby the Landlord will begin to utilize a portion of the Leased Premises for its own use, under the terms and conditions contained herein.

AGREEMENT

IT IS HEREBY AGREED by Landlord and Tenant on the basis of the foregoing and in consideration of the Premises contained herein, as follows:

1. **Shared Premises.** Effective January 8, 2020, Landlord shall take possession of a portion of the Premises to be used for offices for SBCTA staff. Tenant shall retain the exclusive use of two (2) private offices within the Premises (consisting of approximately 175 square feet), and the shared use of the restroom and kitchen. Tenant shall also be permitted to keep one Konica Minolta printer and printer table outside of the two private offices as well as a rack of server/network equipment where it is currently installed. Before January 8, 2020, Tenant shall remove its personal property, equipment, and furniture from that certain portion of the Premises that Landlord is re-possessing and intending to use for offices for SBCTA staff.

Tenant shall also share the existing videoconference room in the Premises with Landlord (to be coordinated and scheduled between Landlord and Tenant) with videoconference events of either organization having priority, if scheduled three business days prior to the event. Tenant shall be permitted to have its existing telecommunication equipment, five (5) tables, and 31 chairs remain in place within the shared conference room, and shall continue to have its own separate phone & data accounts. For secure access to and from the Premises, Tenant shall adopt and utilize the same security measures as used by Landlord. Landlord will provide written documentation of the expected security measures upon execution of this Amendment. Landlord will be responsible for security and alarm monitoring for the Premises.

2. **Base Rent.** Effective December 1, 2019, Tenant's Base Rent shall be reduced to \$750.00 per month.

3. **Common Area Maintenance Expenses (CAM).** Effective December 1, 2019, Tenant shall no longer be required to pay CAM charges as provided for in Section 6 of the Lease.

4. **Parking.** Section 1.10 of the Lease shall be amended whereby Tenant's reserved parking spaces shall be reduced from nine (9) spaces to five (5) spaces.

5. **Supremacy.** Except as otherwise expressly stated in this Amendment, all other provisions in the Lease shall continue in full force and effect without modification. In the event of any conflict between the terms of this Amendment and those of the Lease, the terms of the Amendment shall govern.

IN WITNESS WHEREOF, Landlord and Tenant have executed this Amendment, the effective date of which is the date first set forth above.

**SAN BERNARDINO COUNTY
TRANSPORTATION AUTHORITY**

**SOUTHERN CALIFORNIA
ASSOCIATION OF GOVERNMENTS
(SCAG)**

By: _____
Dr. Raymond Wolfe,
Executive Director

By: _____
Basil Panas,
Chief Financial Officer

Date: _____

Date: _____

APPROVED AS TO FORM

By: _____
Julianna K. Tillquist,
General Counsel

By: _____
Joann Africa,
Chief Counsel

CONCURRENCE

By: _____
Jeffery Hill,
Procurement Manager

Attachment: C13126-04 SCAG Lease Amendment 4 [Revision 1] (6302 : Lease Amendment with SCAG and Budget Amendment for Fixtures and

Minute Action

AGENDA ITEM: 8

Date: December 11, 2019

Subject:

Revision of Records Retention Schedule, Appendix A to Policy 10105

Recommendation:

That the General Policy Committee recommend the Board acting as the San Bernardino County Transportation Authority and the San Bernardino Associated Governments:

Approve revised Records Retention Schedules, Appendix A to Policy 10105.

Background:

In July 2018, the San Bernardino County Transportation Authority (SBCTA) and San Bernardino Associated Governments Board of Directors adopted Records Management Policy No. 10105. The objective of the 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. The Clerk of the Board, as the Records Administrator, will review the Policy and Retention Schedules at least every five years to determine if any changes are necessitated by changes in contract requirements, in the law or Agencies' needs. Such revisions will be brought back to the Board for review and approval.

In July 2019, we provided an update to the Board regarding our progress towards implementation. At that time, we acknowledged the complexity of our retention schedules. Since then, SBCTA staff has worked diligently on revising the retention schedules and formatting them in a way that is more intuitive. Working with our General Counsel, some of the retention periods have been refined based on federal and state funding requirements, federal and state law, and as determined to be in the best interests of the Agency. Record categories have been consolidated where needed, and inconsistent retention periods corrected.

The Revised Retention Schedules (Policy 10105, Appendix A) are being provided as Support Material. Approval of these revised schedules will facilitate our continued progress toward full implementation of the policy.

Financial Impact:

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

Reviewed By:

This item is not scheduled for review by any other policy committee or technical advisory committee. SBCTA General Counsel has reviewed this item and the draft revised schedules.

Responsible Staff:

Marleana Roman, Deputy Clerk of the Board

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

General Policy Committee Agenda Item
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Approved
General Policy Committee
Date: December 11, 2019
Witnessed By:

Minute Action

AGENDA ITEM: 9

Date: December 11, 2019

Subject:

Agreement with State of California Wildlife Conservation Board for further development of the Regional Conservation Investment Strategy (RCIS)

Recommendation:

That the General Policy Committee recommend the Board, acting as the San Bernardino County Transportation Authority (SBCTA) and the San Bernardino Associated Governments (SANBAG/SBCOG):

A. Approve Contract 20-1002330 with the California Wildlife Conservation Board (grant agreement number WC-1919CR) to receive an amount not-to-exceed \$562,210 for development of a San Bernardino County Regional Conservation Investment Strategy.

And, that the General Policy Committee recommend the Board, acting as the San Bernardino County Transportation Authority (SBCTA):

B. Approve the creation of a new fund No. 2665-California Wildlife Conservation Board and a budget amendment to the Fiscal Year 2019/2020 budget, Task No. 0404 by adding California Wildlife Conservation Board (WCB) funds in the amount of \$562,210 for consultant costs. Subsequent authorization to expend funds received from WCB will be presented to the SBCTA Board at a later date.

Background:

In partnership with the San Bernardino County Environment Element Group as part of the Countywide Vision effort initiated in 2010, SANBAG and the County of San Bernardino Land Use Services led the development of the Countywide Habitat Preservation/Conservation Framework Study (Framework Study) in February 2015. Subsequently, the Framework Study led to a second phase to develop a more structured, comprehensive approach to the preservation and conservation of habitat for threatened and endangered species in the County, consistent with the State's conservation goals. Similar to other elements of the Countywide Vision, the Environment Element is being guided by a stakeholder group representing diverse interests, including environmental advocates, the building industry, local and regional governments, state/federal resource agencies, water districts, etc. A report on progress for the Environment Element Group and its efforts has been provided to the SBCTA/SBCOG Board on previous occasions.

Much has already been accomplished for habitat preservation and conservation in San Bernardino County, but on more of a project-by-project basis. Both the phase one and phase two studies were part of several steps toward a more comprehensive approach to countywide conservation planning. Phase one of the Framework Study was a guidance document outlining the conservation issues and concerns, existing conservation, conservation opportunities, and data gaps associated with current approaches to habitat conservation. The report identified conservation planning subareas, overarching principles, and recommendations to further develop a comprehensive approach to habitat preservation/conservation. The phase two study produced a

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

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document that further refined the conservation Framework focusing on more science-based, nonbinding voluntary conservation and habitat enhancement actions for focal species, vegetation communities, ecological processes, and habitat connectivity. It provides nonbinding voluntary guidance on conservation priority areas and actions to enhance streamlining and predictability of land and renewable energy development processes in the County.

On October 7, 2015, the SANBAG Board approved Cooperative Agreement 16-1001344 with the County and Southern California Association of Governments (SCAG) to allow staff to undertake management, planning, outreach, analysis, and procurement work in connection with the phase two study and complete the tasks documented in the Scope of Work. The total budget for the project was \$275,000, with the County contributing \$225,000 and SCAG contributing \$50,000. In 2016, the Environment Element Group requested that the County and SANBAG align the countywide conservation efforts with the State's Regional Conservation Investment Strategy (RCIS) Program since much of what was included in the phase one and two efforts is similar to the goals of the RCIS Program.

The RCIS Program encourages a voluntary, non-regulatory regional planning process intended to result in higher-quality conservation outcomes and includes an advance mitigation tool. The RCIS Program uses a science-based approach to identify conservation and enhancement opportunities that, if implemented, will help California's declining and vulnerable species by protecting, creating, restoring, and reconnecting habitat. As a result, the County and SBCTA/SBCOG developed a draft San Bernardino County RCIS (SBC RCIS) and submitted it to the State for its review. The preliminary draft SBC RCIS was released in December 2018 and was presented to the public at a formally noticed RCIS public meeting on Monday, March 4, 2019.

However, the project funding could not keep up with the changes that occurred during the RCIS guidelines update stages. Much effort has been expended, and excellent progress has been made. Plan developers and stakeholders have been collaborating diligently for the last three years to get to this point. To keep the process moving forward, SBCTA/SBCOG led the effort in applying for additional funding from the State of California (State). WCB recently announced that the project application was selected for additional funding and sent an award letter to SBCTA/SBCOG along with the attached contract.

Upon approval of the agreement with WCB, the next phase of RCIS development will now move forward with the new funding from the State, and this will support the Environment Element Group's further development of a more comprehensive approach to habitat preservation/conservation in San Bernardino County. Upon execution of the contract, staff will release a Request for Proposals, pursuant to Contracting and Procurement Policy 11000, to obtain consultant services based on the scope of work included in the initial grant application. The project will focus on preparing a draft regional conservation plan document that can be submitted to the California Department of Fish and Wildlife (CDFW) and go through its approval process. The plan development process will continue to include a substantive stakeholder outreach component with Building Industry Association (BIA), environmental advocates, land owners, regulatory agencies, local jurisdictions, and other members of the Environment Element Group

Financial Impact:

San Bernardino County Transportation Authority

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This project is not consistent with the adopted 2019/2020 Fiscal Year Budget and staff is requesting a Budget Amendment to modify Fund 2665 and Task 0404 by increasing the budget with a WCB grant fund in the amount of \$562,210.

Reviewed By:

This item is not scheduled for review by any other policy committee or technical advisory committee. SBCTA General Counsel, Procurement Manager and Risk Manager have reviewed this item and the draft agreement.

Responsible Staff:

Josh Lee, Chief of Planning

Approved
General Policy Committee
Date: December 11, 2019

Witnessed By:

Contract Summary Sheet

General Contract Information

Contract No: 20-1002330 Amendment No.: _____ Sole Source? No
 Vendor No.: 03587 Vendor/Customer Name: Wildlife Conservation Board (WCB)
 Description: San Bernardino County Regional Conservation Investment Strategy (SBC RCIS)
 Estimated Start Date: 03/01/2020 Expiration Date: 03/31/2022 Revised Expiration Date: _____
 List Any SBCTA Related Contracts Nos.: _____

Dollar Amount					
Original Contract	\$	562,210.00	Original Contingency	\$	-
Prior Amendments	\$	-	Prior Amendments	\$	-
Current Amendment	\$	-	Current Amendment	\$	-
Total/Revised Contract Value	\$	562,210.00	Total Contingency Value	\$	-
Total Dollar Authority (Contract Value and Contingency)					\$ 562,210.00

Contract Authorization

Board of Directors _____ Date: 01/08/2020 Committee _____ Item # _____

Contract Management (Internal Purposes Only)

Receivable _____ Receivable _____ Board Approved Budget Adjustment _____

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

Accounts Receivable						
Total Contract Funding: \$		562,210.00	Reversion Date: _____			
Funding Agreement No: <u>20-1002330</u>						
GL	2665	20	0404	0000	42217101	562,210.00
GL						-
GL						-
GL						-
GL						-

 Josh Lee
 Project Manager (Print Name)

 Steve Smith
 Task Manager (Print Name)

Additional Notes:

Attachment: GPCCContract Summary Sheet (6279 : Agreement with State of California Wildlife Conservation Board for RCIS)

CALIFORNIA WILDLIFE CONSERVATION BOARD

GRANT AGREEMENT

Between

STATE OF CALIFORNIA, WILDLIFE CONSERVATION BOARD

and

**SAN BERNARDINO COUNTY TRANSPORTATION AUTHORITY/SAN
BERNARDINO COUNCIL OF GOVERNMENTS**

for

**SAN BERNARDINO COUNTY REGIONAL CONSERVATION
INVESTMENT STRATEGY**

SAN BERNARDINO COUNTY, CALIFORNIA

WC-1919CR

**State of California
Natural Resources Agency
Department of Fish and Wildlife
Wildlife Conservation Board**

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GRANTEE: San Bernardino County Transportation Authority/San Bernardino Council of Governments
1170 W. 3rd Street, 2nd Floor, San Bernardino, CA 92410
Attn.: Josh Lee, Chief of Planning
Phone: (909)884-8276, ext. 166
E-mail: jlee@gosbcta.com

GRANTOR: Wildlife Conservation Board
P.O. Box 944209
Sacramento, California 94244-2090
Attn.: Celestial Reysner, State Representative
Phone: (916) 445-1082
E-mail: celestial.reysner@wildlife.ca.gov

Grant Agreement No.: WC-1919CR

Board Approval Date: November 21, 2019

Projected Completion Date: March 31, 2022

Terms of Agreement:

Capital Improvements: Notice to Proceed Date (_____) through March 31, 2022

Project Life: Term of Agreement

Project ID: 2019071

FUNDING CERTIFICATION

I hereby certify that (a) the following funds will be encumbered on behalf of Grantor; and (b) Grant Funds shall not be disbursed unless and until sufficient proceeds from the source identified below become available to Grantor to disburse.

Fiscal Officer

Date:

Grant Amount: \$562,210.00

Fund Source: California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access for All Fund, Section 80111(a)

Appropriation Item: Chapter 23, Statutes of 2019

Line Item: 3640-102-6088

Expenditure Code: 19-1000-702-02019

1. SCOPE OF AGREEMENT

Pursuant to the Wildlife Conservation Law of 1947, Chapter 4.0 of Division 2, commencing with Section 1300 of the California Fish and Game Code; the California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access for All Act of 2018, Section 80111(a); and the approval granted by the Wildlife Conservation Board on November 21, 2019, the Wildlife Conservation Board (Grantor) hereby grants to San Bernardino County Transportation Authority/San Bernardino Council of Governments (Grantee), a sum not to exceed five hundred sixty-two thousand two hundred and ten dollars (\$562,210.00) (Grant Funds), upon and subject to the terms and conditions of this Grant Agreement (Agreement).

2. PURPOSES OF GRANT

Grantor is entering into this Agreement, and the Grant Funds shall be used, only for the purpose of assisting Grantee with the project generally described as: develop and complete a final draft of the San Bernardino County Regional Conservation Investment Strategy (SBC RCIS) (Project), covering two subareas, the Valley subarea and West Desert subarea and the Mountain region located in San Bernardino County, California (Property). The Property is generally shown on the attached Exhibit A - LOCATION MAP.

3. CONDITIONS OF GRANT

Grantor's obligation to disburse Grant Funds under this Agreement is conditioned upon and subject to the satisfactory completion of all of the following conditions:

- 3.1 Grantor shall have reviewed and approved all documents pertaining to the Project, including, without limitation, feasibility and planning studies, designs, plans, budgets, cost estimates, timelines, and agreements. Such review and approval by Grantor will be for compliance with this Agreement as well as funding and other requirements applicable to Grantor and shall not be unreasonably withheld.
- 3.2 Grantor shall have reviewed and approved a certified resolution or other appropriate action of the governing board or governing body of Grantee, authorizing the execution and performance of this Agreement and the carrying out of the Project by Grantee.
- 3.3 Grantee shall have disclosed all funding sources for the Project, including all amounts applied for or obtained from sources other than Grantor. These amounts shall be reflected in the attached Exhibit B – BUDGET (Budget) by Budget category. As between Grantor and Grantee, Grantee shall be responsible for any and all Project costs that exceed the amount of the Grant Funds provided under this Agreement.

- 3.4 The grant proposal shall have been approved by the Wildlife Conservation Board at a public meeting, this Agreement shall have been fully executed by Grantor and Grantee, and Grantee shall have received a written "Notice to Proceed" from Grantor. The approval of the grant proposal by the Wildlife Conservation Board, if such approval is given, shall not constitute authorization for the commencement of the Project or expenditure of Grant Funds. No expenditure made or activity initiated prior to Grantee's receipt of a written Notice to Proceed from Grantor will be eligible for reimbursement by Grantor.

4. DISBURSEMENTS

- 4.1 Upon satisfaction of all of the Conditions of Grant set forth in Section 3, above, and so long as Grantee is not in breach or default under this Agreement, Grantor agrees to disburse the Grant Funds to Grantee, in arrears, in installments as set forth in this Section 4. Disbursements shall be made not more frequently than monthly and disbursements of less than \$5000.00 should be made not more frequently than quarterly. All disbursements shall be subject to the availability of funds for purposes of the Project as provided in Section 4.8.
- 4.2 Grantee shall request disbursement of Grant Funds by submitting a disbursement request to Grantor for approved budgeted work performed on the Project in accordance with Section 4.3. Disbursement shall be contingent upon approval of the disbursement request by Grantor.
- 4.3 The disbursement request must be submitted on Grantee's letterhead, signed by an authorized representative of Grantee, and include a written description of the work completed during the period of the disbursement request. Requests for disbursement must be itemized using the same categories included in the attached Budget. Exhibit C – DISBURSEMENT REQUEST TEMPLATE provides the format to use for submitting disbursement requests to Grantor. Each disbursement request shall contain supporting or back-up documentation for all amounts shown on the request, including receipts for all materials and supplies, all Grantee staff time shown by number of hours worked and hourly rate, and all contractor or sub-contractor services.
- 4.4 Grantor may withhold ten percent (10%) of the total approved amount from each disbursement (Retained Grant Funds) until Grantor has approved the completion of the Project, the final report required by Section 6.4, and the final request for disbursement.
- 4.5 Upon completion of Project activities, Grantee may request disbursement of the Retained Grant Funds. Grantee shall submit this request no later than thirty (30) days after the Projected Completion Date (as defined in Section 6.1).

- 4.6 Please submit disbursement requests electronically to WCB at WCBCLerical@wildlife.ca.gov and WCB Project Manager celestial.reysner@wildlife.ca.gov with "Project ID 2019071 Invoice No. ____" in the subject line.

Alternatively, hard copy requests for disbursement can be sent to:

Wildlife Conservation Board
 P.O. Box 944209
 Sacramento, California 94244-2090
 Attn: Celestial Reysner

- 4.7 Grantee shall reimburse Grantor for any erroneous disbursement of Grant Funds under this Agreement. Reimbursement shall occur within 30 days of written demand by Grantor. Interest shall accrue at the highest rate allowed by law from the time that reimbursement becomes due and owing until received by Grantor.
- 4.8 Despite any contrary provision of this Agreement, Grantor shall not be obligated to disburse any remaining unpaid portion of the Grant Funds unless and until sufficient funds identified for allocation to the Project (as further specified in the Funding Certification attached to this Agreement) are released by the State Treasurer's Office to Grantor for expenditure for this grant. No request for disbursement submitted prior to the release of such funds to Grantor shall be effective.
- 4.9 With the final invoice, Grantee shall provide a completed Final Cost Share Accounting Form (Exhibit D – FINAL COST SHARE TEMPLATE) when work is completed. The completed Final Cost Share Accounting Form shall identify and delineate all cost share funds expended and in-kind services provided during the Grant term before Project completion and will be consistent with Exhibit B – BUDGET.

5. BUDGET AND INDIRECT COSTS

- 5.1 The attached Budget is an estimate of the Grantee's anticipated costs for the Project and discloses all funding sources for the Project, including all amounts applied for or obtained from sources other than Grantor. Should the Budget not disclose all funding sources for the Project, Grantor may refer this grant to the Department of Finance for a Project audit. Grantee may seek additional funding from sources other than Grantor, with Grantor's approval, to cover cost increases or to reduce Grantor's cost share. Should Grantee obtain additional funds from sources other than Grantor, Grantee shall promptly notify Grantor of the amounts and sources of the additional funding and submit a proposed new budget reflecting any changes to Grantor for its approval.

When actual Project costs indicate that the costs of certain Budget categories payable by Grantor are higher than estimated, and these higher costs are offset by lower costs in other Budget categories payable by Grantor, the Grantee may submit a written request to Grantor to shift funds between such Budget categories. Contingencies shall be used only upon written approval by Grantor. Grantor shall approve or deny a requested Budget revision or use of contingencies in writing within 10 business days of receipt of Grantee's written request.

- 5.2 Indirect cost rates are limited to 20 percent of the total direct WCB Grant Funds minus subcontractor and equipment costs. Any amount over 20 percent will not be funded but may be used as cost share. If Grantee seeks to recover indirect or administrative costs, this item should be included as a line item in the Budget. Any cost that is billed as a direct cost may not be included in indirect cost rates. Indirect costs include, but are not limited to, the following: workers compensation insurance, utilities, office space rental, phone, and copying which is directly related to completion of the Project.

Costs for subcontractors and purchase of equipment cannot be included in the calculation of indirect costs in the Budget. It is the responsibility of the Grantee to keep documentation for all indirect costs claimed in Exhibit B. For all indirect costs claimed, Grantee must keep backup documents in audit-ready files (these documents are not provided to WCB).

6. GRANTEE'S COVENANTS

In consideration of this Agreement, Grantee hereby covenants and agrees as follows:

- 6.1. Grantee will complete or cause to be completed all Project activities in accordance with Grantee's proposed design and specifications submitted to Grantor, a copy of which is attached as Exhibit E - WORK PLAN and incorporated herein by this reference, on or before March 31, 2022 (Projected Completion Date). The Project will be considered complete when all Project activities have been completed and Grantor has approved the completion of the Project, the final report required by Section 6.4, and the final request for disbursement.
- 6.2 Grantee is responsible for obtaining all necessary permits and approvals for the Project (including its construction, management, monitoring, operation, use and maintenance), and complying with all federal, state and local statutes, laws, regulations, ordinances, orders and other governmental and quasi-governmental requirements that apply to the Project (including its construction, management, monitoring, operation, use and maintenance).

- 6.3 Grantee shall recognize the cooperative nature of the Project and shall provide credit to the Grantor on signs, demonstrations, promotional materials, advertisements, publications and exhibits prepared or approved by Grantee referencing the Project. Any sign installed on the Property referencing the Project shall be subject to the mutual agreement of Grantor, Grantee and Landowner regarding text, design and location and shall display the logo of Grantor.
- 6.4 Not later than 30 days following the completion of all Project activities Grantee will submit either five hard copies or one hard copy and one digital copy of a final report of accomplishments, including pre- and post-Project photographs and a final design or site plan of the Project, to Grantor.

7. BREACH AND REMEDIES

- 7.1 In the event of a breach of Grantee's obligations under this Agreement, Grantor shall give notice to Grantee describing the breach. If Grantee does not cure the breach described in the Grantor's notice within 90 days after the date of Grantor's notice (or, if the breach cannot reasonably be cured within 90 days, Grantee does not commence the cure within the 90-day period and diligently pursue it to completion), then Grantee shall be in default of this Agreement.
- 7.2 In the event of a default by Grantee before the Project is complete then, in addition to any and all other remedies available at law or in equity, Grantor may seek specific performance of this Agreement. Grantee agrees that specific performance is an appropriate remedy because the benefits to Grantor from Grantee's completion of the Project in accordance with this Agreement, as described in Section 2 (Purposes of Grant), are unique and damages would not adequately compensate Grantor for the loss of such benefits.
- 7.3 In the event of a default by Grantee, in addition to any and all other remedies available at law or in equity, Grantor may withhold Grant Funds from Grantee or may require reimbursement of Grant Funds that were disbursed in error due to a breach of the Grant terms, including incorrect billing of indirect costs as identified in Section 5.2.
- 7.4 In the event of a default by Grantee, in addition to any and all other remedies available under this Agreement, at law or in equity, Grantor may require Grantee to reimburse the Grant Funds to Grantor in an amount determined by application of the following Reimbursement Formula:

"Reimbursement Formula"

Formula: Dollar amount of Grant Funds divided by Project Life, times the number of years remaining in the Project Life.

Example: Grantor grants \$50,000.00 to Grantee for the restoration and enhancement of wetland and riparian habitat, and the Project Life is 25 years. With 10.5 years remaining on the Project Life, the Grantee is in default under the Agreement. The reimbursement amount would be \$21,000, calculated as follows:

$$(\$50,000.00 \div 25 \text{ years}) \times 10.5 \text{ years} = \$21,000$$

Reimbursement shall be due from Grantee immediately upon written demand by Grantor. Interest shall accrue at the highest rate allowed by law from the time that the reimbursement becomes due until it is actually received by Grantor.

- 7.5 Any costs incurred by Grantor, where Grantor is the prevailing party, in enforcing the terms of this Agreement, including but not limited to costs of suit, attorneys' and experts' fees, at trial and on appeal, and costs of enforcing any judgment, shall be borne by Grantee.
- 7.6 Waiver of any breach or default by Grantee shall not be deemed to be a waiver of any subsequent breach or default, nor shall it constitute a modification of this Agreement.

8. ADDITIONAL TERMS AND CONDITIONS

8.1 Grantee Responsible for Project

While the Grantor undertakes to assist the Grantee with the Project by providing a grant pursuant to this Agreement, the Project itself remains the sole responsibility of the Grantee. Grantor undertakes no responsibilities to the Grantee, the Landowner, or any third party, other than as expressly set out in this Agreement. The responsibility for implementing the Project is solely that of the Grantee, as is the responsibility for any claim or suit of any nature by any third party related in any way to the Project.

8.2 Contracts

All agreements between Grantee and any third party related to the Project must be in writing and contain language that establishes the right of the auditors of the State of California to examine the records of the third party relative to the goods, services, equipment, materials, supplies or other assistance provided to Grantee for the Project. Grantee shall provide a complete copy of each agreement over \$10,000.00 to Grantor prior to commencing work.

8.3 Indemnification

To the fullest extent permitted by law, Grantee shall indemnify, protect, and hold harmless the Wildlife Conservation Board and the State of California, and their respective members, officers, agents, employees and representatives, from and against any and all claims, demands, damages, losses, costs (including

attorneys' fees), expenses, and liability of any nature (Claims) arising out of or incident to the Project, Grantee's entry upon and use of the Property, and the performance of, or failure to observe or perform, any obligations of the Grantee under this Agreement. The obligations of Grantee under this Section 8.3 include, without limitation, Claims resulting from the generation, use, storage, disposal, release or threatened release of any hazardous or toxic substance, material or waste; petroleum or petroleum products and other substances that present a threat to human health or the environment.

8.4 Amendment; Severability

This Agreement may be modified only by a written amendment signed by Grantor and Grantee. No oral or written understanding or agreement not incorporated in this document shall be binding on the parties.

If any provision of this Agreement or the application thereof to any person or circumstance is held to be invalid or unenforceable, that shall not affect any other provision of this Agreement or applications of the Agreement that can be given effect without the invalid provision or application. To this end the provisions of this Agreement are severable.

8.5 Independent Capacity of Grantee; Withholding and Payments

Grantee, its members, officers, directors, employees, agents, and representatives, is each acting in an independent capacity in entering into and carrying out this Agreement, and not as a partner, member, officer, agent, employee, or representative of Grantor. Grantee is responsible for withholding and paying employment taxes, insurance and deductions of any kind required by federal, state, or local laws.

8.6 No Assignment or Transfer

This Agreement is not assignable or transferable by Grantee, either in whole or in part, without the prior written consent of Grantor which Grantor may grant or withhold in Grantor's discretion.

8.7 Accounting/Records/Audits

Grantee shall maintain complete and accurate records of its actual Project costs, in accordance with generally accepted accounting principles and practices, and shall retain said records for at least three years after final disbursement by Grantor. During such time, Grantee shall make said records available (or cause them to be made available) to the State of California for inspection and audit purposes during normal business hours. Expenditures not documented, and expenditures not allowed under this Agreement or otherwise authorized in writing by Grantor shall be borne by Grantee. The audit shall be confined to those matters connected with this Agreement, including but not limited to administration and overhead costs.

8.8 Use of Grant Funds to Secure Additional Funding

Grantee agrees that the funding provided under this Agreement shall not be used as cost share for other grants, or to secure loans or other monetary awards without written approval from the Executive Director, Wildlife Conservation Board. Such approval shall not be unreasonably withheld as long as the purposes for which the grant was awarded are maintained.

8.9 Termination or Suspension of Agreement

At any time before Grantee has broken ground on the Project Grantor may terminate this Agreement for any reason by providing Grantee not less than 30 days written notice of termination. In addition, Grantor may suspend this Agreement at any time upon written notice to Grantee. In either case, Grantee shall immediately stop work under this Agreement and take all reasonable measures to prevent further costs to Grantor. The Grantor shall be responsible for reasonable and non-refundable obligations or expenses incurred by the Grantee under this Agreement prior to the date of the notice to terminate or suspend, but only up to the undisbursed balance of funding authorized in this Agreement. Any notice suspending work under this Agreement shall remain in effect until Grantor authorizes work to resume by giving further written notice to Grantee.

8.10 Resolution of Disputes

The State Project Representative is identified on Page i of this Agreement. The State Project Representative has initial jurisdiction over each controversy arising under or in connection with the interpretation or performance of this Agreement or disbursement of Grant Funds. The Grantee will diligently pursue with the State Project Representative a mutually agreeable settlement of any such controversy.

If the controversy cannot be resolved between Grantee and the State Project Representative, the Grantee must direct the grievance together with any evidence, in writing, to the Executive Director of the Wildlife Conservation Board. The grievance must state the issues in the dispute, the legal authority or other basis for the Grantee's position and the relief sought.

The Executive Director or designee shall meet with a representative of the Grantee to review the issues. A written decision signed by the Executive Director or designee shall be returned to the Grantee within twenty (20) working days of the conclusion of this meeting.

8.11 Drug-Free Workplace Certification

By signing this Agreement, Grantee hereby certifies under penalty of perjury under the laws of the State of California that Grantee will comply with the requirements of the Drug-Free Workplace Act of 1990 (Government Code

Section 8350 et seq.) and will provide a drug-free workplace by taking the following actions:

- 8.11.1 Publish a statement notifying employees that unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited and specifying actions to be taken against employees for violations, as required by Government Code Section 8355(a).
- 8.11.2 Establish a Drug-Free Awareness Program as required by Government Code Section 8355(b) to inform employees about all of the following:
 - a) the dangers of drug abuse in the workplace;
 - b) the person's or organization's policy of maintaining a drug-free workplace;
 - c) any available counseling, rehabilitation, and employee assistance programs; and,
 - d) penalties that may be imposed upon employees for drug abuse violations.
- 8.11.3 Provide, as required by Government Code Section 8355(c), that every employee who works on the proposed contract:
 - a) will receive a copy of the company's drug-free policy statement; and,
 - b) will agree to abide by the terms of the company's statement as a condition of employment on the contract.

Failure to comply with these requirements may result in suspension of disbursements under this Agreement or termination of the Agreement or both and Grantee may be ineligible for award of any future state contracts if the Grantor determines that any of the following has occurred: (1) Grantee has made false certification, or (2) Grantee violates the certification by failing to carry out the requirements as noted above.

8.12 Union Organizing

By signing this Agreement, the Grantee hereby acknowledges the applicability to this Agreement of Government Code Sections 16645 through 16649, and certifies that:

- 8.12.1 No state funds disbursed by this grant will be used to assist, promote, or deter union organizing;
- 8.12.2 Grantee shall account for state funds disbursed for a specific expenditure by this grant, to show those funds were allocated to that expenditure;

- 8.12.3 Grantee shall, where state funds are not designated as described in 8.12.2 above, allocate, on a pro-rata basis, all disbursements that support the grant program; and
- 8.12.4 If Grantee makes expenditures to assist, promote or deter union organizing, Grantee will maintain records sufficient to show that no state funds were used for those expenditures, and that Grantee shall provide those records to the Attorney General upon request.

8.13 Labor Code Requirements: Prevailing Wage

State grants may be subject to California Labor Code requirements, which include prevailing wage provisions. Certain State grants administered by the California Wildlife Conservation Board and the California Department of Fish and Wildlife are not subject to Chapter 1 (commencing with Section 1720) of Part 7 of Division 2 of the Labor Code. For more details, please refer to California Fish and Game Code Section 1501.5 and to the Department of Industrial Relations (DIR) website at <http://www.dir.ca.gov>. Grantee shall pay prevailing wage to all persons employed in the performance of any part of the Project if required by law to do so.

8.14 Disposition of Equipment

Title or ownership of equipment with a unit cost of \$5,000 or more may be retained by Grantee or Grantor upon end of the grant cycle; final disposition will be coordinated by WCB's Grant Manager.

8.15 Informational Products

All informational products (e.g. data, studies, findings, management plans, manuals, photos etc.) relating to California's natural environment and produced with the use of public funds shall be cataloged in the California Geoportal (<http://portal.gis.ca.gov/geoportal/catalog/main/home.page>), maintained by the California Department of Technology.

8.16 Non-Discrimination

During the performance of this Agreement, Grantee shall not unlawfully discriminate against, harass, or allow harassment against any employee or applicant for employment because of race, religion, color, national origin, ancestry, physical disability (including HIV and AIDS), mental disability, medical condition, marital status, age (over 40), sex, sexual orientation, or use of family-care leave, medical-care leave, or pregnancy-disability leave. Grantee shall take affirmative action to ensure that the evaluation and treatment of its employees and applicants for employment are free of such discrimination and harassment. Such action shall include, but not be limited to, the following: employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. Grantee shall comply with the provisions of

the Fair Employment and Housing Act (Government Code Section 12900 (a-f) et seq.), and applicable regulations (California Code of Regulations, Title 2, Section 7285 et seq.). The regulations of the Fair Employment and Housing Commission regarding Contractor Nondiscrimination and Compliance (Chapter 5 of Division 4 of Title 2 of the California Code of Regulations) are incorporated by reference into this Agreement. Grantee shall give written notice of its obligations under this non-discrimination clause to labor organizations with which Grantee has a collective bargaining or other agreement and shall post in conspicuous places available to employees and applicants for employment, notice setting forth the provisions of this section. Grantee shall also include the nondiscrimination and compliance provisions of this Agreement in all contracts related to the Project.

9. NOTICE OF AGREEMENT

The terms, conditions and restrictions of this Agreement shall be binding upon and inure to the benefit of the parties hereto and their personal representatives, heirs, successors, and assigns and shall continue as a servitude running with the Property for the Project Life.

10. AUTHORIZATION

The signature of the Executive Director certifies that at the meeting of the Wildlife Conservation Board held on November 21, 2019, the Board authorized the award of a grant of up to \$562,210.00 to Grantee for the Project.

11. EFFECTIVENESS OF AGREEMENT

This Agreement shall be deemed executed and effective when fully signed by authorized representative(s) of each of Grantor and Grantee. Each party shall sign two original counterparts of this Agreement. Each fully executed counterpart shall be deemed an original. Grantee shall each receive one fully executed original and Grantor shall receive one fully executed original.

12. EXHIBITS

Each of the Exhibits referenced in this Agreement is incorporated by reference as though set forth in full herein. The following Exhibits are attached to this Agreement:

- Exhibit A** – Location Map
- Exhibit B** – Budget
- Exhibit C** – Disbursement Request Template
- Exhibit D** – Final Cost Share Template
- Exhibit E** – Work Plan

IN WITNESS WHEREOF, the undersigned parties have executed this Agreement.

GRANTOR

STATE OF CALIFORNIA
WILDLIFE CONSERVATION BOARD

By: _____ Date: _____
John P. Donnelly
Executive Director

GRANTEE

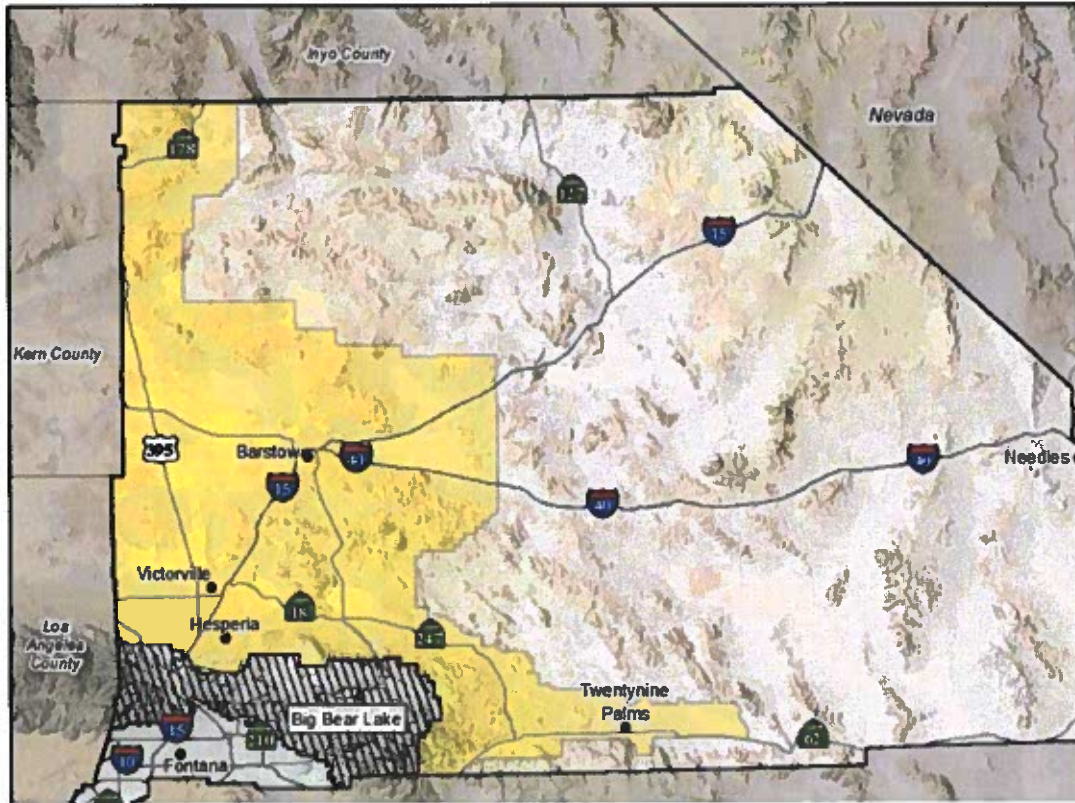
SAN BERNARDINO COUNTY TRANSPORTATION AUTHORITY/SAN BERNARDINO
COUNCIL OF GOVERNMENTS

By: _____ Date: _____

San Bernardino County Regional Conservation Investment Strategy,
Grant Agreement Number –WC1919CR
Project ID 2019071

EXHIBIT A

Location Map



Attachment: Grant Agreement - Conservation Investment Strategy (6279 : Agreement with State of California Wildlife Conservation Board for

EXHIBIT B BUDGET

Applicant	San Bernardino County Transportation Authority (SBCTA) / San Bernardino Council of Governments (SBCOG)			
Project Title	San Bernardino County Regional Conservation Investment Strategy (SBC RCIS)			
Task Number/Name	Activity/ Equipment/ Subcontractor	Total Cost Share (Non-WCB Funds)	Total WCB Requested Cost	Total Cost by Task
0	<u>Pre-award Activity</u>	\$278,000	-	\$278,000
1	<u>Project Initiation/Kick-Off</u>	\$2,016	-	\$2,016
2	<u>Develop Workplan for SBC RCIS</u>	\$14,448	-	\$14,448
3	<u>Prepare Administrative Draft SBC RCIS</u>	\$11,424	\$184,040	\$195,464
4	<u>Prepare SBC RCIS</u>	\$34,272	\$214,790	\$249,062
5	<u>Public & Stakeholder Outreach</u>	\$20,496	\$82,550	\$103,046
6	<u>Project Management and Administration</u>	\$6,048	\$29,720	\$35,768
7	<u>Contingency</u>		\$51,110	
Total		\$366,704	\$562,210	\$928,914

DISBURSEMENT REQUEST TEMPLATE

Letterhead (include Name, address, telephone, contact person name)

Invoice Date: _____
 Invoice No: _____

Project Name: Name on Grant Document
Agreement Number: WCB Grant Agreement No.
WCB Project ID Number: WCB Project ID No.
Term of Project: Beginning and End dates
Invoice Period Covered: Beginning and End Date
Amendments: describe if any, along with date
WCB Project Manager:

PROJECT TASK	TOTAL COST	COST SHARE, CUMULATIVE**	WCB ALLOCATION	WCB PRIOR INVOICED AMOUNT	CURRENT WCB INVOICE	Remaining Balance of WCB allocation available for expenditure on this task
Describe in a separate row each project task in the Budget approved by the WCB - Must be identical to those shown in the approved budget unless amended	Show the total cost for each task. Must be identical to those shown in the approved budget unless amended	Enter the total dollars of all non-WCB invoices. This column should increase progressively with successive invoices.	Show the total WCB allocated costs for each task. Must be identical to those shown in the approved budget unless amended	Sum all invoices already submitted to the WCB for payment on this task (includes amounts retained by WCB)	Amount of current invoice applied to this task	Remaining Balance of WCB allocation available for expenditure on this task
Task 1 (describe)						
Task 2 (describe)						
Task 3 (describe)						
Task 4 (describe)						
Task 5 (describe)						
...						
...						
TOTAL	Sum of all items	Sum of all items	Sum of all items	Sum of all items	Sum of all items	Sum of all items

Total Current Invoice: \$ _____
 Less Retention*: \$ () _____
TOTAL PAYMENT DUE: \$ _____

CURRENT RETENTION \$ _____
 PREVIOUS RETENTION \$ _____
 TOTAL RETENTION WITHHELD TO DATE: \$ _____

Approved for Payment
 By: _____
 Printed Name _____
 Date _____

*Retention: Unless otherwise approved in advance by WCB, 10% of total current invoice will be retained by WCB until the end of the project.

Each Invoice/Disbursement request should be accompanied by the following:

1. A detailed statement of services for the period covered by the invoice (photos may also be included if appropriate).
2. Supporting or back-up documentation for all charges on the invoice, including receipts for all materials and supplies, all Grantee staff time shown by number of hours worked and hourly rate, and all sub-contractor services.
3. Clearly reconcile all supporting documents and identify them with the charges reflected in the invoice. If the attached supporting document includes a charge that will be reimbursed in part by the WCB and another funding source, clearly indicate the portion being paid by the WCB, and reconcile this amount with the invoice
4. **Column: Cost Share, Cumulative: this column should include the total dollars for all cost share funds and in-kind services provided per invoice period, and should accumulate progressing forward with each invoice. Please refer to EXHIBIT D - FINAL COST SHARE TEMPLATE, and contact WCB Project Manager for additional questions.

FINAL COST SHARE ACCOUNTING FORM

Letterhead (include Name, address, telephone, contact person name)

Project Name: Name on Grant Document
Agreement Number: WCB Grant Agreement No.
Term of Project: Beginning and End dates
Amendments: describe if any, along with date
WCB Project Manager:

PROJECT TASK	TOTAL COST	WCB ALLOCATION	COST SHARE SOURCE #1, Cost Share Source #1, Name	COST SHARE SOURCE #2, Cost Share Source #2, Name	COST SHARE SOURCE #3, Cost Share Source #3, Name	COST SHARE SOURCE	TOTAL COST SHARE**
Column contents should be identical to Grant, Exhibit B	Column will be identical to Grant, Exhibit B	Column will be identical to Grant, Exhibit B	Cost Share Source #1, Name	Cost Share Source #2, Name	Cost Share Source #3, Name	Insert additional columns as needed.	Total of all non-WCB charges to this task. This includes invoices or charges for the task item, attributed to another funding source/ partner.
Task 1							
Task 2							
Task 3							
Task 4							
Task 5							
...							
TOTAL	Sum of all items	Sum of all items	Sum of all items	Sum of all items	Sum of all items	Sum of all items	Sum of all items

NOTES

- 1 ** This column will be the same as WCB Disbursement Template, "Cost Share, Cumulative", and should be identical to cost share presented in Grant Exhibit B.
- 2 Cost share backup documents to include: invoices, timesheets, or time estimates with justification. Grantee will keep backup documents for audit-ready files (backup documents will not be provided to WCB).
- 3 This EXHIBIT D - FINAL COST SHARE ACCOUNTING FORM should be included with the final invoice when work is completed, in advance of retention release invoice.
- 4 If Project has numerous partners with small cost share items, these may be consolidated into one column. Please discuss with WCB Project Manager.

WORK PLAN

San Bernardino County Transportation Authority/ San Bernardino Council of Governments (SBCTA/SBCOG), San Bernardino County, and Southern California Association of Governments (SCAG) have worked since 2016 to prepare and complete preliminary draft of the SBC RCIS. A complete preliminary draft of the SBC RCIS was prepared and distributed in December 2018 and was presented to the Environment Element Group (EEG) and the public during a formal public meeting on March 4, 2019. The preliminary draft SBC RCIS was prepared according to the 2017 CDFW RCIS Guidelines, and despite planning team efforts to submit the preliminary draft SBC RCIS prior to the March 30, 2019 grandfather date, it could not be submitted due to lack of sufficient funding. Therefore, revisions to the preliminary draft will be necessary in order to prepare a draft RCIS that meets current guidelines. Prop 68 funding will be used to complete the RCIS planning process according to the tasks described below.

Task 1. Project Initiation/Kickoff

SBCTA/SBCOG, in partnership with the other members of the SBC RCIS coordination team (i.e., the County of San Bernardino and SCAG), will execute the grant agreement and hold a grant kick-off meeting to initiate the project. Other project initiation tasks will include preparation of a detailed project schedule, reviewing the executed grant agreement, and establishing communications protocols.

To be completed: Detailed project schedule, executed grant agreement, kick-off meeting notes, list of prioritized action items, communications protocols

Task 2. Develop Workplan for the SBC RCIS

SBCTA/SBCOG, in partnership with the other members of the SBC RCIS coordination team (i.e., the County of San Bernardino and SCAG), will develop a master workplan for preparing the SBC RCIS under the grant agreement. Additionally under this task, SBCTA/SBCOG will use the master workplan to develop a Consultant scope of work and enter into an agreement with a qualified Consultant to support the coordination team in preparing the SBC RCIS.

To be completed: Master work plan

Task 3. Prepare Administrative Draft SBC RCIS

Under this task, the Consultant, as directed by the SBC RCIS coordination team, will update and revise the December 2018 preliminary draft SBC RCIS pursuant to current CDFW RCIS Guidelines (September 2018). As previously noted, the preliminary draft SBC RCIS was prepared according to the 2017 guidelines and a

number of refinements to the SBC RCIS are anticipated to be necessary to update the SBC RCIS to the current CDFW RCIS Guidelines. The major areas of update are related to the following topics:

- **RCIS Area:** As previously noted, the December 2018 preliminary draft SBC RCIS covers two subareas of San Bernardino County: the Valley and West Desert subareas. These subareas were considered as highest priority for inclusion because these regions would benefit greatest from a coordinated regional conservation/mitigation strategy. The Valley and West Desert subareas of the County are geographically separated by the Mountain region. The Mountain region is topographically and ecologically distinct and separate from the Valley and West Desert subareas, and the Mountain region is primarily U.S. Forest Service lands managed according to an existing conservation strategy within approved Resource Management Plans. The current CDFW RCIS Guidelines state that “an RCIS area should be a complete, unfragmented geographic area”; therefore, the SBC RCIS coordination team will evaluate options to comply with this RCIS Area requirement. It is anticipated that the preliminary draft RCIS Area will need to be revised in order to address this issue, which would result in revisions to all mapping and analyses used in the preliminary draft.
- **Consistency with HCPs, NCCPs, and Recovery Plans:** To address consistency with HCPs, NCCPs, and Recovery Plans that overlap the SBC RCIS, the latest CDFW RCIS Guidelines call for a consistency comparison evaluating this RCIS conservation strategy with that of existing plans. As identified in the preliminary draft, the SBC RCIS currently overlaps one regional NCCP/HCP, two regional HCPs, 20 smaller HCPs, and recovery plans for 11 focal species.
- **Focal Species List:** The September 2018 CDFW RCIS Guidelines included a number of revisions as to how focal species lists are selected, and these modified guidelines require revisiting the SBC RCIS species list and selection process. Under the current guidelines, the RCIS shall include listed species, wide-ranging species, climate vulnerable species per the State Wildlife Action Plan (SWAP), and taxonomic group representatives. As a result of this new guidance, the planning team anticipates needing to revisit the focal species selection process and likely adding a number of species to the focal species list. Additionally, revisions to the RCIS Area, as noted above, may necessitate focal species list revisions. Revisions to the focal species list will require modifications throughout the preliminary draft, including updated conservation goals and objectives, conservation actions, and prioritization, as well as new focal species accounts.

- **Incorporation of Best Available Scientific Information:** Current CDFW RCIS guidelines require the use of best available scientific information, including the more recent version of CDFW's Areas of Conservation Emphasis (ACE) data. The preliminary draft SBC RCIS incorporated ACE-II datasets into the conservation strategy; however, CDFW issued new ACE-III data in 2018 that would need to be incorporated in the RCIS.
- **Incorporation of a Climate Change Vulnerability Assessment:** The current CDFW RCIS guidelines call for preparation of climate change vulnerability assessment for focal species and natural communities addressed in the RCIS. Although climate change vulnerability was addressed in the preliminary draft, the SBC RCIS would require revision to address the latest guidelines pertaining to climate change.

Additionally, the preliminary draft will be revised to address EEG and public comments received to date on the December 2018 SBC RCIS, including comments received during the formal RCIS public meeting held on March 4, 2019. The Consultant, as directed by the SBC RCIS coordination team, will revise the December 2018 draft document as necessary based on the above to prepare an Administrative Draft SBC RCIS for review by the coordination team.

To be completed: RCIS area options evaluation memo, revised SBC RCIS boundary and mapping, Plan consistency memo, focal species selection memo, revised species list, new focal species accounts, climate change vulnerability assessment memo, and administrative draft SBC RCIS

Task 4. Prepare and Submit Draft SBC RCIS for CDFW Completeness Review

Based on input and comments from the SBC RCIS coordination team, the Consultant will revise the administrative draft document to prepare a Draft SBC RCIS. The Draft SBC RCIS and required application fee will be submitted to CDFW for their completeness review. Additionally, the Draft RCIS submittal will include a state goals letter from a state agency to CDFW requesting approval of the SBC RCIS.

To be completed: Draft SBC RCIS, application fee, and state goals letter.

Task 5. Prepare and Submit Public Draft SBC RCIS for Substantive Review

The Consultant, as directed by the SBC RCIS coordination team, will compile and address comments from CDFW's "completeness review" of the Draft SBC RCIS. The coordination team anticipates that the Draft SBC RCIS will require revisions based on CDFW's initial review prior to being deemed complete. The Consultant will revise the Draft SBC RCIS to prepare a Public Review Draft SBC RCIS for submittal and review by CDFW and the public.

To be completed: Public Review Draft SBC RCIS

Task 6. Prepare Administrative Draft Final SBC RCIS

Following closure of the public review period, CDFW will provide its full list of comments on the Public Review Draft SBC RCIS, and any outside comments received during the public comment period will also be submitted. The Consultant, as directed by the SBC RCIS coordination team, will compile and itemize comments, develop the preferred approach to addressing these itemized comments, and revise the Public Review Draft to prepare an Administrative Draft Final SBC RCIS. This Administrative Draft Final document will be provided to the SBC RCIS coordination team for a final review prior to preparing the Final document.

To be completed: Administrative Draft Final SBC RCIS10

Task 7. Prepare Final SBC RCIS

Following review of the Administrative Draft Final document, the Consultant, as directed by the SBC RCIS coordination team, will prepare and submit the Final SBC RCIS to CDFW for approval.

To be completed: Final SBC RCIS and published E-Plan

Task 8. Public and Stakeholder Outreach

The Consultant and the SBC coordination team will engage in public and stakeholder outreach throughout the RCIS planning process to educate City staff, County staff, water districts, industry groups, environmental groups, other stakeholders, and the public about the uses and benefits of the RCIS and will incorporate their feedback. At every occasion, including at the recent March 4, 2019 RCIS Public Meeting, the EEG and the public have strongly expressed the need for additional and more frequent outreach and opportunities for input into RCIS preparation. As a result, the planning team has pledged to continue this ongoing outreach and public engagement.

A minimum of three EEG stakeholder meetings will be held during this planning process, which will involve approximately 1 week of staff time for each meeting preparing materials, leading the meeting, and compiling notes, comments, and action items. Approximately eight targeted interest group outreach webinars and in-person meetings will be conducted that will serve (either formally or informally) the function of a technical review team during RCIS development. Additionally, the Consultant will develop and host data and mapping information through a publicly accessible webbased mapping and sharing portal to provide a vehicle for stakeholder collaboration and information dissemination.

Additionally under this task, the Consultant and SBC coordination team will also conduct early coordination with State agencies to obtain the agency goals letter (support letter) necessary for submittal of the Draft SBCR RCIS to CDFW for completeness review.

To be completed: Handouts, presentations, agendas, participant lists, and meeting notes for 3 EEG meetings; 8 webinars/meetings with interest groups and technical review team; development and hosting of web-based data and mapping portal.

Task 9. Project Management and Administration

SBCTA/SBCOG and the Consultant will provide project management and administration throughout the term of the grant agreement. The Consultant will provide monthly progress reports, monthly invoices, and a final close-out report which SBCTA/SBCOG will use as input into their monthly reporting to the grant administrator. Additionally, the Consultant will provide all data and final document files to SBCTA/SBCOG at the completion of the grant agreement, which SBCTA/SBCOG may provide to the grant administrator upon request.

To be completed: Monthly progress report invoice packages, and close-out report, including geographic information system (GIS) database and final document files.

Additional Information

GENERAL POLICY COMMITTEE ATTENDANCE RECORD – 2019

Name	Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec
Robert Lovingood Board of Supervisors			X	X		X		X	X			
Josie Gonzales Board of Supervisors		X	X	X	X	X		X				
Curt Hagman Board of Supervisors		X	X	X	X	X		X	X		X	
Dawn Rowe Board of Supervisors		X	X	X		X		X	X			
Art Bishop Town of Apple Valley		X	X	X	X	X		X	X		X	
Bill Jahn City of Big Bear Lake			X	X	X			X			X	
Frank Navarro City of Colton		X	X	X	X	X		X	X		X	
Acquanetta Warren City of Fontana		X	X	X		X		X	X		X	
Darcy McNaboe City of Grand Terrace		X	X	X	X	X		X	X		X	
Larry McCallon City of Highland		X	X	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	
Joel Klink City of Twentynine Palms		X	X	X	X	X		X	X			
Rick Denison Town of Yucca Valley		X	X	X	X	X		X	X		X	

Communication: Attendance (Additional Information)

X = Member attended meeting.
Shaded box = No meeting.

* = Alternate member attended meeting.

Empty box = Member 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
S RTP	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



MISSION STATEMENT

Our mission is to improve the quality of life and mobility in San Bernardino County. Safety is the cornerstone of all we do.

We achieve this by:

- Making all transportation modes as efficient, economical, and environmentally responsible as possible.
- Envisioning the future, embracing emerging technology, and innovating to ensure our transportation options are successful and sustainable.
- Promoting collaboration among all levels of government.
- Optimizing our impact in regional, state, and federal policy and funding decisions.
- Using all revenue sources in the most responsible and transparent way.

Approved December 4, 2019